

# Reporters Without Borders

<http://www.rsf.org/chile-real-pluralism-cannot-develop-in-10-09-2012,43359.html>

Americas - Chile

Trapped in the past

## "Real pluralism cannot develop in conditions inherited from Pinochet era"

10 September 2012

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As Chile remembers the September 1973 coup, Reporters Without Borders solemnly calls on the political and administrative authorities, together with professional organizations and appropriate representatives of civil society, to promote a new legal framework for the media.

Hopes for genuine pluralism that takes account of the diversity of the media and the news sector cannot be realized under a status quo inherited from the Pinochet era (1973-1990), which is a driving force of [unrest in the country](#).

"The decriminalization of press offences, defamation in particular, remains an issue in Chile, while Argentina and [Brazil](#) tackled it in 2009," the press freedom organization said.

"To this must be added the essential matter of legislation guaranteeing equal space or broadcasting time for the various types of media, whether they be state-run, commercial or community-based. Reporters Without Borders has backed this principle in other countries in the region where laws of this type have been enacted, such as Argentina, or are being considered, such as [Ecuador](#), while remaining vigilant as to how they are applied. The search for balance must be accompanied by safeguards to guarantee independence."

### Writing on the wall for state media?

The debate has been reopened with the announcement of the closure on 24 September of the newspaper *La Nacion*, which employs some 30 journalists, and is 70 percent owned by the state and 30 percent by private investors.

The start of the presidency of Sebastian Pinera in 2010 signalled the end of the print edition of the newspaper, which now only has a presence [online](#). The scheduled closure of *La Nacion* has aroused fears among professional organizations of the further concentration of the print media in the hands of the country's two main commercial groups, *El Mercurio* and *Copesa* (publisher of the daily *La Tercera*). In broadcasting, there are similar fears concerning the privatization of the *National Television* network, which could shortly be the subject of legislation.

### Community radio in limbo

A law passed in May 2010, providing for the establishment of community and citizens' radio broadcasting services, should in theory allow the telecoms regulator Subtel to allocate a range of frequencies for community radio stations with a signal strength of 25 watts or less. This implies the transfer or reallocation of frequencies, of which the consortium Iberoamericana Radio Chile (owned by the Spanish group PRISA) alone has 211.

On 21 August this year, PRISA refused to sign an agreement to this effect, which had been worked out by Subtel and representatives of the broadcasting sector over the course of a year. The group rejected technical adjustments to its own radio stations and made its approval of the deal dependent on the renewal of some of its frequencies. The Santiago appeal court must now rule on the matter.

Reporters Without Borders supports a demand by the World Association of Community Radio Broadcasters for the application of the agreement reached by Subtel and for the conditions

imposed by PRISA to be ignored.

The other principal problem for community broadcasters is section 36B of the general law on telecommunications, passed in 1982 during the dictatorship. It provides for a custodial sentence for broadcasting on an illegal frequency. Under section 36B, the broadcasting equipment of the community station *Radio Vecina*, in Collipulli in the Araucania region, was seized on 28 August and its representative **Victor Diaz** detained for 10 hours.

Three other recent instances of threats to apply section 36B have been brought to the attention of Reporters Without Borders, affecting the indigenous station *Kimche Mapu*, also in Araucania, *Radio Lógica* in the Santiago region, and *Radio Galáctica* near Valparaiso. The press freedom organization calls for the repeal of such a legal provision that criminalises small media outlets which, in many cases, have been awaiting legal status for more than 10 years.

Finally, as popular unrest and student protests are again on the rise, Reporters Without Borders hopes that the arrests, sometimes brutal, of photographers attending demonstrations do not occur again, such as was the case with the freelancers **Juan Pablo Reyes** and **Tamara Carrasco** on 26 August, La Nacion photographer **Esteban Garay** on 28 August, and **Victor Arce** of the website [Factor Absoluto](#) the following day.

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