



World Trends in Freedom of Expression and Media Development:

Regional overview of
**LATIN AMERICA
AND THE CARIBBEAN**



United Nations
Educational, Scientific and
Cultural Organization

Communication and
Information Sector

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INTRODUCTION

Freedom of expression in general, and media development in particular, are core to UNESCO's constitutional mandate to advance 'the mutual knowledge and understanding of peoples, through all means of mass communication' and promoting 'the free flow of ideas by word and image.' For UNESCO, press freedom is a corollary of the general right to freedom of expression. Since 1991, the year of the seminal Windhoek Declaration, which was endorsed by our Member States, UNESCO has understood press freedom as designating the conditions of media freedom, pluralism and independence, as well as the safety of journalists.

The present text is part of a compendium of regional overviews produced as a supplement to the 2014 publication *World Trends in Freedom of Expression and Media Development*.¹ The *World Trends* report, along with its supplemental regional chapters, examines progress as regards press freedom, including in regard to gender equality, and makes sense of the evolution of media actors, news media institutions and journalistic roles over time. The global report also contains an in-depth examination of the gender-related aspects of press freedom, through dedicated sections in each of the four thematic chapters.

World Trends in Freedom of Expression and Media Development was prepared as the basis of a summary report on the global state of press freedom and the safety of journalists, presented to the General Conference of UNESCO Member States in November 2013, on the mandate of the decision by Member States taken at the 36th session of the General Conference of the Organization.²

The overarching global trend with respect to media freedom, pluralism, independence and the safety of journalists over the past several years is that of disruption and change brought on by technology, and to a lesser extent, the global financial crisis. These trends have impacted traditional economic and organizational structures in the news media, legal and regulatory frameworks, journalism practices, and media consumption and production habits. Technological convergence has expanded the number of media platforms, and access to them, as well as the potential for expression. It has enabled the emergence of citizen journalism and spaces for independent media, while at the same time is fundamentally reconfiguring journalistic practices and the business of news.

The broad global patterns identified in the report are accompanied by extensive unevenness within the whole. The trends summarized above, therefore, go hand in hand with substantial variations between and within regions as well as countries. It is these variations that are explored in the chapters that follow.

1 Available at <http://www.unesco.org/new/world-media-trends>

2 37 C/INF.4 16 September 2013 "Information regarding the implementation of decisions of the governing bodies". <http://unesdoc.unesco.org/images/0022/002230/223097e.pdf>; <http://unesdoc.unesco.org/images/0022/002230/223097f.pdf>

**LATIN AMERICA
AND THE CARIBBEAN:
MEDIA FREEDOM**

OVERVIEW

Over the past six years, Latin America and the Caribbean continued to comply with the basic conditions that guarantee freedom of expression and media freedom, although the situation has not been homogeneous throughout the 33 countries in the region.¹ Even where strong legislation has existed, implementation has remained a challenge.

Several Latin American countries have approved new media laws that have been perceived by some as an opportunity to make the media landscape more pluralistic and less concentrated, and by others as an opportunity for the governments to act against media outlets that have been critical of their administrations. The same debate has applied to steps to revise out-of-date media laws, including those left over from military dictatorships. There has been a trend of public officials initiating criminal legal actions against journalists and media outlets, although in the majority of cases these do not move forward. Countries that have typically maintained international standards on freedom of expression and access to information have continued to do so.

LEGAL/STATUTORY ENVIRONMENT

In all countries in the region but one, there have been constitutional guarantees or laws that protect freedom of expression as a fundamental right. Cases of prior censorship have been infrequent. The past few years have seen a trend towards reformulating or creating new media legislation and regulation, with at least 19 countries having done so or announcing plans to do so. In some cases, these reforms have been made in the context of open conflict between governments and the media, and have seen public opinion divided on the issues. Critics have contended that new broadcasting regulations have increasingly been used in some countries to limit oppositional voices by shutting down media outlets, while authorities in those countries have maintained that closures have been due to non-compliance with broadcasting regulations, such as operating without a license or failing to pay required fees.

In recent years, the Special Rapporteur for Freedom of Expression of the Inter-American Commission on Human Rights (IACHR) of the Organization of American States (OAS) has recommended repealing or amending laws that criminalize *desacato* (expressions deemed offensive that are directed at public officials), defamation, slander, and libel, and has urged states to adapt their legislation to guarantee access to public information. A proposal backed by some countries to reform the IACHR could have weakened the Office

1 According to a longitudinal analysis of the annual *Freedom of the Press* survey data, over the past six years the number of countries in the Americas classified as having 'Free' and 'Party Free' media has declined, whereas there has been an increase in the number designated as meeting the criteria for the 'Not Free' media category.

of the Special Rapporteur for Freedom of Expression, but was not adopted by the OAS General Assembly.

There has been a predominant trend towards decriminalization of defamation across the region, with the Caribbean accounting for three of the seven countries that have fully or partially decriminalized defamation in the past six years, and an ongoing trend of abolishing *desacato* laws that refer specifically to defamation of public officials. However, there has been little change in the past six years in the use of other charges like civil defamation and libel to limit information on matters of public interest by public officials or powerful citizens. The OAS Special Rapporteur has expressed concern over the use of 'terrorism' or 'treason' offences to violate the right to freedom of expression of those who criticize governments.

For the broadcast media that require licences in order to operate, the situation has been one of vulnerability since expiry and renewal have served as opportunities to potentially exercise political pressure, a trend noted primarily in a small number of countries. In print media, there have been actions that could be used to constrain press freedom. New regulations in some countries on the import, manufacture, sale and/or distribution of newsprint have been seen by critics as opening the possibility for indirect governmental intervention in the production of print news. Community radios have been important in several countries, providing local news and programming in local languages, but they have only recently begun to benefit from legal-regulatory frameworks.

