

FREEDOM OF EXPRESSION, PRESS FREEDOM AND ACCESS TO INFORMATION:

TOWARDS THE 2030 AGENDA

*“Shadow Report on the Implementation of Sustainable
Development Goal 16.10.01 in Latin America”*



2019



Freedom of Expression, Press Freedom and Access to Information:
Towards the 2030 Agenda
*Shadow Report on the Implementation of Sustainable Development Goal 16.10.01 in Latin
America*

July, 14th 2020



*This Shadow Report was made possible thanks to the support of the Pan American
Development Foundation (PADF).*



The content of this report may be freely reproduced provided the source is cited.



ABOUT VOCES DEL SUR

Voces del Sur (**VDS**) is a project led by 10 Civil Society Organizations (**CSO**) that defend freedom of expression, press freedom and access to information in 10 Latin American countries: *Argentina, Bolivia, Ecuador, Honduras, Peru, Uruguay, Venezuela, Nicaragua, Guatemala, and Brazil*. **VDS** tracks the United Nations (**UN**) Sustainable Development Goal (**SDG**) 16, which promotes just, peaceful and inclusive societies through the construction of open, transparent and effective institutions. Each year, **VDS** monitors and reports alerts related to violations against freedom of expression, press freedom and access to information. **SDG** target 16.10 and indicator 16.10.01, which focus on freedom of expression, free access to information and the security and protection of journalists, serve as a point of departure for this work.

ACKNOWLEDGEMENTS

AUTHORS

Editor
GASTEAZORO, Enrique

Researchers
GOMEZ, Miguel (Coordinator)
BOLT, Lea (Assistant)

Graphic Designer
CORDERO, Gloria

VOCES DEL SUR MEMBER ORGANIZATIONS

Foro de Periodismo Argentino
FOPEA / Argentina

Asociación Nacional de la Prensa
ANP / Bolivia

Associação Brasileira de Jornalismo Investigativo
ABRAJI / Brasil

Fundación Andina para la Observación y Estudio de Medios
FUNDAMEDIOS / Ecuador

Instituto Centroamericano de Estudios para la Democracia Social
DEMOS / Guatemala

Comité por la Libre Expresión
C-Libre / Honduras

Fundación Violeta Barrios de Chamorro
FBVC / Nicaragua

Instituto Prensa y Sociedad
IPYS / Perú

Centro de Archivos e Información Pública
Cainfo / Uruguay

Instituto Prensa y Sociedad
IPYS / Venezuela



EXECUTIVE SUMMARY

This Shadow Report represents Voces del Sur's (VDS) continuing effort to contribute to the monitoring and implementation of the 2030 Agenda for Sustainable Development in Latin America. For a second year, the VDS network presents a report to complement, contrast, enrich, and fill gaps in information presented by government-led Voluntary National Reviews (VNR), the official follow-up mechanism established in the 2030 Agenda. The report independently documents and analyzes the situation of SDG 16.10.1—the number of verified cases of killing, kidnapping, enforced disappearance, arbitrary detention, and torture of journalists, associated media personnel, trade unionists, and human rights advocates in the previous 12 months—in 10 countries across Latin America during 2019. The assessment is based on data denominated as alerts. These alerts are gathered, registered, and reported by the VDS network using a set of 12 common regional indicators developed to support SDG 16.10.01 tracking. The report also provides key recommendations for strengthening fundamental freedoms as well as the coordinated policies and partnerships necessary to accelerate progress towards the Goal.

In 2019, 2,521 alerts related to violations of freedom of expression, press freedom, and access to information were reported across 8 VDS countries.¹ VDS reported 734 alerts from the same 8 countries in 2018. Both regionally and locally, the data speaks of a rapid deterioration of freedom of expression, press freedom, and access to information in a context of increasing repression and constraints. This situation tells of the heightened vulnerability of these fundamental and enabling freedoms in Latin America and severely undermines peace, justice, and democracy in the region, hindering the 2030 Agenda.

In Honduras, Venezuela, and Nicaragua the systematic abuse of public institutions imposed an (un)official state of censorship, including the imprisonment of journalists, laws to limit freedom of expression, and tight restrictions in access to key resources. In Bolivia, Ecuador, and Guatemala dramatic social and political instability resulted in mass protests where basic human rights—including safety and protection of journalists and access to public information—were severely violated. In Brazil and Argentina violence against journalists and the media has not materialized into systematic attacks but it is manifest as discursive violence, harassment, intimidation, and threats, which ultimately seek to impose fear and self-censorship. In Peru and Uruguay, despite having the lowest levels of violence against journalists and the media in the region, challenges persist in access to information, isolated attacks and aggressions, and occasional judicial procedures for libel and defamation.

The increase in reported alerts may also offer more hopeful insights, such as enhanced monitoring capabilities within the VDS network. During 2018 and 2019, as in the past, Latin American journalism played a major role in empowering people and supporting democracy in the region. It proved it has the resilience, quality, and innovative capabilities to transform and reinvent itself, becoming more valuable to the public in the face of growing adversity and volatility. Still, in order to fulfill its mandate to strengthen democracy and enhance citizen agency, Latin American journalism requires holistic support to face several major structural challenges. These range from the financial sustainability of media outlets, to the security of journalists, as well as issues such as gender violence in newsrooms.

¹ Guatemala produced no statistics since it only recently joined the project while figures reported by Brazil have not been included in the regional analysis for comparative purposes since there is no data for 2018. If Brazil was included, the total regional number of alerts for 2019 would be 2,651

CONTENTS

EXECUTIVE SUMMARY	5
ACRONYMS	7
FOREWORD	8
INTRODUCTION	10
METHODOLOGY	13
REGIONAL CONTEXT	17
COUNTRY RESULTS	
<i>a. Argentina</i>	26
<i>b. Bolivia</i>	30
<i>c. Brazil</i>	34
<i>d. Ecuador</i>	38
<i>e. Guatemala</i>	42
<i>f. Honduras</i>	45
<i>g. Nicaragua</i>	49
<i>h. Peru</i>	53
<i>i. Uruguay</i>	57
<i>j. Venezuela</i>	61
CONCLUSIONS AND RECOMMENDATIONS	65
REFERENCES	69

ACRONYMS

- ABRAJI:** *Investigative Journalism Association*
- ANP:** *Bolivian National Press Association*
- CAINFO:** *Center for Archives and Access to Information*
- C-LIBRE:** *Committee for Free Expression*
- CSO:** *Civil Society Organizations*
- DEMOS:** *Central American Institute of Studies for Social Democracy*
- FOPEA:** *Argentinian Journalism Forum*
- FUNDAMEDIOS:** *Andean Foundation on the Social Observation and Study of the Media*
- FUR:** *Follow-up and Review Mechanism*
- FVBCH:** *Violeta Barrios de Chamorro Foundation*
- HLPF:** *High-level Political Forum on Sustainable Development*
- IACHR:** *Inter-American Commission on Human Rights*
- IAEG-SDG:** *Interagency and Expert Group on SDG Indicators*
- ICCS:** *International Classification of Crime for Statistical Purposes*
- IFEX:** *International Freedom of Expression Exchange*
- ILO:** *International Labor Organization*
- IPYS:** *Press and Society Institute*
- OHCHR:** *United Nations High Commissioner for Human Rights*
- SDG:** *Sustainable Development Goals*
- UN:** *United Nations*
- UNESCO:** *United Nation Educational, Scientific and Cultural Organization*
- VDS:** *Voces del Sur*
- VNR:** *Voluntary National Reviews*



FOREWORD

Voces del Sur: Defending Freedom of Expression to Build Fair, Peaceful and Inclusive Societies

Voces del Sur (VDS) is a regional initiative that brings together 10 civil society organizations defending freedom of expression, press freedom, and access to information in Argentina, Bolivia, Ecuador, Honduras, Peru, Uruguay, Venezuela, Nicaragua, Guatemala, and Brazil. Since July 2017, VDS has supported efforts to promote and improve safeguards for these fundamental freedoms. Guided by the framework of the Sustainable Development Goals (SDGs), VDS aims to further strengthen the capability of civil society networks to protect freedom of expression, press freedom, and access to information, as well as to establish coordination and collaboration mechanisms linked to the Inter-American Human Rights System and the United Nations.

VDS members are all well-recognized civil society organizations (CSOs) working in defense of freedom of expression, press freedom, and access to information in their own countries and across the region. They are Andean Foundation on the Social Observation and Study of the Media (FUNDAMEDIOS Ecuador), the Press and Society Institute (IPYS Peru and IPYS Venezuela), the Argentinian Journalism Forum (FOPEA Argentina), the Bolivian National Press Association (ANP Bolivia), the Committee for Free Expression (C-LIBRE Honduras), the Center

for Archives and Access to Information (CAINFO Uruguay), the Violeta Barrios de Chamorro Foundation (FBVCH Nicaragua), the Central American Institute of Studies for Social Democracy (DEMOS Guatemala), and the Investigative Journalism Association (ABRAJI Brazil).

VDS tracks the United Nations (UN) Sustainable Development Goal (SDG) 16, which promotes just, peaceful, and inclusive societies through the construction of open, transparent, and effective institutions. Each year, VDS monitors and reports alerts related to violations against freedom of expression, press freedom, and access to information. For a second year, the VDS network presents a Shadow Report to complement, contrast, enrich, and fill gaps in information presented by government-led Voluntary National Reviews (VNR), the official follow-up mechanism established in the 2030 Agenda.

Last year's report was presented at the seventh session of the High-level Political Forum on Sustainable Development (HLPF), which monitors and reviews a subset of SDGs on a yearly basis. The effort was recognized by the UN Educational, Scientific and Cultural Organization (UNESCO 2019) report "Intensified Attacks, New Defences – Developments



in the Fight to Protect Journalists and End Impunity” noting that “Shadow reporting, undertaken by NGOs and other civil society actors to supplement or provide alternative information to government reports, is aimed at strengthening reporting and monitoring mechanisms on indicator 16.10.1.”

This year’s Shadow Report represents VDS’s continuing effort to contribute to the monitoring and implementation of the 2030 Agenda for Sustainable Development in Latin America. It documents and analyzes the situation of SDG 16.10.1—the number of verified cases of killing, kidnapping, enforced disappearance, arbitrary detention, and torture of journalists, associated media personnel, trade unionists, and human rights advocates in the previous 12 months—in 2019 in the 10 countries where the VDS network currently works.

The report offers an independent assessment of the situation of SDG 16.10.1 in these countries based on data denominated as alerts. The alerts are gathered, registered, and reported by the VDS network of CSOs using a set of 12 common regional indicators. VDS designed these indicators to better monitor, analyze, and compare the situation of freedom of expression, press freedom, and access to information in the region. The VDS indicators are directly based on SDG 16.10.1, which focuses on protecting fundamental freedoms and ensuring safety and protection for journalists, trade unionists, and human rights defenders. The report focuses on journalists because only their cases are systematically monitored and documented by all CSOs in the VDS network. The report also provides key recommendations for strengthening these freedoms and provides an overview of the main challenges that must be overcome, as well as the coordinated policies and partnerships necessary to accelerate progress towards SDG 16.



SDG 16 aims to promote just, peaceful, and inclusive societies through the construction of effective and responsible institutions at all levels. Freedom of expression, press freedom, and access to information are ends in themselves but are also recognized as enablers of other freedoms and thereby crucial to the fulfillment of the 2030 Agenda for Sustainable Development overall. UN Member States explicitly recognize that sustainable development requires broad and active participation of all sectors of society. Following this mandate, the VDS Shadow Report ultimately embodies VDS’s commitment to open, inclusive, accountable, just, and peaceful societies as cornerstones of sustainable development.

INTRODUCTION



Freedom, Empowerment and Sustainable Development

"No democracy is complete without access to transparent and reliable information. It is the cornerstone for building fair and impartial institutions, holding leaders accountable and speaking truth to power."

ANTÓNIO GUTERRES, UNITED NATIONS
SECRETARY-GENERAL

The structurally transformative potential of freedom of expression, press freedom, and access to information is epitomized in **SDG 16 - Peace, Justice and Strong Institutions, which encourages states to "Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels."** These fundamental freedoms empower citizens, allowing them greater agency to engage effectively and actively in public issues. When citizens' rights to freedom of expression, press freedom, and access to information are protected and promoted, they are better able to understand and empathize with injustice; participate in overcoming structural problems such as corruption, inequality, or racism; and steer collective action towards sustainable development or other goals at all levels. As such, these rights are critical to any flourishing, citizen-led society.

In recognition of the potential these rights promise when fully realized, UN Member States specifically committed to **Target 16.10: "ensure public access to information and protect fundamental freedoms, in accordance with national legislation and international agreements."**

In doing so, they recognize that information and freedom are vehicles that enable people to exercise and enjoy the full range of human rights. Information and civic engagement serve as the fundamental infrastructure from which democracy thrives. Information can transform the way people see the world around them and their own potential to shape its future.

In particular, **Indicator 16.10.01 "number of verified cases of killing, kidnapping, enforced disappearance, arbitrary detention and torture of journalists, associated media personnel, trade unionists and human rights advocates in the previous 12 months"** is rooted in the understanding that violations against journalists, trade unionists, and human rights defenders not only have an immediate chilling effect, but also downstream consequences for the exercise of fundamental freedoms for all people and the construction of peaceful and just societies.

Global trends clearly indicate concrete progress towards fulfilling certain SDGs, but that is not the case for SDG 16. According to a special report by the



UN's Secretary General, progress towards SDG 16 is "...uneven and continue[s] to deprive millions of their security, rights and opportunities" (UN 2019). The report stresses that the situation "undermine[s] the delivery of public services and broader economic development," calling for "renewed efforts" as essential steps to move towards the achievement of SDG 16.