The internet has increasingly become the focus of legislative initiatives, both via platform-specific measures as well as those aimed at all media platforms. In many cases, existing media legislation has also been interpreted extensively to cover the internet. Evidence of these trends has been found in bills that seek to protect copyrights by promoting the removal of content, actions taken by governments to request the removal of such content, as well as judicial actions which limit and restrict access to content deemed offensive or which impose prison sentences on journalists or bloggers for obtaining and publishing 'secret' information. This may signal an emerging trend towards censorship of online information.

Some countries have included provisions on internet use and access in their overall media laws. The majority of countries in the region have debated legislation that would allow the possibility of filtering content, although the balance has tended to favour groups seeking greater openness. The region has had a tradition of filtering content related to child pornography. In cases that may be inconsistent with international standards, the issues of defamation, copyright and political issues have been identified as the principal motives for content removal, despite the general absence of clear regulations permitting this. There has appeared to be a countervailing emerging trend towards adopting proactive legislation to codify rights on the internet. In 2010, Chile became the first country in the region to pass legal provisions ensuring 'net neutrality' and Brazil developed an Internet Civil Rights Framework for its parliament to consider.

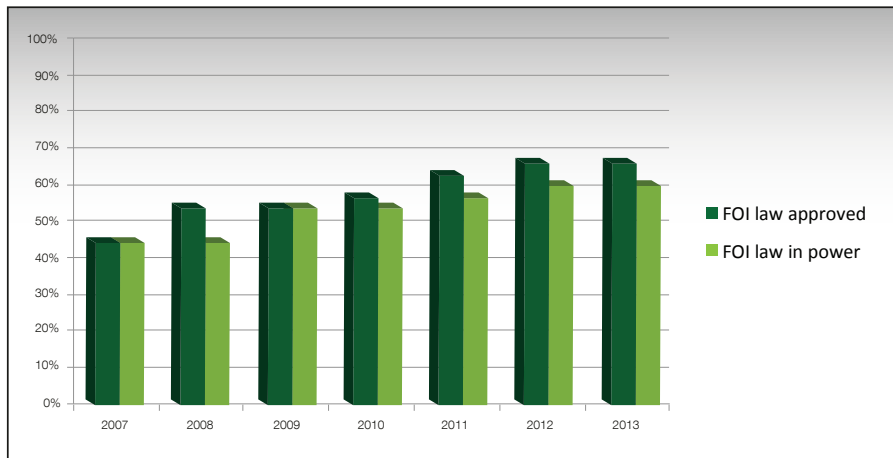
Investigative journalism has been practised in the Latin American and Caribbean media, although with great variety in quality and impact according to the size of the media company and the place where it was produced. This type of journalism has often been more frequent in media companies from large capital cities than in the provinces, due at least in part to the lack of formal journalist training and education in rural and remote areas [see *LATIN AMERICA AND THE CARIBBEAN: MEDIA INDEPENDENCE*]. In general, there have continued to be media outlets in the region with sufficient capacity to do investigative reporting on public and private interests. Associations devoted to investigative reporting have emerged in recent years as key organizations in uncovering stories of public interest and providing resources to journalists.²

Protection of sources has been widely recognized across the region, and has been promoted in the IACHR's Declaration of Principles on Freedom of Expression and the Inter American Press Association (IAPA)'s Chapultepec Declaration. Most Latin American countries have had legal protection of sources, with at least six guaranteeing it as a constitutional right. Such laws have been absent in much of the Caribbean.

There has been a dominant trend towards greater transparency in the region. The past six years have seen a continued trend in promotion of freedom of information (FOI) laws in the region, with national laws going into effect in six countries, bringing the regional total to at least 18 countries, including five in the Caribbean. Although in many countries there were legal mechanisms that guaranteed this right, such laws helped to encompass them, provide coherence and extend their scope. The OAS has produced a model law on access to information to 'provide States with the legal foundation necessary to guarantee the right to access to information.' Furthermore, the region has largely supported the Open Government Partnership, a global government-backed strategy to encourage a culture of transparency. Since 2011, 15 countries in the region have endorsed this initiative. Transparency law and initiatives have generated more opportunities for quality journalism in the region.

2 For example, the Associação Brasileira de Jornalismo Investigativo, founded in Brazil in 2002; Centro de Investigación e Información Periodística, founded in Chile in 2007; Fundación MEPI founded in Mexico in 2010; and Plaza Pública, founded in Guatemala in 2011.

Figure 1
Percentage of Member States with freedom of information (FOI) laws: Latin American and the Caribbean



Sources: freedominfo.org. (2013, March). *Consensus list of 93 countries with freedom of information laws or the equivalent*; Vleugels, R. (2012, 30 September). Overview of all FOI laws. *Fringe Special*; Open Society Justice Initiative. (2013, March). *List of Countries with Access to Information (ATI) Provisions in their National/Federal Laws or Actionable Decrees, and Dates of Adoption & Significant Amendments*

However, there has generally been a gap between the FOI laws and their implementation. There appears to be an emerging trend of governments adopting access to information or FOI legislation but later attempting to dilute or weaken these measures. FOI implementation and use has tended to be stronger in capital cities and among federal bodies than at the state or local levels. In general terms, the situation has been uneven throughout the region. In 2012, Colombia became the first country in the region to grade itself through the creation of the Index of Freedom of Expression and Access to Information.

**LATIN AMERICA
AND THE CARIBBEAN:
MEDIA PLURALISM**

OVERVIEW

In the past six years, regulatory frameworks have been renewed and policies have been put in place that have contributed to promoting pluralism and the diversity of voices and sources of information in the media in the 33 countries in Latin America and the Caribbean (LAC). Similarly, the existence of public media sources in countries where they were not historically present increased significantly, and laws that address issues related to non-profit and community media were passed. In addition, public policies were introduced that focused on expanding connectivity in order to increase access to information and diverse content for the general population. In many cases, such policies have been implemented in countries where digital television transmissions were already developed.

Historically, pluralism was limited in the region due to factors such as the predominance of the commercial sector and the concentration of media ownership, which often resulted in uniformity of content and of informational agendas (which were typically produced in large urban centres). With regard to access, there has been an ongoing trend towards achieving access to greater diversity and pluralism of content and sources of information, although discrepancies have persisted between rural and urban and among minority populations, particularly with respect to the internet.

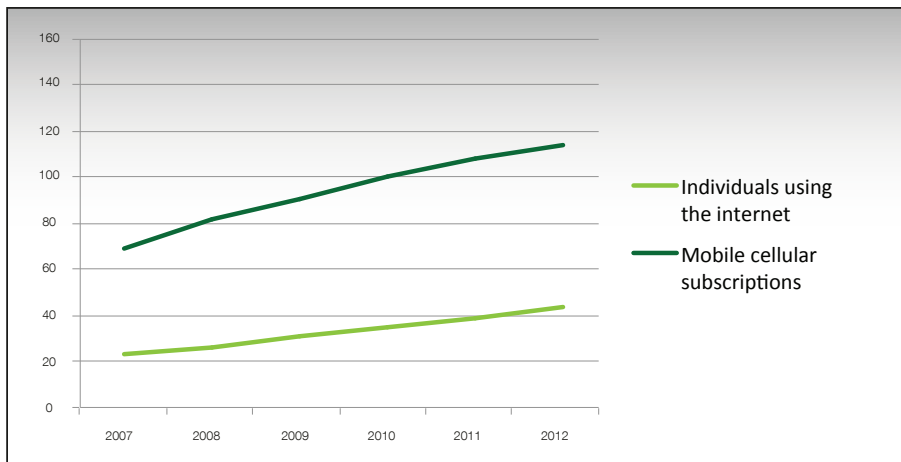
ACCESS

Media penetration in the region has been considerable, especially for free/open TV, which according to a 2012 report from the Brazilian Institute of Public Opinion and Statistics, typically reached more than 90% of country populations, followed by radio (well above 60%), paid TV (upwards of 60%) and newspapers, which typically had far lower penetration rates. Newspaper circulation has been trending upward with a 5% increase between 2006 and 2011, according to the World Association of Newspapers and News Publishers (WAN-IFRA). In recent years, the quantity of daily newspapers published in the region has increased, as have online newspaper editions. A priori, these trends may point to increased pluralism within the media. However, this has also been countered by trends in concentration. In Mercosur (excluding Brazil), for example, Mastrini and Becerra found that there were four daily newspapers that comprised more than 60% of the market.

Users of information technology and similar means of communication have experienced notable improvements in their access to these resources in recent years, according to the Latin American and Caribbean Network Information Centre, the organization that manages internet address records for the LAC region. Internet penetration in the region

grew steadily, from 24% of individuals using the internet in 2007 to 43% in 2012.³ These figures vary by subregion: according to Internet World Stats, 32% of individuals in the Caribbean used the internet in 2012, 33% of individuals in Central America and 48% of individuals in South America. Over the same time period, the rate of mobile-cellular subscriptions grew from 67 subscriptions per 100 inhabitants in 2007 to 109 subscriptions per 100 inhabitants in 2012.⁴

Figure 2
Internet and mobile cellular penetration per 100 inhabitants in Latin America and the Caribbean



Sources: For internet penetration rates and number of mobile subscriptions, see International Telecommunications Union (ITU). (2013, June). 'Individuals using the Internet' and 'Mobile Cellular Subscriptions'. *World Telecommunication/ICT Indicators database 2013 (17th Edition)*. For population, see World Bank. (2013). *World Databank: World Development Indicators*.

In terms of fixed broadband technology, connectivity has been increasing in recent years, encouraged by national plans that advocate for expansion and the universalization of connectivity in various countries in the region. In addition, the prices of the most inexpensive fixed broadband plans have, on average, been trending downwards. Furthermore, broadband mobile use has grown as an alternative means of accessing the internet; the GSMA reported in 2012 that broadband mobile subscriptions have increased 127% each year for the last five years, and growth is expected to continue. This trend in connectivity and access to media and digital expression has indicated the possibility that ethnic and social minorities – insufficiently represented in the region's traditional media sources in recent years – have increased their presence in the public sphere. New digital and online media sources have had positive impacts on the region, and more specifically on the rights to public expression by minorities and vulnerable or marginalized groups, such as indigenous peoples.

³ Data for internet penetration were taken from the International Telecommunication Union (ITU) and for population from the World Bank.

⁴ Data for mobile cellular subscriptions were taken from the ITU and for population from the World Bank.

However, although progress has been made with regards to access to information, competition in the telecommunications sector has remained lacking in the region, resulting in high prices and few incentives for investing in the expansion of services in 'less profitable' zones, such as rural areas.

ECONOMIC MODEL

In Latin America and the Caribbean, where a commercial model has traditionally predominated, media ownership has been highly concentrated among very few owners. In much of the region, on average, almost half of the products and services of the information and communications markets of each country were controlled by one provider. In addition, Mastrini and Becerra found that participation of the primary service providers in info-communications activities made up, on average, 45% of the markets in much of the region. In Central America specifically, the same trends have been visible, and the level of concentration in media ownership was also very high.⁵ For example, television markets in these countries presented indices of high concentration. Moreover, many recent country-specific studies have indicated that high levels of concentration in media ownership persist in much of the LAC region.