Additionally, while the 2030 Agenda encourages member states to conduct voluntary country-led "regular and inclusive reviews of progress at the national and sub-national levels," it also recognizes the pivotal role that CSOs play in achieving SDGs. This is particularly the case when assessing human rights statistics which, as other statistics based on sensitive issues, are susceptible to inaccuracy and underreporting by States. Official reporting and statistical accuracy can be influenced by various political factors, including biases in victim reporting behavior, changes in police and recording practices, new laws, processing errors, and, more broadly, omission, disregard, and blatant bad faith from non-responsive or co-opted institutions.

With this in mind, VDS—a collective of CSOs that defend freedom of expression, press freedom, and access to information in 10 Latin American countries—presents this report to more accurately reflect the

progress toward SDG 16.10.1 across the region. The report is based on alerts gathered, registered, and reported by the VDS network using a common methodology. To facilitate tracking, measuring, and comparing the situation of these freedoms across the region and through time, VDS designed a set of 12 common regional indicators based on target 16.10 and indicator 16.10.1. This report helps to assess progress towards SDG 16.10.1 in Latin America by evaluating the situation of freedom of expression and safety and protections for journalists in these 10 countries using these 12 common indicators. Additionally, it proposes conclusions and recommendations to improve the situation of freedom of expression, press freedom, and access to information in the region and accelerate progress towards the goal. The successful implementation and monitoring of the 2030 Agenda require innovative collaboration between data collectors and statisticians from government, civil society, academia, and the international community, as part of broader coalitions and coordination platforms. This is only possible by fostering critical debate and taking concerted actions at all levels.

METHODOLOGY



Measuring, Monitoring and Evaluating Progress towards SDG 16.10.1

Achieving SDG 16.10.1 requires understanding where countries currently stand in relation to the targets of the 2030 Agenda. In order to do so rigorously both nationally and regionally, in 2017 CSOs from 7 Latin American Countries (IPYS Peru and IPYS Venezuela, ANP Bolivia, FUNDAMEDIOS Ecuador, CAINFO Uruguay, C-LIBRE Honduras, and FOPEA Argentina) came together to develop common regional indicators for monitoring and reporting on violations against press freedoms and freedom of expression. These organizations worked collectively on the construction of the indicators based on SDG indicator 16.10.1. FVBCH, DEMOS and ABRAJI joined the organization later and committed to adopt the common indicators.

VDS created the common regional indicators as a tool to analyze freedom of expression, press freedom, and access to information coherently within the SDG framework. The indicators are directly based on SDG 16.10.1, but while SDG 16.10.1 focuses solely on “verified cases of murders, kidnappings, forced disappearances, arbitrary detentions and torture”, VDS indicators offer a wider scope to include further relevant challenges for fundamental freedoms in the region. Thus, they account for other ways in which freedom of expression, press freedom, and access to information are restricted, including attacks that do not

result in death, stigmatizing discourse, biased judicial processes, and internet restrictions.

VDS has designed the 12 common regional indicators to enhance reporting on SDG indicator 16.10.1. These are designed to comply with the 2030 Agenda’s principle that Follow Up and Review mechanisms (FUR) should be inclusive, participatory, transparent, people-centered, rights-based and gender-sensitive to ensure accountability. These common regional indicators foster a more thorough understanding of the different levels of threats against press freedoms and freedom of expression in Latin America and strengthen comparative analysis across countries. The indicators are meant to serve Member States and other stakeholders to design public policies, as well as carry out advocacy initiatives to pressure for institutional changes.

VDS COMMON REGIONAL INDICATORS

VDS INDICATORS– January - December 2019

I. Murder



- Act that causes death; Intentional homicide as a consequence of journalistic work

III. Forced disappearances



- Arrests, detentions or transfers against the will of journalists or relatives by government agents, organized groups acting on behalf of the government or with their direct/indirect support, who deny information about their whereabouts or situation; or deny that they are in custody, placing them outside the protection of due process and the rule of law.

V. Torture



- Every act through which journalists or people close to them are deliberately subjected to pain, punishment, intimidation, forced behavior or severe suffering, be it physical or mental

VII. Stigmatizing discourse



- Insults or reputational attacks from authorities and/or influential public figures
- Systematic campaigns to delegitimize

IX. Judicial processes against media & journalists



- Civil
- Penal

XI. Legal framework contrary to standards



- Proposal and approval of norms that restrict freedom of expression and/or effectively constitute censorship.



II. Kidnappings

- Illicit seizure of one or more people against their will, through use of force, threat, fraud or persuasion with the objective of demanding, for their freedom, an illicit advantage and obstructing, censoring or influencing journalistic work negatively



IV. Arbitrary detentions

Considered as such when:

- There are no legitimate legal grounds that justify the detention or arrest of journalists or people close to them
- The detention or arrest is a consequence of the exercise of freedom of expression as defined in the Universal Declaration of Human Rights



VI. Aggressions and attacks

- Attacks against the physical integrity of journalists or people close to them
- Search and seizure or attacks against the facilities of media outlets or the property of journalists
- Destruction or confiscation of journalistic equipment
- Forced displacement
- Threats



VIII. Access to information

- Restriction of the right to access public information through refusal, partial access, incomplete, or omitted information
- Obstruction of journalistic work



X. Abuse of state power

- Public advertising purchases
- Concessions such as frequencies
- Administrative sanctions
- Restrictions on the access to inputs
- Media outlet shutdown
- Withdrawal or rectification of content without judicial warrant



XII. Internet restrictions

- Shutdown or arbitrary suspension of social media accounts or profiles
- Hacking
- Cyberthreats
- Targeted blocking of webpages
- Blocking users from official institutional accounts or those of authorities

METHODOLOGICAL CHALLENGES

There are no global methods to monitor SDG 16.10.1, and the precision required to track SDGs is often unsupported by the 2030 Agenda (see OECD 2019 for further discussion about the difficulties in measuring SDG performance and progress). For some SDGs, progress or achievement are explicitly specified, such as with a fixed value identified in the wording of the target. SDG 3.1, for example, aims to “reduce the global maternal mortality ratio to less than 70 per 100,000 live births.” In some cases, the target is expressed as a relative quantitative improvement. Target 1.2 specifically aims to “reduce at least by half the proportion of men, women and children of all ages living in poverty”. For cases like target 16.10 “Ensure public access to information and protect fundamental freedoms, in accordance with national legislation and international agreements,” there is no clear quantitative goal or target level. Furthermore, the formulation of indicator 16.10.01 is still under review by its custodian agencies: The United Nations High Commissioner for Human Rights (OHCHR); the United Nations Educational, Scientific and Cultural Organization (UNESCO); and the International Labor Organization (ILO) (OHCHR, UNESCO & ILO 2018).

Partly in response to these methodological shortcomings, VDS designed the 12 common indicators and methodology. While the project has advanced in homogenizing data collection and reporting standards for the indicators, challenges remain. First of all, although participating organizations agreed to include an indicator that would help identify when a violation was committed targeting the victim based on their gender, gender alerts are not systematically reported by all CSOs. A gender analysis is therefore missing from the present report. This is a major opportunity for improvement considering the saliency of gender violence to which journalists may be subjected even from their own peers or alleged allies.

Secondly, despite improvements from last year, data gaps are still an issue, especially as the project grows and new members join. Parameters for registering alerts may differ across countries. According to UN guidelines (OHCHR, UNESCO & ILO 2018), indicators should be disaggregated by dimensions such as sex, age, geographic location, ethnicity, and disability status. However, not all CSOs disaggregate data at the same level. Additionally, following UN guidelines SDG16.10.01 should be “calculated as the total count of victims of reported incidents” (Ibid, p.5). At the national level, however, some CSOs register alerts based on incidents and not on victims. Lastly, also following UN guidelines (Ibid), “If an incident incorporates elements of more than one category”, it should be “coded to the higher category.” However, some CSOs report each category separately. For the purpose of this report UN guidelines were followed as closely as possible. Therefore, the number of alerts or victims presented at the local level may sometimes differ from data presented in this report. Beyond methodological challenges, these represent clear opportunities to upgrade existing tools and ensure greater accuracy in SDG reporting.

Finally, while the report focuses on alerts reported during 2019, it deploys a quantitative comparison for most countries between 2018 and 2019 taking as a reference last year's Shadow Report. However, Brazil - a new member of VDS - is analyzed based solely on 2019 figures, as it joined the project in that year. Guatemala, the newest member of the VDS project, has yet to adopt the common indicators and has only been included for reference.

REGIONAL CONTEXT



Latin American Journalism at a Crossroads

"Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers."

ARTICLE 19 OF THE UNIVERSAL DECLARATION OF HUMAN RIGHTS

In 2019, Latin American journalism found itself at a crossroads. Substantial threats against freedom of expression, press freedom, and access to information grew due to an increasingly restrictive context in which direct violence and threats coupled with obstructive legislation hindered journalistic work. Journalistic investigations revealed important cases of corruption, influence peddling, money laundering, and drug trafficking, often in collusion with state actors. Traditional elites have reacted defensively in the face of critical journalism that holds power accountable, including political figures from across the ideological spectrum. This has cultivated a hostile and tense environment for journalism, jeopardizing freedom of expression, press freedom, and access to information.

Violence has reached dramatic levels in Honduras. Throughout 2019, seven journalists and two family members were brutally murdered. Although no journalist or journalist-related murders were registered in Nicaragua or Venezuela in 2019, the severity of institutional violence in these countries was manifest through arbitrary detentions, shutdown of media outlets, passage of draconian legislation, and ironclad state control over access to information and the importation of inputs, among other violations. Many Honduran, Nicaraguan, and Venezuelan journalists have been forcefully displaced, continuing their journalistic work from exile. In Bolivia, Ecuador, and Guatemala, intense political and social conflicts greatly endangered the lives of journalists during 2019. In Brazil, a violent discourse and stigmatization against the media has not yet escalated to systematic attacks against journalists, but it may only be a matter of time. Mayors, ministers, and other authorities are increasingly weaponizing legal frameworks against journalists who aim to hold power accountable in Peru. Even in the Southern Cone, one of the sub-regions in Latin America with the strongest respect for fundamental freedoms, worrying tendencies have emerged. In Argentina, the role of journalists and the media has threateningly been labeled "lawfare,"² whereas in Uruguay legislation to increase regulation of radio and television is being promoted.

². The term is a portmanteau of the words "law" and "warfare". In the Latin American context, it is used pejoratively to refer to the alleged instrumentalization of justice systems to prosecute political leaders. It often carries an implicit criticism of the media's role in holding political power accountable. The media in Argentina is sometimes accused of waging lawfare against certain politicians that have been imprisoned under corruption charges after their crimes have been publicly exposed by journalists.

Public opinion and sentiment towards journalism and the media in Latin America are in flux. Many traditional media outlets, often owned by or otherwise under the influence of economic and political elites, have lost credibility and a share of their audience. This problem may prove to be especially salient in situations where traditional media outlets that cater to conflicting elites or interests are instruments in a struggle amongst different factions. People on all sides of an extremely polarized spectrum are respectively referring to official media outlets and traditional media outlets controlled by elites, even if at odds with each other, as equally corrupt. This environment is ideal for demagogues to effectively expand their efforts to stigmatize journalism in general. The people who perpetrate and justify such attacks on all sides are clearly inspired by the systematic stigmatization of journalists and the media.

Even in the face of overwhelming crises, Latin American journalism has also continued to make progress and uphold high standards, which may bode well for the future. In the midst of great turmoil and a disheartening institutional landscape, quality independent Latin American journalism has proven that it is the last line of defense for democracy and human rights, as well as a cornerstone for more open, free, and fair societies to emerge. Journalism with clear public service purpose can bring out the best in trends such as increased use of the internet and the prevalence of citizen journalism, earning widespread trust and recognition. However, quality independent media outlets are not consolidated enough in the region. Their financial and organizational situations are often vulnerable. They require support to continue enhancing business, organizational, and journalistic models, as well as to create a more enabling environment for freedom of expression, press freedom, and access to information.

Given journalism's increasing importance in holding power accountable and empowering citizens, efforts must be undertaken to simultaneously continue improving its quality and supporting its sustainability. These include strengthening the relationship between journalists and the public, bringing out the best in traditional media outlets that are viable in terms of credibility and sustainability, stimulating the emergence of further disruptive business and journalistic models, and protecting journalists from all kinds of threats. Framing the development of Latin American journalism in the context of its grander role in the 2030 Agenda can help make the best of this crossroads, as well as counter authorities or elites that may seek to weaken and delegitimize it.

Regional Results: 2019 in Figures

In 2019, 2,521 alerts related to violations of freedom of expression, press freedom and access to information were reported across eight VDS countries.³ VDS reported 734 alerts from the same eight countries in 2018. The increase is present at both the regional and country levels. It tells of the heightened vulnerability of these fundamental and enabling freedoms in Latin America. This situation severely undermines peace, justice, and democracy, hindering the 2030 Agenda.

TABLE 1: TOTAL NUMBER OF ALERTS BY YEAR

Country	2018	2019	Variation
Argentina	51	84	65%
Bolivia	65	162	149%
Ecuador	83	194	134%
Honduras	80	131	64%
Nicaragua	234	1267	441%
Peru	13	15	15%
Uruguay	12	26	117%
Venezuela	196	642	228%
Total	734	2521	243%

Every country saw alerts rise between 2018 and 2019. In Peru and Uruguay, the increase may be associated with specific incidents and not necessarily a worsening of structural conditions; still, the trend is worrying. In the rest of the region, the data speaks of a rapid deterioration of freedom of expression, press freedom, and access to information. It is important to consider that enhanced monitoring from civil society may be having a positive effect in terms of eliciting more alerts.