Some regulatory reforms have further concentrated the communications markets in the region [see *LATIN AMERICA AND THE CARIBBEAN: MEDIA INDEPENDENCE*]. At the same time, the concentration trend has influenced and encouraged public policies that aim to 'de-monopolize' the media and promote pluralism, as laid out in the 12th part of the Declaration on Principles of Freedom of Expression of the IACHR. However, in the past 10 years, several governmental and legal initiatives that were implemented (or proposed) have tended to expand state intervention not only in relation to ownership but also to the regulation of content. In some cases regulatory measures to guarantee pluralism have been taken outside of formal regulatory frameworks, such as quotas for independent productions or local or regional content and funding for community media.

The largest percentage of total advertising spent in the LAC region has been concentrated in free-to-air TV, which has been almost fully supported by advertising, as has been the case with newspapers. Newspapers in the region have seen substantial increases in circulation and advertising revenue, which WAN-IFRA reported was up 38% between 2008 and 2012, while advertising spending in the region more generally has also experienced an upward trend during the same period. Advertising investment in Latin America has been growing in the largest economies in the region since at least 2010. It grew 5% from 2011 to 2012 according to the agency ZenithOptimedia, making it one of the fastest growing regions for advertising, with predictions that this trend is likely

5 According to Mastrini and Becerra (2009), in Central America, the four largest businesses in each sector comprised on average 40% of the radio market and more than 95% of the basic telephone and mobile markets.

to continue. Internet advertising has ‘made a powerful surge’ in Latin America, Nielsen has reported, with an annual increase of 21% achieved in 2012. Yet the trend towards new content formats has been hampered by challenges over monetization, shortage of funding for entrepreneurial media ventures, and lag time in the traditional media. This has meant that consumer demand for online content has been growing at a faster pace than the supply.

In a considerable number of countries in the region, traditional media outlets have relied strongly on state advertising to survive, especially at the local level, and have not yet been significantly impacted by the increase in online competition. This dependence, especially at the provincial and local levels, has rendered media outlets vulnerable to influence by civil servants and authorities. The use of state advertising to punish or reward certain editorial lines has garnered increasing attention by journalists and civil society organizations. There have been irregularities where public funds allocated for information campaigns on issues of public interest were instead spent on advertising by parties or candidates running for election. There appears to be a trend towards legal reform of government advertising, with recent initiatives to increase regulation being reported in Chile, Colombia and Uruguay. However, public expenditure in advertising has reached into the millions of dollars, making the boundaries between political interference and economic influence difficult to trace.

In terms of terrestrial digital television, a large part of the region has adopted the Nipo-Brazilian system, and the ‘digital switch’ has been expected to occur by 2016. As a result, the state is largely in control of digital TV broadcasting in many countries of the LAC region. However, there have remained many unresolved questions related to how the television sector – historically oligopolies – will adapt to digitalization. It remains to be seen whether the switch is facilitating the entry of new communications and technology providers and consequently promote pluralism, or instead resulting in consolidation and concentration. Recent events have called into question the potential for increased diversity and competition in the sector.

Public service broadcasters that function according to strict rules of political and financial independence have been rare in much of the region, although less so in the Caribbean, and their absence has been seen to reduce pluralism in the media landscape. In some countries, public service broadcasters have tended to be fragile and suffer from lack of resources and support, and in much of the Caribbean parts of the national broadcaster have been privatised. In many countries, although rhetorically claiming to be public service institutions, the broadcasters have had government-controlled boards and have disseminated pro-government information. In recent years, public policy initiatives focused on public media have been introduced in the region in order to address issues related to media sources and ownership. The experience of Brazil, Chile and Uruguay, which managed to organize more open and plural media outlets in the past six years, has indicated an emerging trend towards public service broadcasting in the region.

CONTENT

An important trend in the LAC region impacting the plurality of representation in content has been concentration at a geographic level, and the fact that the production of content and news has been mainly based in the region's large urban centres. Combined with the issue of concentration of ownership, concentration at a geographic level also affects pluralism and diversity by creating uniformity in terms of informational agendas and news content.

Community media sources have been able to respond to and remain in touch with the needs, interests, problems and expectations of different sectors of the population. However, this sector has often been unable to develop due to burdensome procedures that treat them as if they were traditional media outlets. In recent years, new regulations have been adopted and discussed to address this issue. According to the UNESCO report *Tuning into Development*, in several countries in the region, at least one-third of frequencies have been reserved for community broadcasters, in some cases specifically for national universities and indigenous communities. However, ongoing harassment has remained a problem, particularly in Central America. Some countries in the region have financed broadcast networks structured similarly to community-based media sources but which have in effect been government-run sources. These types of policies and initiatives still require analysis and evaluation to determine the impact on pluralism.

When taking into account diversity and plurality of media, it is important to consider the gender of people who are employed in these markets. A trend that has persisted in the region is the under-representation of women in news media-related occupations, particularly in management and editorial positions. Similar issues have been observed with respect to news media content: only 23% of the people in the news were women according to the 2010 report of the Global Media Monitoring Project. Although revisions of regulatory frameworks and policies have not generally taken into account the lack of gender equality and gender-sensitive policies in the media industry in the region, there has been an increase in news and media sources that themselves challenge gender stereotypes.

**LATIN AMERICA
AND THE CARIBBEAN:
MEDIA INDEPENDENCE**

OVERVIEW

In many of the 33 countries of the Latin America and Caribbean region, broadcasting regulations have mainly covered technical issues, but have also occasionally, though increasingly, been used as an indirect restriction to limit the free flow of information through the application of sanctions that have included fines and the non-renewal of licences of independent radios and TVs. The lack of independent regulators aligned with international standards has remained. The digital switchover and increasing prominence of the internet have opened up discussions on new dimensions of regulatory frameworks and created opportunities for revision and updating.

The expansion of the internet has been met with different responses, with some governments viewing it as a space that needs to be regulated whereas others have sought explicitly to protect freedom of expression online through laws and regulations that would guarantee net neutrality and limit the liability of internet service providers [see *LATIN AMERICA AND THE CARIBBEAN: MEDIA FREEDOM*]. A large part of the region has begun to discuss (and in some cases to approve) new regulation regarding online content. These discussions have appeared likely to contribute to the resolution of many of the challenges that the region has faced in terms of accessing and producing information that fosters diversity and plurality of viewpoints.

INDEPENDENCE AND SELF-REGULATORY MECHANISMS

In general in the Latin America and Caribbean region, telecommunications and broadcasting have been regulated separately and overseen by different authorities, while the printed press has been relatively free from regulation. In many countries, communication regulations (covering both telecoms and broadcasting) have become outdated and have required, especially in the past 15 years, modifications that were introduced slowly through an assortment of laws on specific topics that modified the original broader legislation. The result has been a confusing patchwork of regulations.

In most of the region there have been no specific requirements for the exercise of journalism (online or off-line). In some countries, however, a diploma issued by a government-approved journalism course has been mandatory, although the IACHR has found that compulsory membership in an association or the requirement of a university degree for the practice of journalism constitutes an illegitimate restriction on freedom of expression. There have been contradictory trends on this issue. Some countries have seen growing debate on the matter or have had legislation under review or approved to introduce such requirement for practising journalism. The Inter American Press Association, on the other

hand, has positioned itself against the qualification-requirement since its Chapultepec Declaration of 1994.

The great majority of Latin American countries have not required specific licences or authorizations for the operation of the print media. The past 10 years have witnessed the growth of online media, where newcomers have had free access to the market, also irrespective of licences or authorizations. Requirements for creating an online media company have been the same as those regularly applied to any other business.

The national broadcasting scenarios in the LAC region can be roughly divided into two main groups. The first group is comprised of media contexts dominated by state-owned media or where state-owned media have been growing rapidly in the past few years. A second group has been formed by countries where broadcasting has been dominated by private/commercial outlets and where concentration has been the norm. In general, in the first group, countries have had a regulator nominated and controlled by the government; these bodies have generally been subject to the executive branch (normally a ministry), directed by individuals appointed by the government and with political and financial dependency. In the second group, agencies in charge of applying regulations have tended not to act in the public interest but rather been often guided by the economic and political interests of the most influential media groups, and have acted to control or dissuade the entrance of new, especially small, players. There have been few examples of regulators that have abided by rules of pluralism and participation with regulations fully oriented to serving the public good and broadening access to the airwaves [see *LATIN AMERICA AND THE CARIBBEAN: MEDIA PLURALISM*]. There have not been rules related to gender equality and balance in the participation in these bodies.

Broadcasting regulations in most of Latin America and the Caribbean have been enforced by an oversight body that, in nearly all countries, has not been independent of government or a ruling party. By controlling broadcasting concessions, politicians have often promoted themselves and their allies, limited expression, and aggressively attacked political opponents. The borderline between media and politics has led to increased pressure and distrust while rendering self-regulation efforts more difficult. There has been a perception that the media have rarely played the role of neutral watchdog because the environment has been highly polarized between pro and anti-government media groups.

The number of reported cases of broadcasting regulations used to limit oppositional voices appeared to have been on the rise since 2007. Authorities have reportedly closed down or launched administrative procedures against radio and television broadcasters in several South American countries on the grounds of noncompliance with broadcasting regulations, although critics have viewed these actions as being aimed to stifle dissent.

Recent increased state intervention in communications has also entailed regulatory frameworks that have interfered with media content, and has highlighted another emerging trend in the region: the intent to regulate the internet. In general, however, new and specific laws have not been created to regulate internet use and services because existing media regulations have typically been interpreted to cover this platform

[see LATIN AMERICA AND THE CARIBBEAN: MEDIA FREEDOM]. Other initiatives to regulate the internet in the region have been related to cybercrime. No specific licences have been required to set up a blog or website. Key issues that have been of increasing interest and debate across the continent were internet neutrality, filtering and blocking, intermediary liability and intellectual property.

Broadcasting regulations in the region generally have not established equitable access to the airwaves by the three tiers of broadcasting: public, commercial and community, which impacts on independence within these sectors. In some countries there has not been formal recognition for community broadcasters or they have been subject to laws that are more rigid than those applied to commercial and public media outlets. Radio stations operating without licence have been subject to criminal prosecution in some countries. Although the debate around the disproportionality of such measures seems to have been increasing in the past five years, community associations have not yet reported a decrease in the number of cases. In parts of the region, there have been many instances of stations closed down with violence, seizing of equipment and imprisonment of broadcasters (see LATIN AMERICA AND THE CARIBBEAN: MEDIA SAFETY). It has not been clear whether there is a trend with respect to prosecution cases.

Since 2005, the digital switchover has stimulated revision of telecommunication and broadcasting regulations. This period has also seen the strengthening of civil society groups working on freedom of expression and communication rights, and many states have been pressured to take advantage of the new frameworks to make communications 'more democratic'. This has resulted in a regional trend in which advocacy groups have pushed for new broadcasting regulations that address access issues (including equitable access by the three types of broadcasters – private, public and community), high levels of concentration, under- or misrepresentation of particular groups, the weakness of public broadcasters, and the fragility of community radio and TV stations. Digitalization has also opened up the door for regressive proposals in some countries and the threat that new, more onerous regulations could be passed that could detract from journalistic independence and professionalism.