TABLE 2: VDS INDICATORS - VARIATION BY YEAR

VDS INDICATORS	2018	2019	VARIATION
Murder	6	9	50%
Kidnappings	8	3	-63%
Forced disappearance	7	3	-57%
Arbitrary detention	48	65	35%
Torture	2	18	800%
Agression and attacks	306	775	153%

³ Guatemala produced no statistics since it only recently joined the project while figures reported by Brazil have not been included in the regional analysis for comparative purposes since there is no data for 2018. If Brazil was included, the total regional number of alerts for 2019 would be 2,651

VDS INDICATORS	2018	2019	VARIATION
Stigmatizing discourse	43	116	170%
Access to information	84	205	144%
Judicial procedures against media outlets and journalists	33	52	58%
Abuse of state power	112	1096	879%
Juridical framework contrary to standards	11	17	55%
Internet restrictions	74	162	119%
TOTAL	733	2521	243%

Out of 12 regional VDS indicators, 10 increased considerably and 2 decreased. The 63% decrease in alerts related to kidnappings and 57% decrease in alerts related to forced disappearances are dwarfed by the nearly 900% increase in alerts related to abusive use of state power, 800% torture, 170% stigmatizing discourse, 153% aggressions and attacks, 144% access to information, 119% internet restrictions, 58% judicial procedures, 55% juridical frameworks, 50% murders and 35% arbitrary detentions. These alarming numbers showcase both the tragic situation that severely undermines peace, justice, and democracy in Latin America, hindering the 2030 Agenda and the enhanced monitoring capabilities of civil society organizations vis-à-vis SDG 16.10.01

In Bolivia, Ecuador, and Venezuela, alerts related to aggressions and attacks against journalists and the media tripled in the context of deep social, political, and economic crises. Nicaragua has seen a dramatic increase in cases of torture and abusive use of public institutions, as well as severe harassment and psychological harm towards independent journalists and their families. Draconian state controls over printing resources that lasted for hundreds of days contributed to the permanent shutdown of the country's second most important daily newspaper and severely damaged the only remaining major newspaper.

TABLE 3: TYPE OF AGGRESSOR PER COUNTRY

COUNTRY	STATE	NON-STATE	UN-KNOWN	TOTAL
Argentina	29	53	2	84
Bolivia	44	93	25	162
Ecuador	74	111	9	194
Honduras	85	32	14	131
Nicaragua	1169	84	14	1267
Perú	13	2	0	15
Uruguay	11	11	4	26
Venezuela	455	140	47	642
TOTAL	1880	526	115	2521

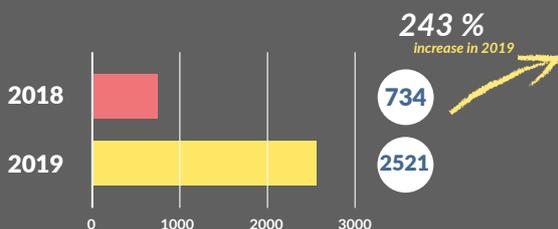
Between 2018 and 2019, the state remained the number one perpetrator of violations against freedom of expression, press freedom, and access to information in Latin America. In the cases of Argentina, Bolivia, and Ecuador, there was an uptick in the number of non-state aggressors. This may reflect the effects of systematic stigmatization and disinformation against journalists. In Venezuela, Nicaragua, and Honduras, non-state actors such as political fanatics, paramilitary forces, and hired assassins continue to complement unrestrained state violence.

LATIN AMERICA

VDS INDICATORS – January - December 2019

OVERVIEW

REPORTED ALERTS 2019



1096
Abuse of state power

INDICATORS



9
Murder



3
Forced disappearance



18
Torture



116
Stigmatizing discourse



52
Judicial procedures against media & journalists



17
Juridical framework contrary to standards

3
Kidnapping



65
Arbitrary detention



775
Aggression & attacks



205
Access to information



1096
Abuse of state power

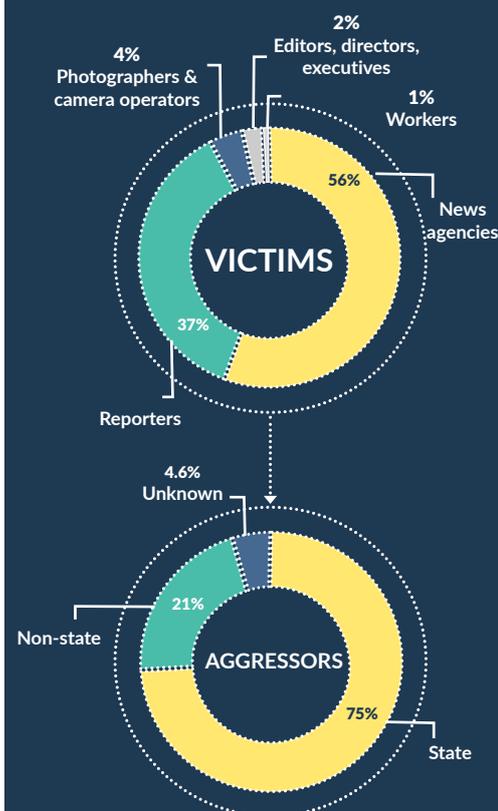
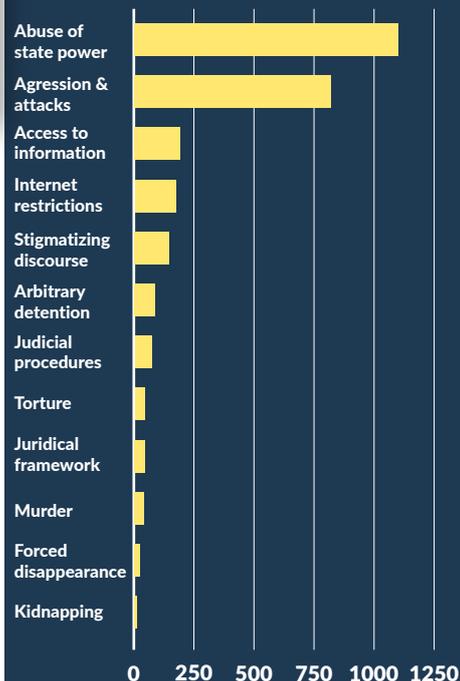


162
Internet restrictions



RELEVANT FACTS

ALERTS



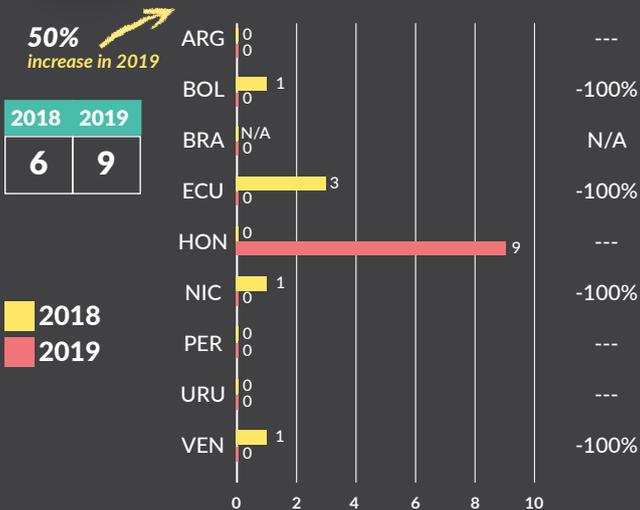
REGIONAL COMPARISON

VDS INDICATORS - January - December 2019



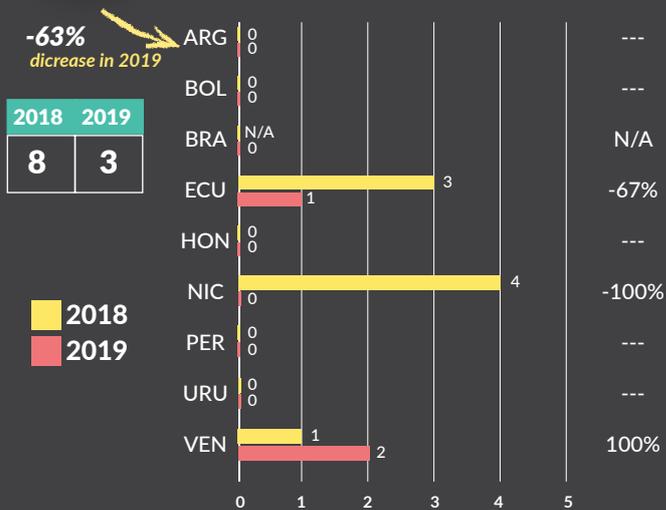
I. MURDER

VARIATION



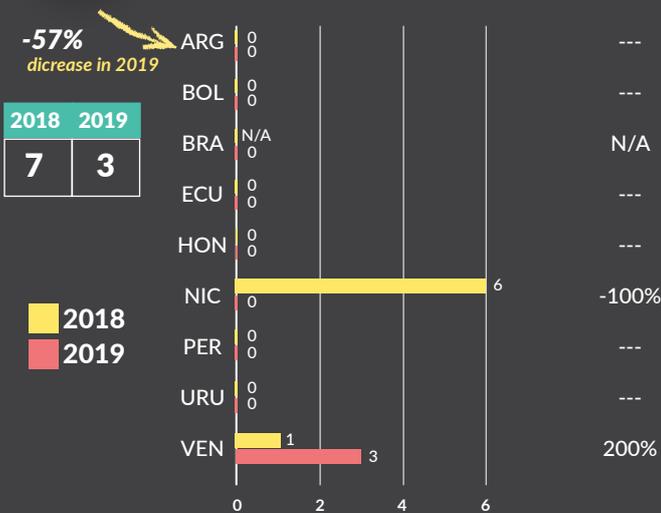
II. KIDNAPPING

VARIATION



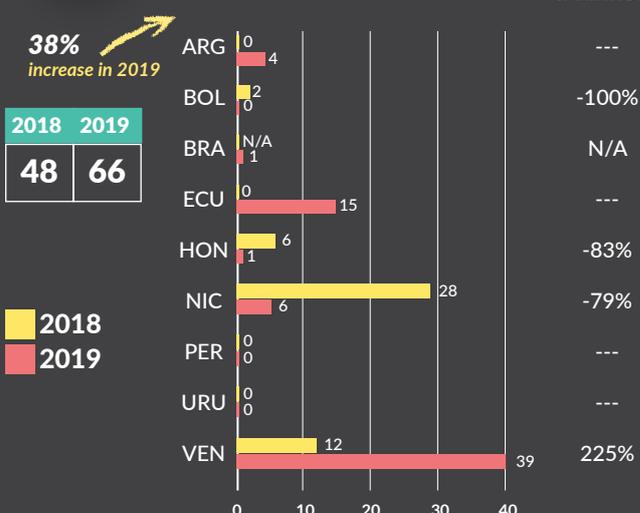
III. FORCED DISAPPEARANCE

VARIATION



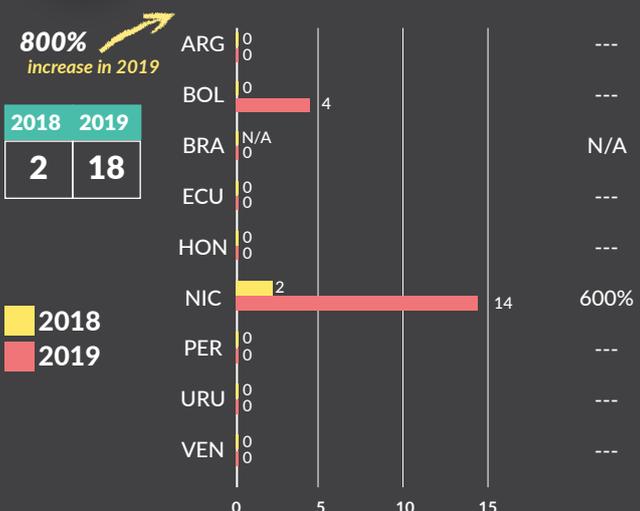
IV. ARBITRARY DETENTION

VARIATION



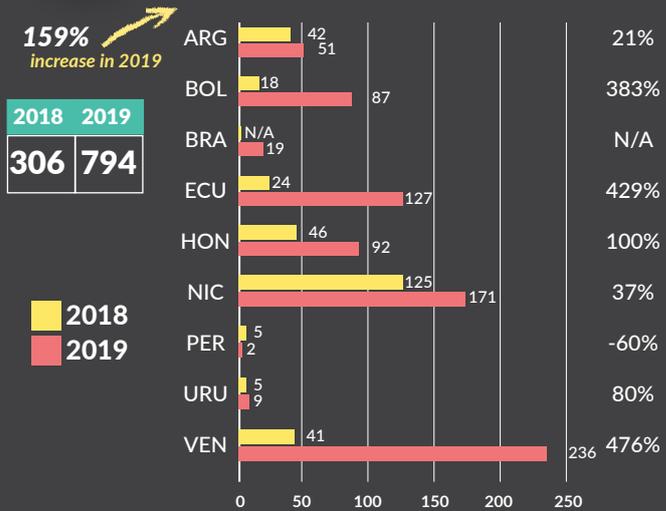
V. TORTURE

VARIATION



VI. AGRESSION & ATTACKS

VARIATION

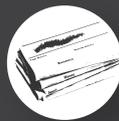
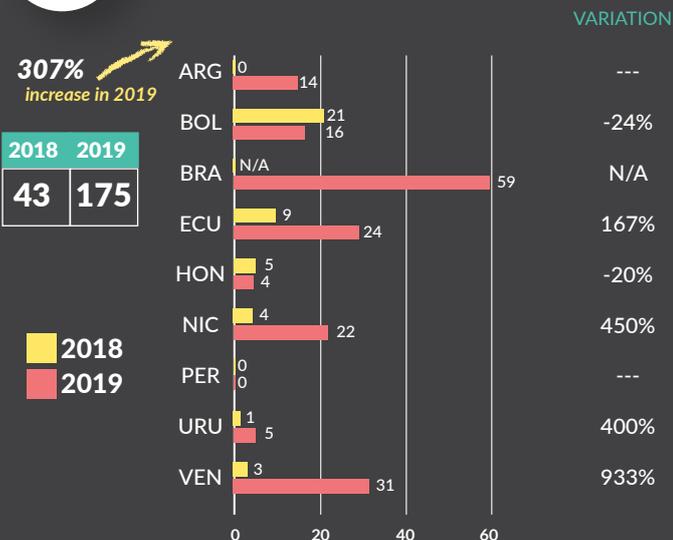