Examples of self-regulation of the press or journalists in the region have been on the rise over the past decade, but have remained relatively weak. Many formats and different types of self-regulatory experiences have existed throughout the region. There were at least 30 ombudsman experiences in newspapers and audiovisual media, particularly in those of public management, at the outset of 2010, and five countries had members in the Organization of News Ombudsmen in 2013. In addition to individual initiatives by press companies, collective initiatives have also been found in the region. Very few self-regulation experiences have been found in broadcasting.

The public has participated in news editorial decisions through serving on boards, such as for *O Povo* newspaper and Empresa Brasil de Comunicacao in Brazil and *La Reforma* in Mexico. As early as 2005, Mexico's Reforma Group noted that such councils, comprising unpaid citizens and community leaders that act as ombudsmen across the country, had

been growing within their company every year and were connected to each sector of the paper.

JOURNALISTS AND MEDIA PROFESSIONALS

In many parts of the region, journalists have had professional autonomy as long as they avoided 'delicate' issues, in which case directors have had the final word. Pressures on editorial independence have been seen to emanate from the prevalence of state advertising as well as the private sector and commercial advertisers. The prevalence of private media and commercial ownership concentration has led to an environment organized according to business principles in which newsmaking practices have been adapted to profitmaking requirements. In such a context, pressure for efficiency has compromised independence by discouraging investigation that is costly in terms of time and/or money.

Although public opinion surveys have noted that the media obtained moderate levels of trust in Latin America and the Caribbean, Latinobarómetro results indicated that in 2012 this trust declined in the region (as well as trust in the government, NGOs and companies). Quality and accuracy of media coverage has remained a challenge, and higher educated and urban individuals in the region have tended to trust less in the media than others. The coverage of crises has been criticised for inadequacies, and much coverage of public policies has tended to generalize without sound basis or verification.

Low salaries in the media industry have persisted,⁶ and there have been indications that the expansion of online media, where salaries have tended to be lower than in print media, may exert further downward pressure.⁷ The gender discrepancy in income has varied considerably across the region. However, in general, according to the *Global Report on the Status of Women in the News Media*, the salary inequities for women have been greatest in governance as well as in top-level management, especially among the average high ranges.

Limited time and resources to cover the news coupled with deficiencies in the education system and the poor quality of journalism courses have created structural challenges affecting the exercise of journalism in the region. As a result, journalists have scarce training in investigative journalism, inadequacies in mapping and portraying contexts, and limitations in knowledge and understanding of power structures. Lack of job security and

6 See the 2011 survey carried out by Clases de Periodismo with 463 journalists from 21 countries in the region.

7 Although data could not be found to verify the continuation of this trend over the past six years, older surveys from the region as well as more recent evidence from other regions and specific countries have indicated this to be a likely scenario.

lack of benefits across the region has been accompanied by journalists being hired as freelancers or without formal contracts. The growing migration to online media (both in terms of users and advertising) has imposed new business formats on the news industry, which has been understood to have already negatively affected the number of jobs and modified the profile of workers. While a lack of data makes it difficult to identify a clear trend in relation to the work environment for journalists, reports point to deteriorating labour conditions in some countries.

A 2005 study by Konrad Adenauer Stiftung and the Instituto Prensa y Sociedad of journalists in 11 Latin American countries found that 60% continuously sought opportunities for professional development, typically on their own initiative with little encouragement or financial support from their outlets. Another study by the Federación Latinoamericana de Facultades de Comunicación Social found that academic offerings in journalism and communication studies and professional development opportunities have been quite limited in Central America and the Caribbean, and there were nearly no doctoral programmes in journalism or communication in the latter. The Andean subregion and Mercosur have provided a mosaic of opportunities that vary in curricula and quality from country to country and between institutions. Non-governmental organizations, such as the Fundación Nuevo Periodismo Iberoamericano, have promoted professional development.

Associations of media owners in press and broadcasting have been present across the region, and editors' associations can be found in some countries. Journalists' associations, which have been more prevalent, have frequently been organized in the form of union-related groups, although there have been some aimed at promoting professional development in specific areas of work (investigative journalism, data journalism, environmental journalism). Most of these associations have played a proactive role in defending press freedom, as well as regional entities such as the Association of Caribbean MediaWorkers (ACM), Inter American Press Association (IAPA), Federation of Latin American Journalists, and the Federation of Latin American and Caribbean Journalists (FEPALC). Women have remained underrepresented in the decision-making bodies of these regional associations.⁸

8 For example, in 2013 two out of seven posts of IAPA's top body were occupied by women and five out of 12 posts of FEPALC's Directory Body. Two of the seven members of the ACM's executive committee were women.

PROFESSIONALISM AND THE BROADER MEDIA ECOSYSTEM

There have been a large number of active NGOs in the region working on freedom of expression issues, from capacity building to advocacy and litigation. In the past 10 years, there seems to have been a growth in the number of groups dedicated specifically to monitoring the ethical dimension of media performance. Many media observatories have been established in Latin American countries during this period, and there have been several important research centres on media studies.⁹ The seven years up to 2013 saw a growing number of media rights and freedom of expression and information regional networks organized, and these have had a significant impact in improving the extent of regional cooperation, shared knowledge and joint actions.

Organizations in severely polarized political contexts have been accused of bias either in favour of their country's governments or foreign concerns or economic interests. A volatile environment concerning resources have also rendered civil society organizations vulnerable, and some countries in the regions have established limitations to foreign funding of NGOs in their territories, affecting the sustainability of some groups.

9 For example, the Center for Technology and Society Studies at Fundacao Getulio Vargas and the LaPCom at the University of Brasilia, in Brazil, CIESPAL in Ecuador, Universidad Javeriana in Colombia, CELE at the University of Palermo in Argentina.