REGIONAL COMPARISON

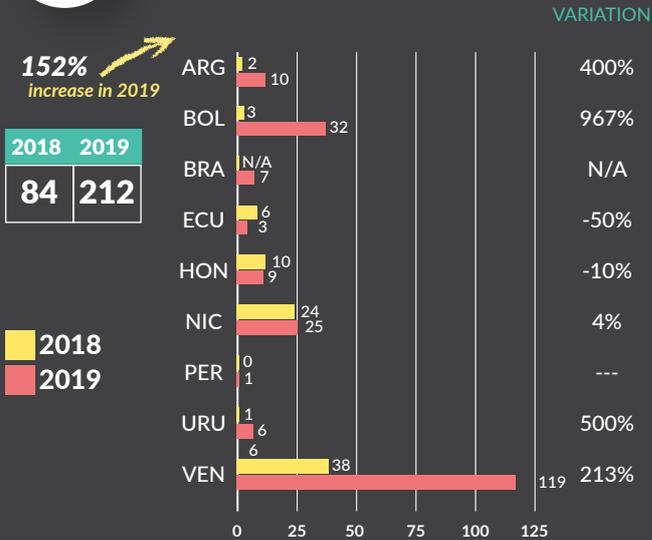
VDS INDICATORS - January - December 2019



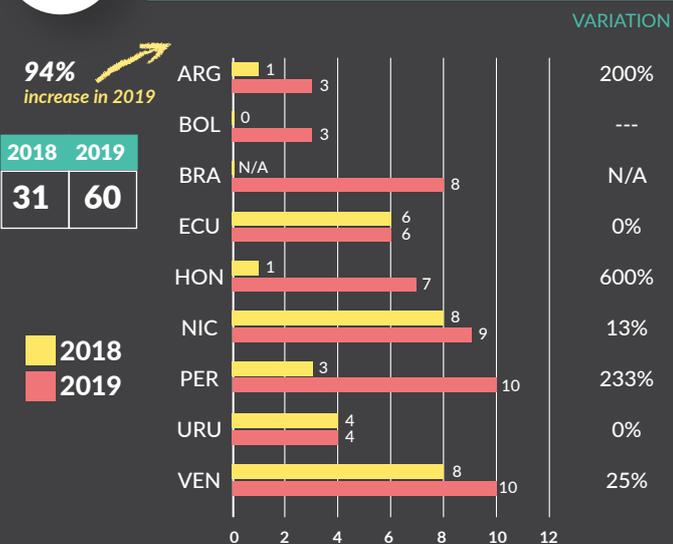
VII. STIGMATIZING DISCOURSE



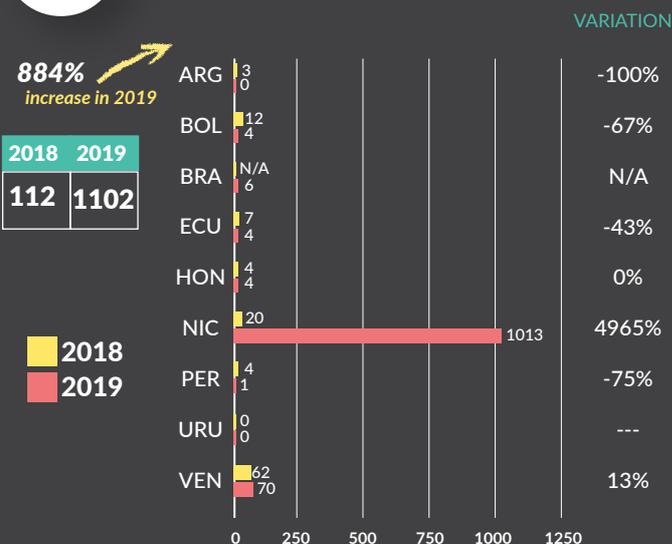
VIII. ACCESS TO INFORMATION



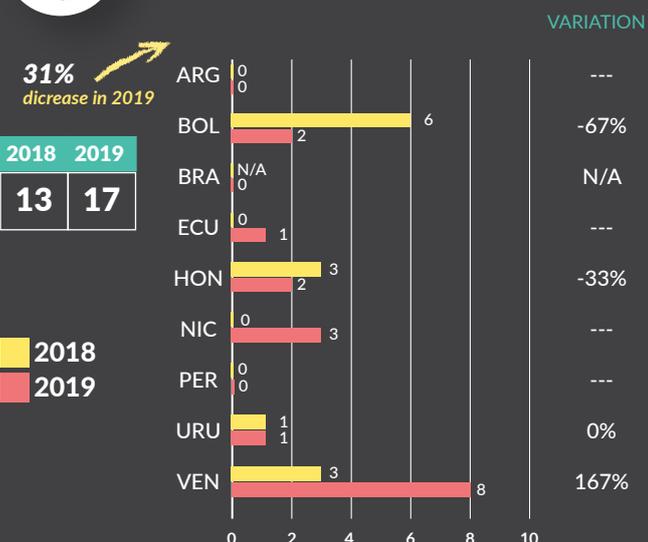
IX. JUDICIAL PROCEDURES AGAINST MEDIA & JOURNALISTS



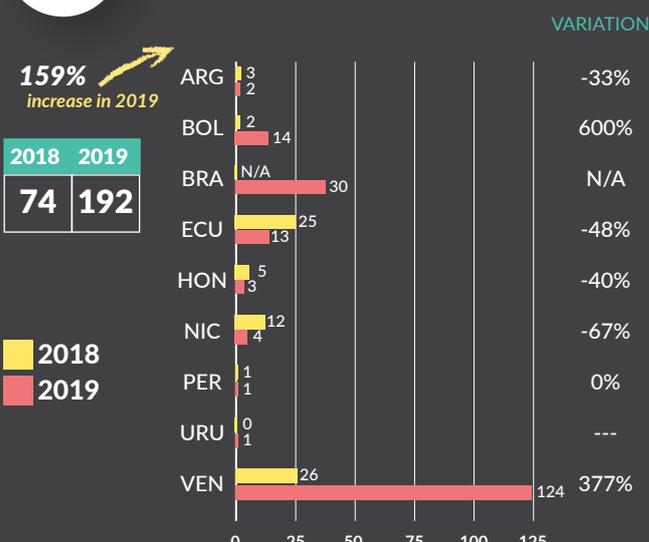
X. ABUSE OF STATE POWER



XI. JURIDICAL FRAMEWORK CONTRARY TO STANDARDS



XII. INTERNET RESTRICTIONS



ARGENTINA

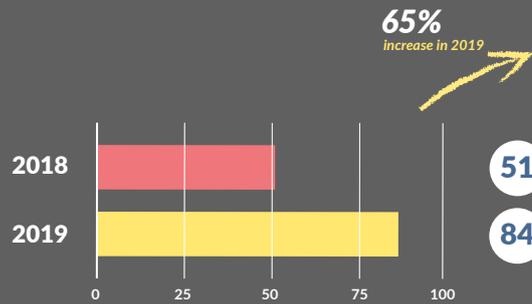


ARGENTINA

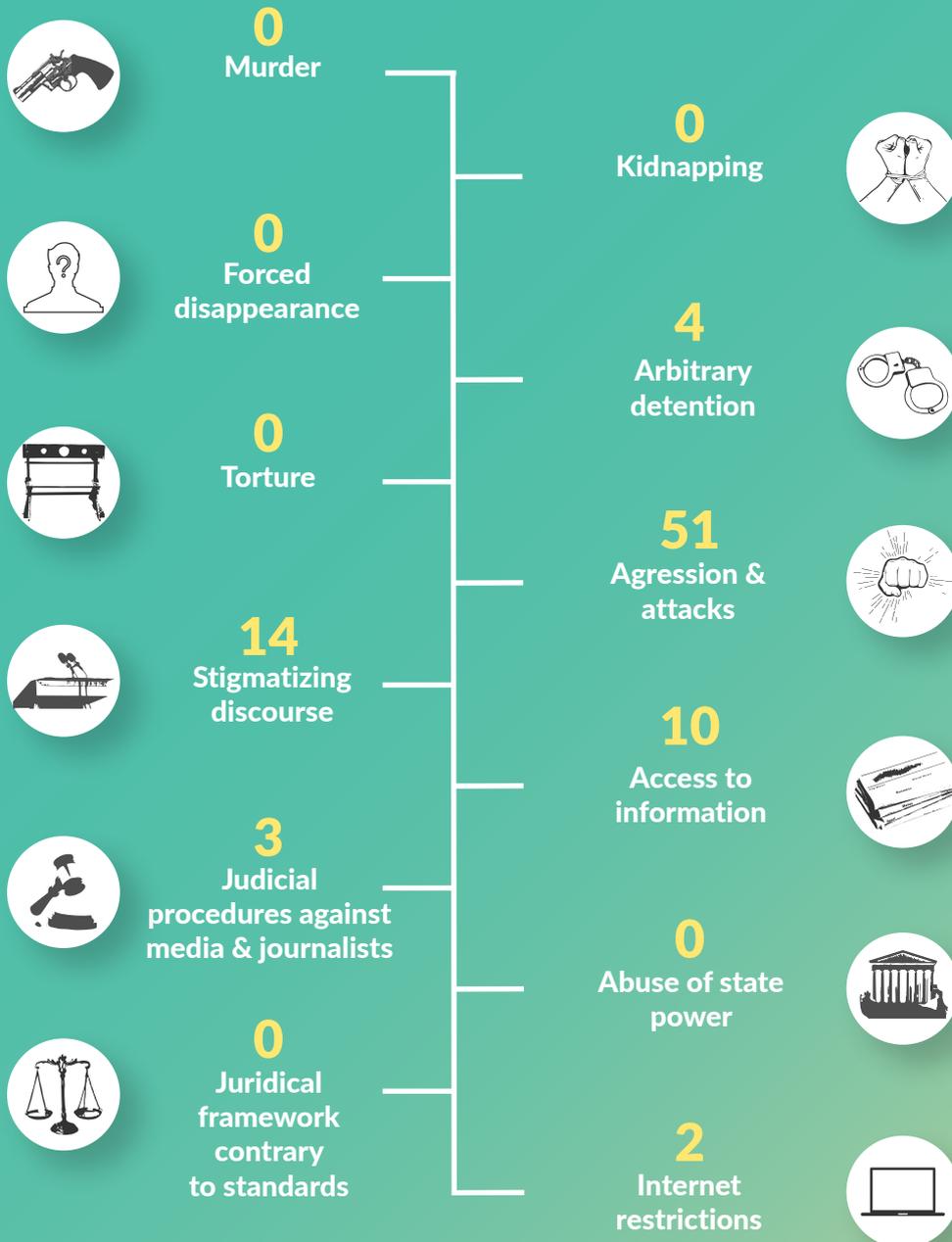
VDS INDICATORS – January - December 2019

OVERVIEW

REPORTED ALERTS 2019

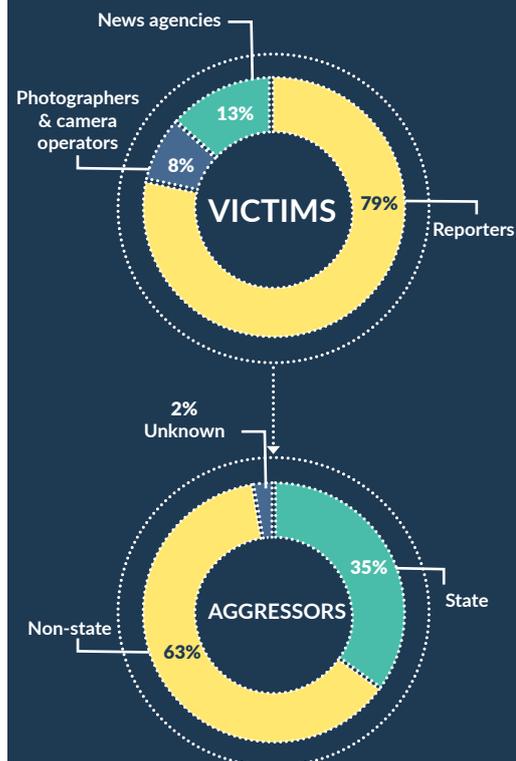
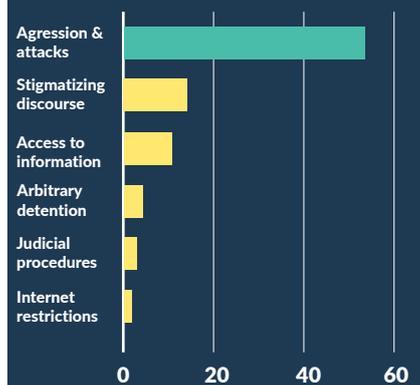


INDICATORS



RELEVANT FACTS

ALERTS



CONTEXT

Tension, isolated violence and the looming threat

The context in Argentina is marked by the return of the Kirchnerismo—the political tendency associated with former presidents Nestor Kirchner and Cristina Fernandez—to power. After years of social and economic turmoil under the presidency of Mauricio Macri, Alberto Fernandez became the new president promising a return to a more prosperous past. This return is already raising alarms among independent journalists in the country. In 2019, VDS registered 84 alerts related to violations against freedom of expression, press freedom, and access to information in Argentina. This overall 65% increase in relation to 2018 was driven by increases in the number of alerts related to access to information, stigmatizing discourse, judicial processes, and aggressions and attacks. Aggressions and attacks constitute 60% of the total number of alerts. For now, these aggressions and attacks against journalists and media outlets seem to be isolated incidents, for example during coverage of social mobilizations and sporting events. There is no clearly identifiable pattern signaling systematic violence against journalists or media outlets, whether perpetrated by the state or by non-state actors. Nevertheless, the threat of deliberate efforts to undermine freedom of expression, press freedom, and access to information may not be far behind.