**LATIN AMERICA
AND THE CARIBBEAN:
MEDIA SAFETY**

OVERVIEW

The past six years have witnessed several trends that have led to rising insecurity for Latin American and Caribbean journalists in many of the region's 33 countries. Their safety has been compromised primarily by two reinforcing trends: the spread of armed violence and increasingly tense relations between the government and the press in parts of the region. Many problems with ensuring the safety of journalists in the region have been inextricably linked with crime. The security of journalists has deteriorated over the past six years in countries that have experienced an upsurge of violence, whether due to organized crime or armed conflict. There has been a continuation of a trend where crimes against media professionals are not solved. The Caribbean subregion has seen significantly lower numbers of killings and attacks against journalists than several of its Latin American neighbours. However, Caribbean journalists, especially those reporting on corruption and governance issues, have nonetheless reportedly been threatened by both state-linked and non-state actors.

Violence in parts of Mexico and Central America due to the drug trade, organized crime and corruption has created a hazardous environment for journalists. In the Andean region, violent conflict has exposed journalists to specific risks. There appears to be a tendency in some countries where officials engage in official rhetoric, threats and other attacks which reveal that a critical press is not universally regarded as a legitimate part of the democratic process.

PHYSICAL SAFETY AND IMPUNITY

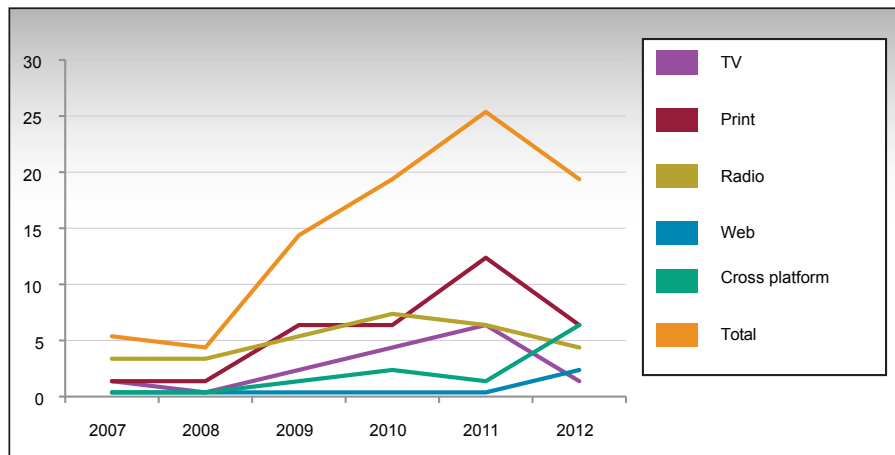
The number of journalists killed in Latin American and Caribbean has risen steadily over the past six years, with a slight decline in 2012.¹⁰ The majority of the killings of journalists condemned by UNESCO's Directors-General between 2007 and 2012 took place in two countries that accounted for 56 out of 86 condemnations, or almost two-thirds, of all journalist killings in the region. The rest of the killings were distributed across a handful of other countries.

Print, radio, and to a lesser extent TV journalists have all figured among those killed during this period, although deaths among online and cross-platform journalists increased in 2012. Female journalists have consistently figured among those killed, with a noted increase in 2011, possibly reflecting the fact that women make up nearly half the ranks of junior- and senior-level media professionals in the Americas and that 2011 was the deadliest year for journalists in LAC during this period [see *LATIN AMERICA AND THE CARIBBEAN:*

¹⁰ Based on UNESCO's internal database of *Journalist Killings and Status of Judicial Inquiry, 2007-2012*. Unless stated otherwise, the figures on killings of journalists that follow are taken from this database.

MEDIA PLURALISM]. Murder appeared to be the most common cause of death among those journalists killed in relation to their work. The available data show that criminal groups, followed by government officials and unknown assailants, have been the most common sources of journalist killings.

Figure 3
Killings of journalists in Latin America and the Caribbean per year by medium



Source: UNESCO's internal database of *Journalist Killings and Status of Judicial Inquiry, 2007-2012*

Eight (73%) of the 11 Member States where journalists had been killed in the region had responded to a request by UNESCO's Director-General for an update on the status of judicial inquiry as of mid-2013. While most investigations were noted as ongoing, the perpetrators were reported as convicted in 12 cases across four countries. In many other cases, available data reveal that the perpetrators have not been prosecuted, indicating the continued prevalence of impunity for the murder of journalists in the region.

At the same time, Mexico and Colombia have introduced initiatives to protect journalists, such as emergency assistance mechanisms. Mexico passed a law and a constitutional amendment in 2012 with the specific purpose of protecting journalists. In Colombia, impunity appeared to have declined since 2008 after prosecutors filed charges in a number of cold cases and reopened previously closed investigations. Brazil, Argentina and Uruguay have also increased efforts to improve legislation related to journalists' safety as well as address the issue of impunity. In the most violence-ridden countries, impunity has tended to foster a climate of lawlessness. Explanations for impunity have included negligence and ineffectiveness of relevant authorities, and deficiencies in justice systems, as well as corruption among law enforcement officials.

Threats, kidnapping, torture and wounding of journalists indicated a worsening trend through 2010, with improvements noted more recently. In 2007, the Organization of American States' Special Rapporteur for Freedom of Expression verified at least 200 cases of aggressions or threats against media employees, while in 2010, nearly 400 journalists were threatened or attacked in Latin America, according to Amnesty International.¹¹ Countries with high rates of violence, drug trafficking and corruption have tended to see greater numbers of cases of aggression against media and assassinations of journalists. Drug cartels fighting to control trafficking routes perceive that managing flows of information is essential to assert dominance, with the result of increased danger for journalists. More recently, gangs and drug cartels have killed journalists with the intention of sending a message to media outlets that some topics are off limits.

Journalists' efforts to uncover corruption or to expose links between officials and criminal networks can put them at particular risk. Agents of the state, such as local officials, police, and state security forces, have been amongst those responsible for threats and violence towards journalists. In addition to covering corruption and drug trafficking, other politically sensitive topics, such as land rights, environmental and natural resource issues, have often been taboo for journalists if they wish to avoid risks to their security. Elections have also tended to be periods of heightened risks for journalists in the region. Community radio stations have faced threats, primarily from perpetrators who appear to be connected to local government officials. Radio journalists who have criticized local authorities for abuses of power, human rights violations or corruption have been particularly at risk.

There is a rise in the numbers of killings reportedly carried out by government officials. Other than this, there have been few developments in the types of physical threats journalists faced or the types of perpetrators responsible over the period. In addition to journalists being personally targeted, there have been several examples over the past six years of media premises being vandalized, equipment confiscated and media outlets being closed down. Trends affecting the physical safety of journalists in the region have thus remained relatively stable over the past six years despite the emergence of new media platforms.¹²

11 The OAS also includes Canada and the United States, although an analysis of the annual reports indicated that the vast majority of complaints had not originated in those countries. Furthermore, the trend trajectory was not affected by the inclusion of countries outside of Latin America and the Caribbean since the numbers were still lower than in subsequent years.

12 Based on UNESCO's analysis, the list of threats journalists faced as outlined by the OAS Special Rapporteur on Freedom of Expression in the annual reports remained largely the same between 2007 and 2012.

OTHER DIMENSIONS

The incidence of imprisonment of journalists in Latin America and the Caribbean has been consistently low throughout this six-year period, with the exception of a few cases in the Andean subregion and a large number in one country in the Caribbean.¹³ The release in 2010 of the majority of the 29 journalists jailed in that country accounted for much of the fall in the number of imprisonments in the region. Similarly, it has been reported that over the last six years relatively few journalists in the region have gone into exile, totalling fewer than ten per year with the exception of an eightfold rise between 2009 and 2010, when a reported 25 journalists went into exile, 17 of whom were from a single country. Three countries accounted for almost three-quarters of all reports of journalists going into exile during the period. A growing number of governments have been strongly critical of private and independent media and particular journalists, as manifested through increasing legal repression, verbal intimidation, and various forms of harassment. The result has been a more hostile overall climate that has detracted from the security for media professionals.

Journalists and citizens have used the internet and social media to express their opinions and share information, and attacks have followed them online. An emerging trend appears to be the hacking of social media accounts used by critical journalists, reportedly by suspected government agents in order to promote pro-government messages. There was also an increase in cases reported on the Global Voices' Threatened Voices database of harassment and imprisonment of bloggers; there were no such reports in the region in 2007 and ten in 2012, about a third of whom were women. Bloggers have been arrested, and journalists have experienced digital threats, including cyber espionage and email hacking, in some countries.

Latin American and Caribbean journalists have reportedly increasingly responded to difficult environments by engaging in self-censorship. This has been a parallel trend to the diminishing of the number of murdered journalists. In the Caribbean, widespread self-censorship has been attributed to political and economic pressure and fear of criminal conviction of defamation. In countries where violence is more prevalent, the fear of physical and legal attacks has prompted journalists to avoid certain subjects, such as drug trafficking and corruption. It remains to be seen whether efforts by drug cartels to actively influence media content by dictating propaganda and placing press releases in selected media outlets is an emerging trend in the region or not.

¹³ Unless otherwise noted, the figures for imprisoned and exiled have been compiled from reports by the Committee to Protect Journalists.

APPENDICES

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GLOSSARY OF ACRONYMS

ACM: Association of Caribbean MediaWorkers

ATI: Access to information

CELE: Centro de Estudios en Libertad de Expresión y Acceso a la Información [Center for Studies on Freedom of Expression and Access to Information]

CIESPAL: Centro Internacional de Estudios Superiores de Comunicación para América Latina [International Centre for Higher Studies in Communication for Latin America]

FEPALC: Federación de Periodistas de América Latina y el Caribe [Federation of Latin American and Caribbean Journalists]

FOI: Freedom of information

GSMA: GSM Association

IACHR: Inter-American Commission on Human Rights

IAPA: Inter American Press Association

ICT: Information and communication technology

ITU: International Telecommunication Union

LAC: Latin America and the Caribbean

Mercosur: Mercado Común del Sur [Southern Common Market]

NGO: Non-governmental organization

OAS: Organization of American States

UNESCO: United Nations Educational, Scientific and Cultural Organization

WAN-IFRA: World Association of Newspapers and News Publishers

LIST OF COUNTRIES IN THE REGION

As this publication was prepared for a report to UNESCO's General Conference, the presentation is organized around the six regions that make up the voting groupings within UNESCO.

Accordingly, the countries that make up the Latin America and the Caribbean region, defined on this basis, are listed below.

GROUP III. LATIN AMERICA AND THE CARIBBEAN (33)

Antigua and Barbuda	Dominican Republic	Paraguay
Argentina	Ecuador	Peru
Bahamas	El Salvador	Saint Kitts and Nevis
Barbados	Grenada	Saint Lucia
Belize	Guatemala	Saint Vincent and the Grenadines
Bolivia (Plurinational State of)	Guyana	Suriname
Brazil	Haiti	Trinidad and Tobago
Chile	Honduras	Uruguay
Colombia	Jamaica	Venezuela (Bolivarian Republic of)
Costa Rica	Mexico	
Cuba	Nicaragua	
Dominica	Panama	