TRENDS

The return of militant journalism

When Rosario Lufrano—the new president of Argentine Radio and Television appointed by Alberto Fernández’s administration—delivered her speech as the new authorities of Public TV were ushered in, she foreshadowed tension between the administration and journalism. Her remarks were filled with veiled threats against journalists who investigate high-profile corruption, such as the Corruption Notebooks scandal. She signaled that state media outlets will be used to support the government’s agenda and refrain from investigating government performance or demanding accountability. In past administrations, journalists and media outlets that refuse to serve as echo chambers of the official narrative have been excluded from public benefits including funding or state ad buys. On the other hand, militant journalists who demonstrate loyalty and unquestioningly adopt official editorial lines have been rewarded for their support. Considering these precedents, Lufrano’s discourse is a clear red flag. Self-censorship may prove one of the most significant ensuing consequences of this discourse, as many journalists may fear joblessness or other losses in their livelihoods in a context of generalized economic problems. The dire economic situation may increase government reliance on narrative and propaganda in order to maintain legitimacy and stability. Militant journalism is a key piece of that puzzle, as it seeks to limit freedom of expression, press freedom, and access to public information through deliberate obfuscation.

» IN FOCUS

The emergence of the “lawfare” narrative

So-called “lawfare” refers to a hidden attack from populist political establishments against Argentinian journalism in the form of framing or narrative-building. The idea, promoted by those who seek to avoid the scrutiny of journalists, has had a worrying impact on public opinion. It would have the Argentinian public believe that journalists and the media are acting in collusion with the justice system to attack popular governments and jail political leaders, especially those who are perceived to have opposed past neoliberal policies and governments. The emergence of the toxic “lawfare” narrative in Argentina may be retaliation for the investigative journalism that revealed the Corruption Notebooks scandal. The investigation’s windfall effects resulted in high-ranking Kirchner officials facing judicial processes for their roles in bribery networks with private contractors. Retaliation has come in the form of disinformation and stigmatization of the role journalists and the media have played. Kirchner’s government went as far as to promote regime-friendly judges and prosecutors to shield corrupt officials from justice. One of these judges is Alejo Ramos Padilla, who is eagerly examining purported connections between the investigative journalism that revealed the corruption network and national and foreign intelligence agents. Ramos Padilla requested that the Memory Committee of Buenos Aires Province, a local special commission on human rights, audit journalistic works as examples of psychological operations against the accused. This may hamper proceedings related to the Corruption Notebooks scandal. Ramos Padilla puts a human rights commission to investigate investigative journalists. In the new government, the Justice probably will become more aggressive against journalists that had investigated corruption.

RECOMMENDATIONS

Coalition and narrative building must be pursued by diverse actors from civil society, the business sector and the public sphere that are committed to freedom of expression, press freedom, and access to information. It is important to strengthen the bond between the Argentinian public and quality independent journalism. Civil society and journalists must engage the public in building a shared programmatic vision of what a stronger democracy and sustainable development look like for Argentina, including a recognition of the role of quality journalism moving the country in that direction. Effective media development can strengthen the situation of Argentinian journalism. New media business models can decrease the effectiveness of financial duress as political leverage for economic or political power players who seek to undermine independent journalism. New journalistic models can help engage the public to appreciate, protect, and support the role of journalists and the media more actively. Promoting favorable changes in public opinion and the emergence of new models will require broad coalitions and a strong narrative.

BOLIVIA

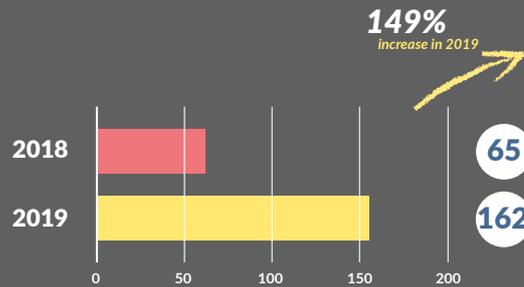


BOLIVIA

VDS INDICATORS – January - December 2019

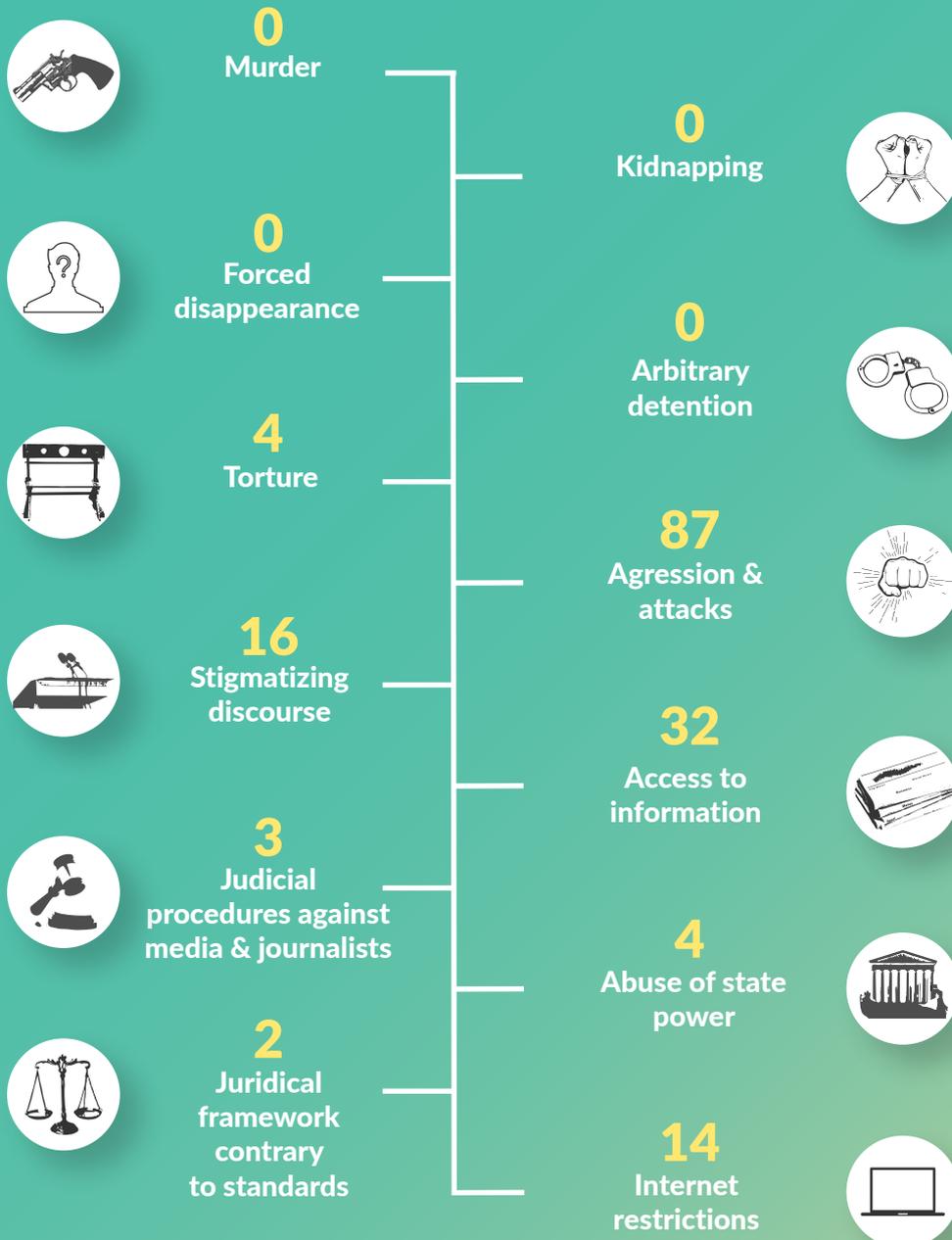
OVERVIEW

REPORTED ALERTS 2019



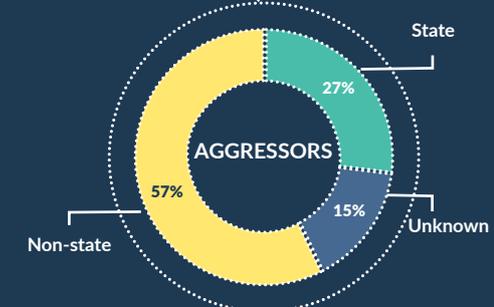
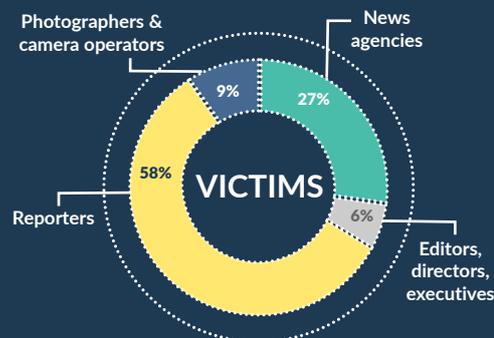
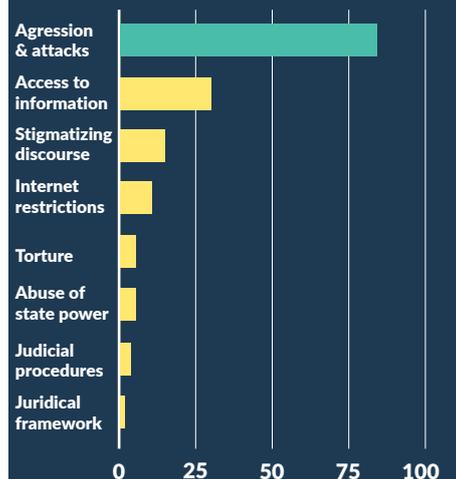
87
Agression & attacks

INDICATORS



RELEVANT FACTS

ALERTS



CONTEXT

A rigorous test

Freedom of expression, press freedom, and access to information in Bolivia were significantly strained in 2019 due to the massive protests and social unrest that engulfed Bolivia in the context of a flawed electoral process, Evo Morales's controversial exit from power, and the aftermath of the political upheaval. Many of the actors engaged in political and social conflict, on all sides, disavowed and violated these fundamental freedoms. The state of maximum tension and polarization has given way to attacks against journalists and the media and reflects the struggle to control narratives at all costs and from all sides. It signals a worrying time ahead for Bolivian journalism. The collision between large sectors of Bolivian society and journalists has resulted in a dramatic increase in registered alerts related to violations against freedom of expression, press freedom, and access to information. In 2019, 162 total alerts were registered in Bolivia. This 149% increase in relation to 2018 was driven by increases in the number of alerts related to access to information, internet restrictions, and aggressions and attacks. Aggressions and attacks constitute 53% of the total number of alerts in contrast to 28% in 2018. The appalling leap in alerts related to aggressions and attacks—a 383% interannual increase—is matched only by the leap in the severity and cruelty of the aggressions and attacks. The lives and wellbeing of journalists, including reporters, photographers, and camera operators have been systematically endangered by beatings, tear gas, and even explosives.

TRENDS

Sowing discord: From stigmatizing discourse to attacks, aggressions, and torture

The state was identified as the perpetrator in 28% of total alerts registered in Bolivia in 2019. Half of this subset of alerts identify the executive branch as the specific perpetrator and are mostly related to stigmatizing discourse and abusive use of state power. They also include alerts that identify the judicial and legislative branches as perpetrators of violations related to judicial processes and legal framework contrary to standards. Despite the important role of the state as perpetrator, 72% of alerts registered in Bolivia identify non-state actors—mostly protestors in mass mobilizations—or unknown perpetrators. Out of 87 total alerts related to aggressions and attacks, 71 identify non-state actors or unknown perpetrators and 61 correspond directly to protestors attacking journalists. It may well be that a decade of systematic hostility and deliberate polarization aimed at journalists and the media in the form of restrictive norms, stigmatizing discourse, threats and disinformation succeeded in creating an environment where political fanatics on all sides feel emboldened to attack and even torture journalists who they perversely identify as political opponents.

» IN FOCUS

Journalists nearly lynched

Four alerts related to torture—defined by VDS as every act through which journalists or people close to them are deliberately subjected to pain, punishment, intimidation, forced behavior, or severe physical or mental suffering—were registered in Bolivia in 2019. Reporter Isabel Poma and camera operator Juan Pardo of Paceñísima de Televisión were almost lynched by protestors on November 28 in El Alto. They were brutally beaten while covering unfolding events. Days earlier, on November 25, Sergio Figueroa of ATB in Cochabamba was nearly lynched by a group of protestors that attempted to douse him in gasoline and to set him on fire. José Aramayo—director of Comunidad and Prensa Rural, and also representative of the Confederation of Unionized Bolivian Campesinos—was tied to a tree, threatened with explosives and reviled in La Paz. These terrifying violations against journalists identified with all sides of the conflict attest to the increased severity that accompanied the growing frequency of violations against freedom of expression, press freedom, and access to information in 2019.

RECOMMENDATIONS

Given the tension and polarization that exists and will likely continue in the near future in Bolivia, it is imperative to protect journalists from violence perpetrated by both state and non-state actors. Messages filled with intolerance, calls for violence, and any kind of incitement to racial hatred or violence must be stopped. Stigmatizing discourse must be eradicated as per the 1969 American Convention on Human Rights. Journalists and media outlets must work together to demand that authorities, public and private sector leaders, civil society and social movement leaders, and the general public respect, safeguard, and enable the work of Bolivian journalists. Civil society organizations must continue to monitor violations against freedom of expression, press freedom, and access to information. Most importantly, the state must reverse a decade's worth of stigmatization efforts and fulfill its role as duty bearer so Bolivians may fully enjoy these fundamental freedoms. Developing journalistic models that increase the penetration of quality journalism in Bolivia and enhance engagement with audiences can help turn the tide of popular opinion towards a necessary recognition of journalism as indispensable for democracy. Engaging a wide coalition of actors and sectors to support such a collective cognitive change is also necessary.

BRAZIL



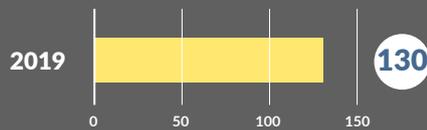
BRAZIL

VDS INDICATORS – January - December 2019

OVERVIEW

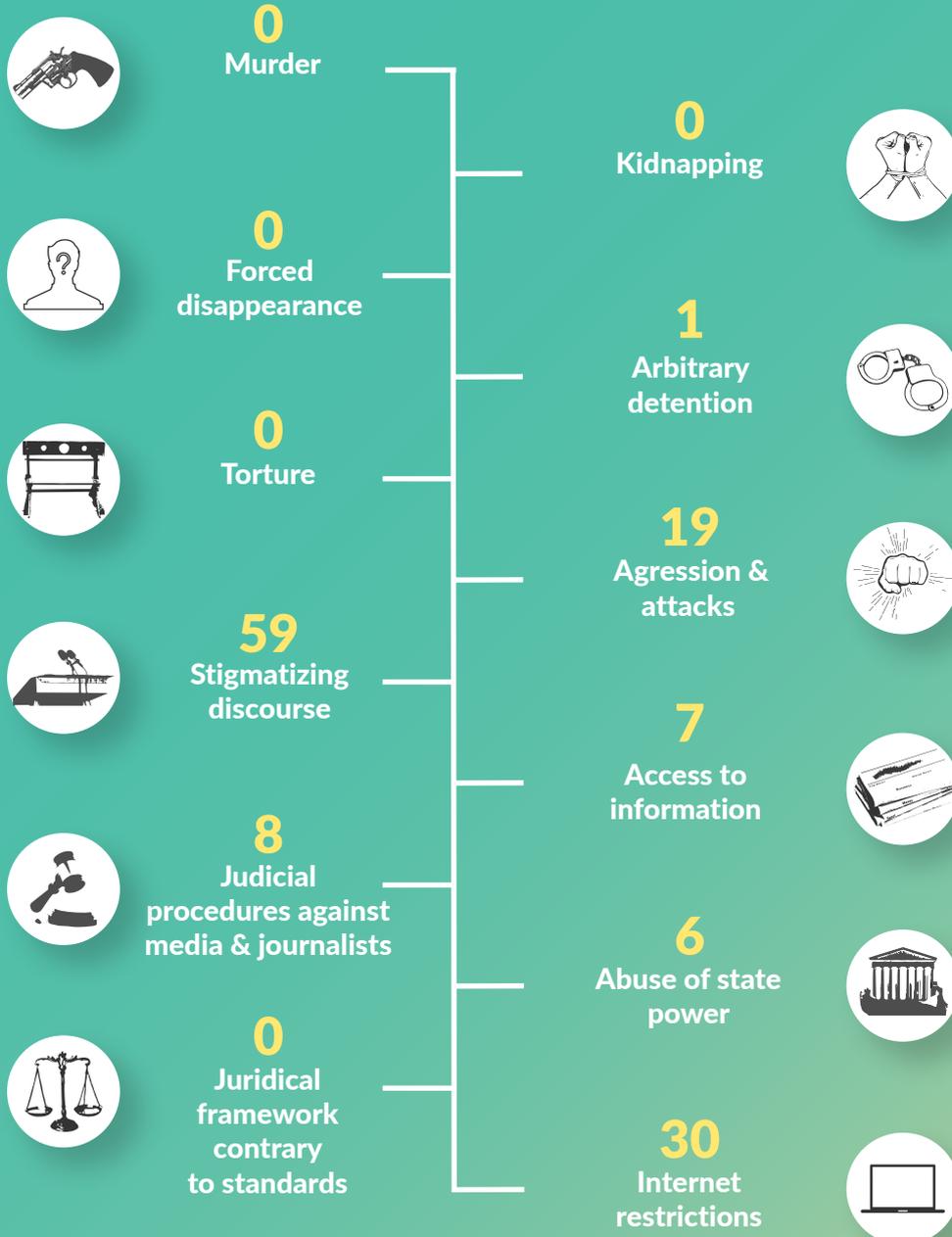
REPORTED ALERTS 2019

130



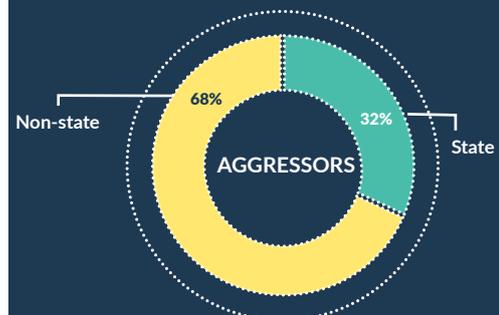
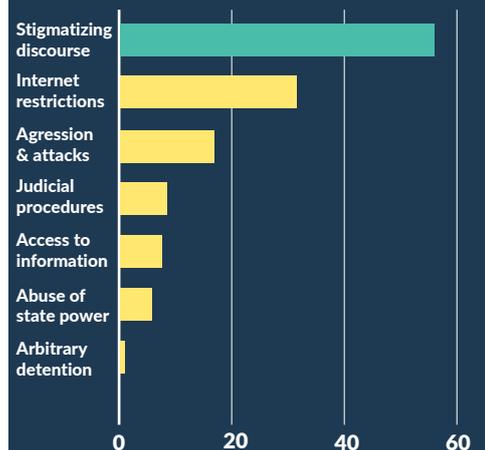
59
Stigmatizing
discourse

INDICATORS



RELEVANT FACTS

ALERTS



CONTEXT

Violent discourse and state harassment

The situation of freedom of expression, press freedom, and access to information is taking a turn for the worse in Brazil. Since Jair Bolsonaro was elected president in 2018, he has personally spearheaded systematic disinformation and stigmatization efforts against journalists and the press. This has paved the way for violations of these fundamental freedoms, often perpetrated by the state and its highest circles of power. The clear intent to discredit the work of journalists and the place of journalism in society does not bode well for the future. This phenomenon can easily lead to the emergence and justification of increasingly more direct and severe violations. In 2019—the first year of VDS monitoring in Brazil—130 total alerts were registered; 45% were related to stigmatizing discourse against journalists and the media. An appalling 58% of the alerts identify the presidency as the perpetrator. The government and its support network work in unison to wreck the reputations of journalists, intimidate them, and silence them. Bolsonaro and his government are signaling to all of Brazilian society, especially to their subordinates and sympathizers, that it is legitimate to undermine and stigmatize journalism. This is setting a dangerous precedent for fundamental freedoms in the country.

TRENDS

Coronelism⁴: Violence, strongman rule and impunity in the interior of the country

A total of 19 alerts related to aggressions and attacks were registered in Brazil in 2019, 58% of which occurred in the interior of the country. The type of aggressions and attacks that tend to take place in urban centers are markedly different from those in the interior. For example, six alerts were registered related to aggressions and attacks from police and protestors against journalists in the context of massive protests in Sao Paulo. These stand in stark contrast to the brutal murder of Jefferson Pureza Lopes in the Goiás state in 2018. In 2019, former councilman José Eduardo Alves da Silva, who had been arrested along with purported accomplices as the suspected mastermind of the murder, was acquitted in a trial by jury despite having admitted to playing a role in the murder. The murder of Jefferson Pureza Lopes remains in impunity. The heightened vulnerability of journalists in the interior is tied to the phenomenon known as “coronelism”: de facto powers and local authorities ruling without checks or balances, often outside the boundaries of formal authority, and usually in remote regions in the interior of the country. These “coronels,” or local strongmen, have the power to silence journalists, especially independent journalists who are not tied to traditional media outlets, and often use threats and violence. This is not new in Brazil but has grown worse in recent years.

⁴ From the Portuguese term *Coronelismo* is a social phenomenon closely related to the Spanish *Caudillismo*, in which strongmen, de facto powers and local authorities, rule without checks or balances, often outside the boundaries of formal authority, and usually in remote regions in the interior of the country.

» IN FOCUS

The secret messages of Lava Jato

In 2019, the alerts related to violations against freedom of expression, press freedom, and access to information in Brazil reflected a worrying trend towards the weaponization of the state against journalists. A total of eight alerts were related to judicial processes against journalists or media outlets, seven to access to information, and six to abusive use of state power. The case of Glenn Greenwald of The Intercept is emblematic. On June 13, legislator Carlos Jordy threatened to deport Greenwald. A day later Minister of Justice Sergio Moro made stigmatizing remarks about The Intercept on Twitter. This rhetoric is even more worrying considering that Moro has made questionable comments about the role of freedom of expression, press freedom, and access to information in the past. The wave of attacks against Greenwald came after the publication of the first installments in the series “The secret messages of Lava Jato.” The Intercept avows that it received private messages between the lawyers of Moro and Lava Jato from an anonymous source. Journalists and media outlets are not responsible for how a given source obtained information. The attacks and threats against Greenwald, his family, and his colleagues at The Intercept, especially those perpetrated by public officials, tell of an increasingly authoritarian trend that cannot be tolerated in a democracy.

RECOMMENDATIONS

It is reasonable to expect that under the current government the situation of freedom of expression, press freedom, and access to information could easily deteriorate further in Brazil. Considering that evidence from other countries in the region suggests a short leap from stigmatizing discourse to brutal attacks, it is crucial to strengthen monitoring efforts and communicate a clear, evidence-based characterization of the problem to as wide an audience as possible. Bringing Brazil under the scope of VDS is a concrete example. VDS's layered monitoring system can enhance existing local and national monitoring efforts, as well as link them with regional and international efforts. This can help to mitigate the malicious disinformation and stigmatization against journalists and the press that have characterized the new Brazilian administration so far. On the other hand, given the strong role of narrative-building and mobilization of public opinion in Bolsonaro's ascent to power and his efforts at authoritarian consolidation, a shared programmatic vision that is compelling in establishing the public value of journalism in the collective mindset is necessary. Regional and international monitoring efforts, such as those carried out by VDS, are reciprocally strengthened by this collaboration among different monitoring levels.

ECUADOR



ECUADOR

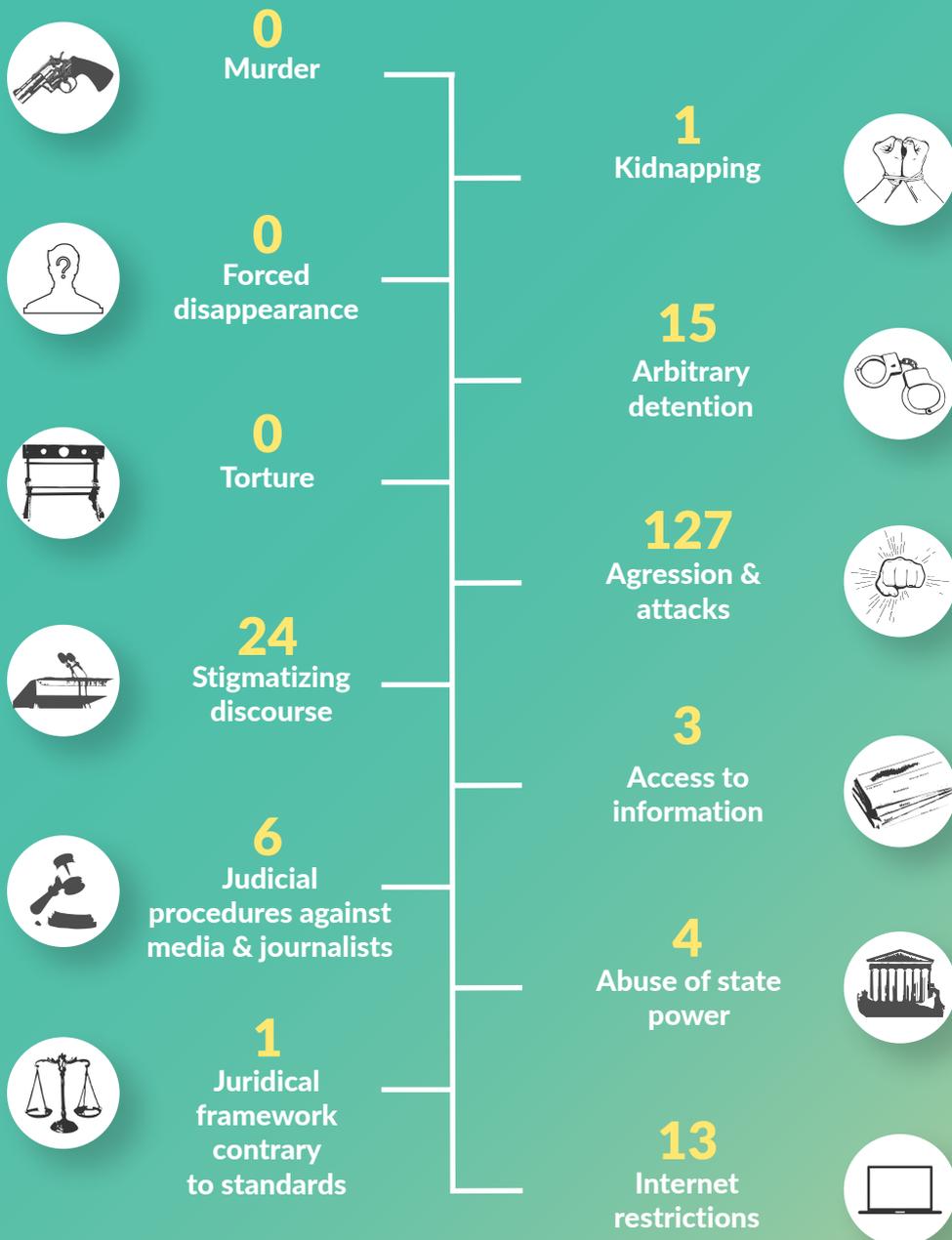
VDS INDICATORS – January - December 2019

OVERVIEW

REPORTED ALERTS 2019

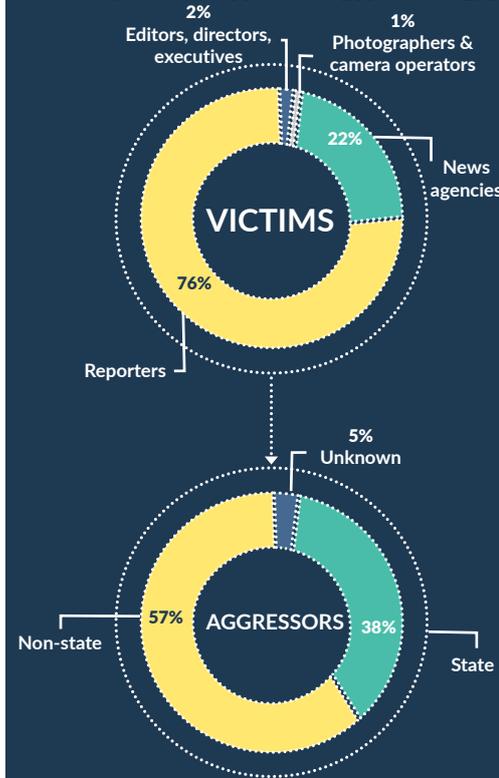
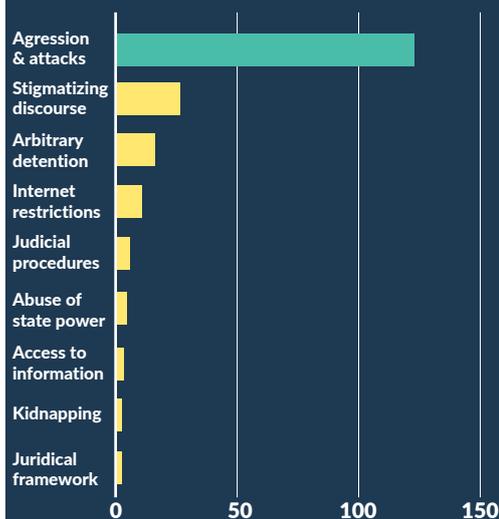


INDICATORS



RELEVANT FACTS

ALERTS



CONTEXT

A legacy of stigmatization

The situation of freedom of expression, press freedom, and access to information in Ecuador improved when Lenín Moreno came to power in May 2017, as the intensity of polarization and animosity towards journalists and the media decreased. “Citizen Liaisons”—a televised program used by former president Correa to attack and stigmatize journalists and critics—was canceled. The editorial line of public media outlets moved away from attacking perceived enemies of the government. The highly questioned Communication Superintendent, Carlos Ochoa, was removed. The Organic Law of Communication (LOC) was reformed, including the elimination of the Superintendency of Information and Communication (SUPERCOM). This entity was dedicated to sanctioning and fining media outlets since its creation in 2013. The positive trend reverted during the 12 days of the national strike against the cancellation of fuel subsidies in October 2019. The 194 alerts for violations against fundamental freedoms that were registered in Ecuador in 2019 represent an increase of 133% compared to 2018. However, 60% of the alerts correspond to violations between October and December, during and after the national strike. This explains how 2019 became the most violent year against freedom of expression, press freedom, and access to information in Ecuador since Moreno took office. The situation revived the legacy of animosity towards journalists and the media that much of the state and part of the public inherited from the Correa administration. The revitalization of a stigmatizing discourse and hostility towards the press jeopardizes the modest progress of the last couple of years.

TRENDS

Impunity and legitimized violence give way to alternative institution building

Impunity is a continuing trend in Ecuador. Justice has not been served for the murders of Paúl Rivas, Javier Ortega, and Efraín Segarra, a journalistic team from Diario El Comercio that was kidnapped and murdered near the border between Colombia and Ecuador in 2018. The Inter-American Commission on Human Rights Special Follow-up Team concluded that there was a lack of coordination among authorities in guaranteeing the protection and rescuing of El Comercio team who found themselves in evident risk. Furthermore, it warned the investigation has not shown progress and recommended the states of Colombia and Ecuador to declassify intelligence information and to create a special independent commission to guarantee a sustained investigation. Under the mantle of impunity, truth and reparation seem out of reach. As long as impunity persists, perpetrators of violations against freedom of expression, press freedom, and access to information will be emboldened by the prospect of no consequences for their attacks. To make matters worse, the violations that took place during the national strike show that violence against journalists and the media has been legitimized as a valid form of political and social struggle for a considerable part of the public. Alternative institution building—in the form of coordination between national civil society through FUNDAMEDIOS, the UN, and the

state-dominated Intersectoral Committee for the Security of Journalists—proved the last line of defense against legitimized violence when 32 journalists were simultaneously kidnapped in Quito in October 2019.

» IN FOCUS

The national strike in October

Ecuador witnessed some of the most violent protests in recent history during the last quarter of 2019. A national strike took place between October 3 and 13 as a way to reject the government's decision to cancel longstanding fuel subsidies. Prior to the national strike, the country was on pace for a reduction of approximately 50% in its total number of alerts related to violations against freedom of expression, press freedom, and access to information. Between October and December, 97 alerts were registered related to attacks against the offices and infrastructure of newspapers, as well as radio and television stations. These included attempts to burn down Teleamazonas and sabotage of transmission antennae on mount Pilisurco in Tungurahua province, which left 65 radio and television stations off the air. Of the total number of attacks against media offices and infrastructure, an astonishing 74% took place in the 12 days of the national strike. Such a high number of attacks against media infrastructure had not occurred since 2007. Journalists and other staff at the headquarters of Ecuavisa, El Universo and Medios Públicos were forced to evacuate due to imminent attacks. Radio Pichincha Universal was taken off the air through an arbitrary administrative decision. Most of the violations that took place were perpetrated by protestors and political fanatics during massive protests.

RECOMMENDATIONS

A joint effort with key actors from all sectors in Ecuador is requisite if the state is to go beyond its apparent newfound disposition for doing no harm in order to meet its duties of guaranteeing and safeguarding human rights. Priority steps include reversing the trend of impunity, establishing effective mechanisms for the protection of journalists, and committing to a systematic effort to neutralize discursive violence. The legacy of animosity that was inherited from the Correa regime is a real threat that can quickly take a turn for the worse in Ecuador. As in other countries, strengthening the relationship between audiences and journalists may prove to be part of the effective antidote for the latent violence enabled by years of stigmatizing discourse and disinformation against journalists and the media. The role of alternative institutions in securing the liberation of the 32 kidnapped journalists in October 2019 holds valuable lessons. The organizational flaws in the Intersectoral Committee for the Security of Journalists and its effective intervention during the crisis can become valuable points of departure.

GUATEMALA



CONTEXT

Inequality, Racism and the Media

Structural inequality and racism are defining characteristics of the institutional landscape in Guatemala. Indigenous peoples make up more than 50% of the country's poor and have limited opportunities to protect and promote their cultures, languages, and traditional livelihoods. This reality has a direct effect on freedom of expression, press freedom, and access to information in the country. Most of the traditional media outlets are based in the capital city or other intermediate urban centers. They generally neglect the interests and needs of Indigenous Peoples and the rural population. The open broadcast television channels are controlled by a monopoly and radio broadcasters—even in the interior of the country—are mostly part of national networks managed from the cities. Virtually all major newspapers are also based in the capital city. Guatemalan legislation does not recognize community radios, despite reiterated recommendations by the UN's and the OAS's Special Rapporteurs for Freedom of Expression. When communities attempt to establish a community transmitter for their own use they are persecuted and criminally processed. The digital media ecosystem has blossomed in Guatemala, but its scope and impact are limited as internet connectivity in the country remains a privilege, reaching only 17% in rural areas.

TRENDS

Targeted Attacks

A recent report on the situation of journalists in Guatemala—presented by the Guatemalan Journalists Association, the Office of the Ombudsperson for Human Rights, and the Public Ministry—shows that 2019 was the year with the most attacks against the press since President Jimmy Morales took office. According to the report, 82 violations against journalists and media outlets were recorded between January and October. Many took place in the context of coverage of the 2019 general elections. The report recognizes stigmatizing discourse, criminal proceedings against journalists and media outlets, and aggressions and attacks against journalists as common patterns during the Morales administration. It is possible that some targeted attacks against journalists are disguised as common crime. On June 20, two men on a motorcycle robbed journalists of all their equipment and footage while covering protests at the US embassy in Guatemala. No arrests were made. One month later, two journalists in the capital city were robbed of their equipment and notes within two hours of each other. High crime rates offer perfect cover for corrupt public and private power actors who target journalists.

» IN FOCUS

The State's crusade against accountability and transparency

When journalists revealed important cases of illicit and irregular acts implicating President Morales, his family, his cabinet members, and officials of his party, the government intensified its stance against long-running efforts to combat entrenched corruption and impunity in Guatemala. The administration's most emblematic action, which carried severe structural consequences, was terminating the International Commission against Impunity in Guatemala (CICIG). This alternative institution had been a cornerstone of efforts to improve the country's institutional landscape. The government has attacked journalists and the press through two principal methods: a stigmatizing discourse amplified online through troll and bot farms known as "net centers" and leveraging virtually all public speaking opportunities to discredit journalists and to push the narrative of journalists as enemies. Harassment from government officials and allies was manifest throughout 2019 and escalated particularly in the second semester. Following Morales's lead, corrupt legislators promoted laws to criminalize criticism of government officials and politicians online.

RECOMMENDATIONS

Guatemalan journalists are highly vulnerable to violence and stigmatization. They also face great financial precarity, whether as employees at traditional media outlets, freelancers or journalistic entrepreneurs. Considering the enormous risks associated with covering issues such as corruption, organized crime, money laundering, environmental degradation, human rights violations and co-optation of the state by private and sometimes criminal interests, Guatemalan journalism requires structural support. A holistic security framework with effective protective measures and mechanisms is needed to protect journalists. An evidence base and innovative strategies to advocate widely for the role of journalism in strengthening democracy must be developed in order to mitigate stigmatization. The financial viability of independent journalism is another major challenge that will require collaboration across all sectors. Strengthening civil society monitoring of freedom of expression, press freedom, and access to information by including Guatemala in the scope of VDS is a promising step. Reliable data and analysis on progress toward SDG 16.10.01 can contribute across all the aforementioned priorities.

HONDURAS



HONDURAS

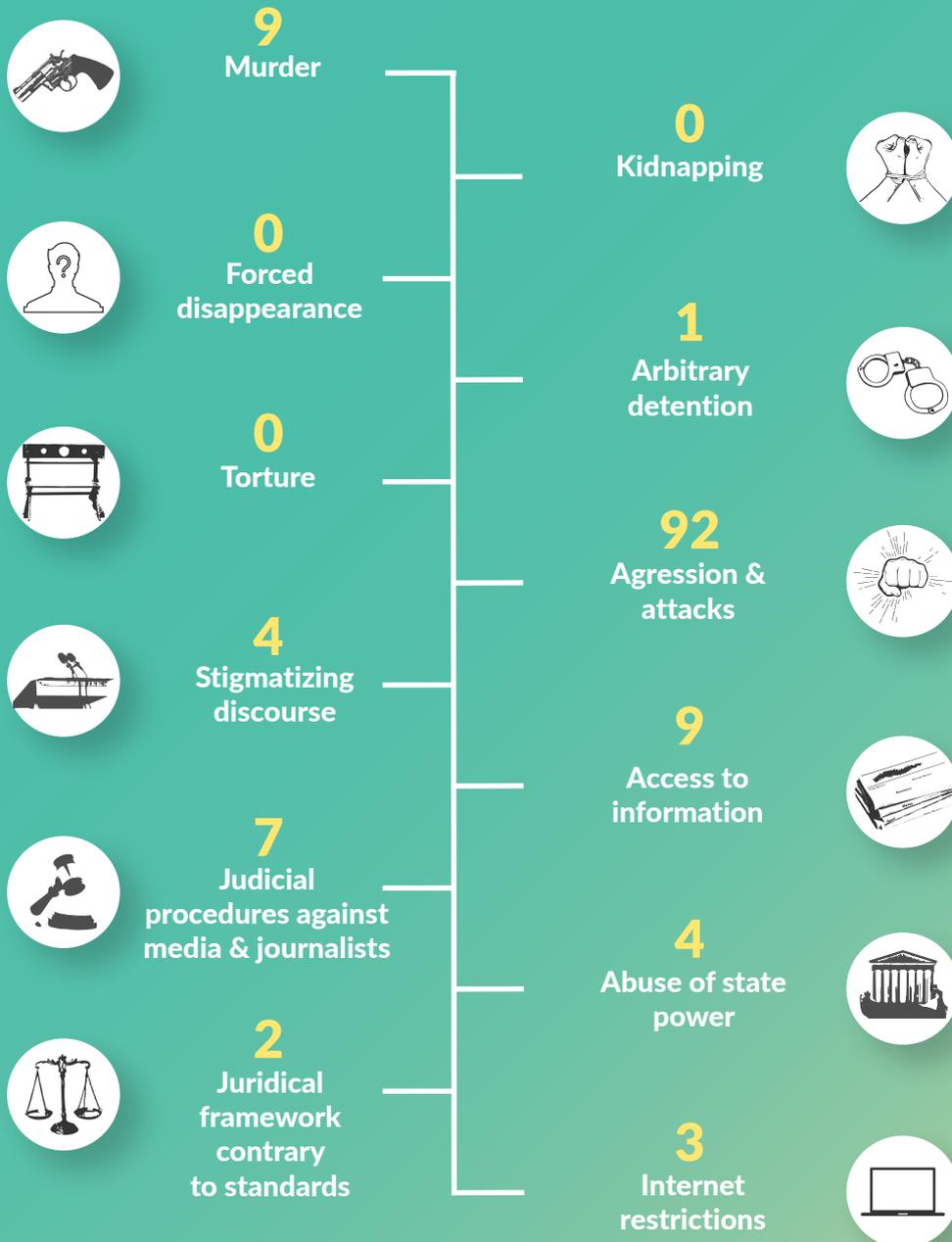
VDS INDICATORS – January - December 2019

OVERVIEW

REPORTED ALERTS 2019

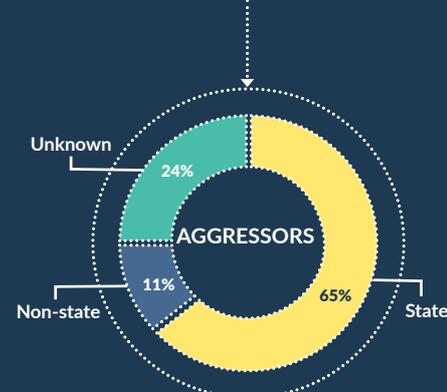
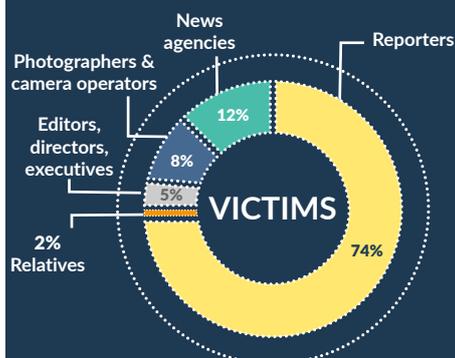
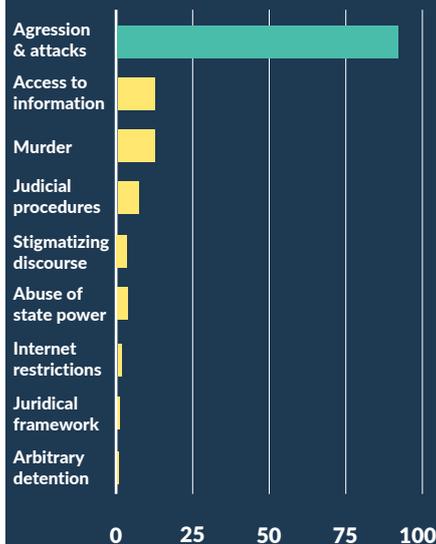


INDICATORS



RELEVANT FACTS

ALERTS



CONTEXT

A tragic year for journalism

The most salient change in the alerts related to violations against freedom of expression, press freedom, and access to information in Honduras from 2018 to 2019 is a deadly one. Whereas no murders of journalists were registered in 2018, 2019 saw the murder of seven journalists and two of their relatives. The 2019 data shows a tragic, yet foreseeable evolution of the situation reported in 2018; aggressions and attacks, harassment, intimidation, and institutionalized hostility towards the press were the norm. In that sense, prospects for 2020 are foreboding. The situation of fundamental freedoms in the country continues to deteriorate at an alarming, swift, and violent rate and is seriously aggravated by rampant impunity. In 2018 there were 80 total alerts registered. In 2019 there were 131. This represents a 64% increase. While in 2018 there were 46 reported alerts of aggression and attacks, that number doubled in 2019. The quantitative increase in the number of alerts is appalling in and of itself, yet it may also reflect enhanced monitoring capabilities. Hence, the most gruesome reality lies in the escalation of the severity of the cases, especially the murders of Paul Alexander Reyes John who was the son of journalists Walter Reyes and Nancy John, Maribel Bolian who was married to journalist Buenaventura Calderón, as well as journalists Gabriel Hernández, Santiago Carbajal, Edgar Joel Aguilar, Kerin Francisco Cerna, Buenaventura Calderón, Johana Alvarado and José Arita.

TRENDS

Criminalization of journalism

In 2019, there were seven alerts related to judicial proceedings against journalists registered in Honduras, a 600% increase from 2018. This situation may worsen with the approval of a new criminal code expected in 2020. The new code is expected to maintain the 1984 type of “crimes against honor”—libel and defamation—as criminal offenses. The code was originally scheduled to be approved in November 2019 but was delayed. There was an apparent window of opportunity for the government to listen to CSOs and comply with the Inter-American standards by rescinding the draconian type. However, an early 2020 resolution by the Criminal Court of the Supreme Court of Justice suggests that the legislature maintain the criminalization of supposed “offenses against honor.” The resolution ignores calls by the Inter-American Commission on Human Rights for charges of libel and defamation to be addressed through civil channels. The new criminal code is likely to further deteriorate the tragic status of freedom of expression, press freedom and access to information in Honduras. Beyond reaffirming the availability of criminal processes as punishment against journalists and the press, the new code will also criminalize public protest. This will further jeopardize journalists when covering such events. The new criminal code will even stipulate penal consequences for opinions expressed on social media. These may all prove to be warning signs that the situation of these fundamental freedoms in Honduras can and will get worse.

» IN FOCUS

A state of perpetual impunity

Since 2001, close to 80 journalists have been murdered in Honduras. More than 90% of these heinous crimes remain in impunity. The investigative processes to identify and serve justice to the intellectual and material perpetrators are a farce. It is reasonable to expect that impunity will continue to surge in 2020 as the crimes committed against journalists in 2019 remain unresolved or unsatisfactorily resolved. The slight increase in violations perpetrated by non-state and unknown actors may signal a dangerous and concerning trend. Private companies and especially their private security forces might be emboldened by what they perceive as a state of total impunity: if there are no consequences for their actions, they have been given a blank check by the government to deal with uncomfortable journalists as they see fit. Repression against journalists and the press could be evolving to include more private violence as a terrifying complement to state violence.

RECOMMENDATIONS

It is imperative for Honduran civil society and the international community to closely monitor the situation of freedom of expression, press freedom, and access to information in the country going forward. Putting an end to impunity and establishing effective protection mechanisms for journalists are first order priorities. So is rescinding the proposed new criminal code. In the absence of state capacity and political will to end impunity, serve justice, provide reparation to victims, and avoid repetition of violations, civil society and journalists themselves must collaborate to build a solid evidence base and present quality analysis to authorities and the public with a compelling narrative. This way memory and truth can be protected so as to ultimately serve justice. Honduras is a clear example of the need for a widely shared programmatic vision through which the notion of an aspirational democratic, inclusive and just society and the role of journalism in helping to build and sustain such a society are tied to each other. Given the extreme co-optation of the Honduran authorities by corrupt actors, creating holistic security frameworks for journalists to do their job will likely be the work of alternative institution building. The limited effectiveness of the Organization of American States Mission to Support the Fight against Corruption and Impunity in Honduras tells of great challenges ahead in this regard.

NICARAGUA

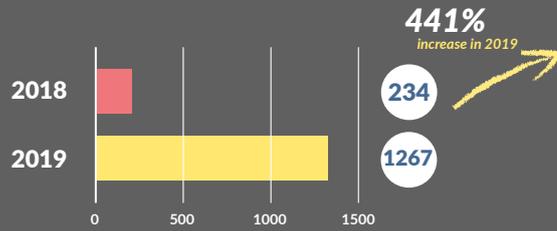


NICARAGUA

VDS INDICATORS – January - December 2019

OVERVIEW

REPORTED ALERTS 2019



1013
Abuse of state power

INDICATORS



0
Murder



0
Forced disappearance



14
Torture



22
Stigmatizing discourse



9
Judicial procedures against media & journalists



3
Juridical framework contrary to standards

0
Kidnapping



6
Arbitrary detention



171
Aggression & attacks



25
Access to information



1013
Abuse of state power

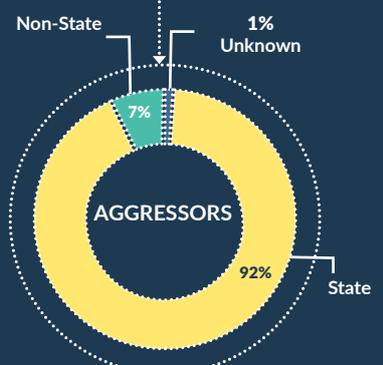
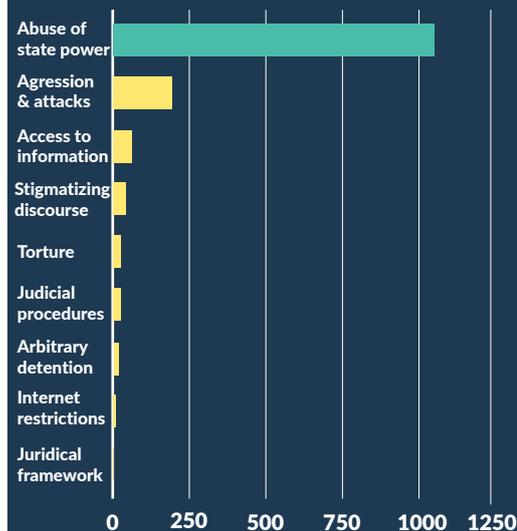


4
Internet restrictions



RELEVANT FACTS

ALERTS



CONTEXT

Two years of social and political crisis

Between 2018 and 2019 the Nicaraguan government consolidated an official state of authoritarian siege over freedom of expression and freedom of the press. The state has confirmed its role as the direct perpetrator of more than 90% of fundamental freedom violations. While the severity of violations in 2019 may have decreased, the frequency of harassment and threats against freedom of expression and the press increased dramatically. Alerts related to murders went from one in 2018 to zero in 2019, arbitrary detentions from 28 to six, forced disappearances from six to zero, and kidnappings from four to zero. The decrease in the number of alerts related to these indicators could be misleading, however. The reduction may reflect the effectiveness and extent of the police state imposed and coordinated by the regime led by Daniel Ortega. The government's decision to increase harassment and intimidation against journalists and the press is clear. Alerts related to aggressions and attacks increased by 36%, judicial processes by 12%, and access to information by 4%. The most dramatic increases came in alerts related to torture, which increased by 600%, stigmatizing discourse by 450%, and abusive use of state power by 441%. Nicaraguan journalists are at the mercy of the police, paramilitary, and Sandinista fanatics with mandates to perform surveillance; carry out psychological, physical, and digital attacks; disrupt operations of media outlets; and permanently harass journalists, human rights defenders, their relatives, and the general public.

TRENDS

The asphyxiation of journalism

Nicaraguan journalism is being asphyxiated. Abusive use of state power constituted nearly 80% of alerts registered in 2019. Public institutions such as the General Customs Directory restrict access to inputs such as paper and ink in an attempt to censor newspapers. Diario HOY, El Nuevo Diario, and La Prensa were effectively blocked from importing their inputs the entire year. Partly as a result of these restrictions, El Nuevo Diario—which would have celebrated its 40th anniversary in 2020 and was the second most important newspaper in the country—permanently shut down its operations on September 27. It is a significant loss for the Nicaraguan media ecosystem, as is the continued occupations of 100% Noticias and Confidencial by militarized police. The regime also intimidated privately owned Channel 12 in order to prevent it from airing emblematic journalism programs *Esta Noche* and *Esta Semana* on open access TV. This is crucial because TV is still the primary preference for much of the Nicaraguan audience. The regime uses its cyber resources to block the Facebook and YouTube channels of Nicaraguan journalists for using footage such as Ortega's speeches, to which only official media have access. The collapse of the Nicaraguan economy is also suffocating the already vulnerable business models supporting quality independent journalism in the country.

» IN FOCUS

The trials and triumphs of journalism in times of crisis

A brutal police state and vicious parastate actors carry out physical and psychological attacks against journalists and their families, which ultimately forced nearly 100 journalists into exile. The government's effective disruption of the content distribution channels with the most penetration among diverse socioeconomic and geographical sectors such as television, radio and print is a binding constraint on the impact of quality journalism. By confining much of journalism to digital platforms, the regime curbs access to reliable information for millions without connectivity. Even in turmoil, Nicaraguan journalism built on accomplishments from 2018. Many journalists found ways to continue working with great quality, even from exile. More than 20 new media outlets emerged, mostly in the digital realm, such as Despacho 505, La Lupa, Nicaragua Actual, and Voces en Libertad. Collaboration through joint investigations and content sharing, journalist-led efforts to organize around common interests, and innovation in business and journalistic models were success stories in 2019, a year in which Nicaraguan journalism garnered global recognition. Lucía Pineda Ubau received the Courage in Journalism Award from the International Women's Media Foundation. She was also awarded the International Press Freedom award from the Committee to Protect Journalists, alongside her colleague at 100% Noticias, Miguel Mora. Pedro X. Molina and Wilfredo Miranda of Confidencial were respectively awarded the Maria Moors Cabot Prize from Columbia University and the King of Spain Ibero-American Journalism Award from Spanish Agency EFE and the Spanish Ministry of Foreign Affairs. To conclude 2019, 12 exiled journalists returned to carry on working within Nicaragua, although at great personal risk.

RECOMMENDATIONS

Serving justice for the murder of journalist Ángel Gahona in 2018 must remain a top priority. He was murdered while live-streaming protests against the Ortega regime in Bluefields. The return of 100% Noticias and Confidencial are also imperative. Creating a holistic security framework so journalists may continue with their work is necessary and very challenging considering that the brutal police state is the Nicaraguan regime's only remaining pillar of support. Independent media outlets and journalists need concrete assistance to develop sustainable business and journalistic models to continue their work. Alternative institutions should be built to support and protect Nicaraguan journalism going forward because issues such as justice for state crimes are likely to be high risk endeavors even if a transition from the Ortega regime takes place. Nicaraguan journalists and media outlets require major support to ensure that platforms such as Facebook and YouTube recognize the state's malicious use of their services in the Nicaraguan context with nefarious consequences.

PERU



PERU

VDS INDICATORS – January - December 2019

OVERVIEW

REPORTED ALERTS 2019



INDICATORS



0
Murder



0
Forced disappearance



0
Torture



0
Stigmatizing discourse



10
Judicial procedures against media & journalists



0
Juridical framework contrary to standards

0
Kidnapping



0
Arbitrary detention



2
Aggression & attacks



1
Access to information



1
Abuse of state power

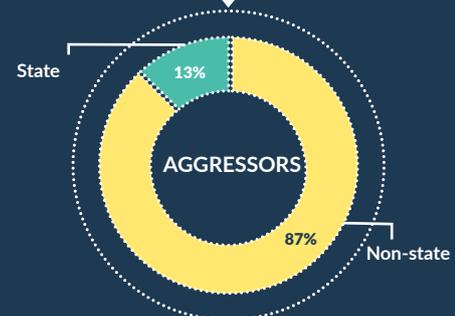
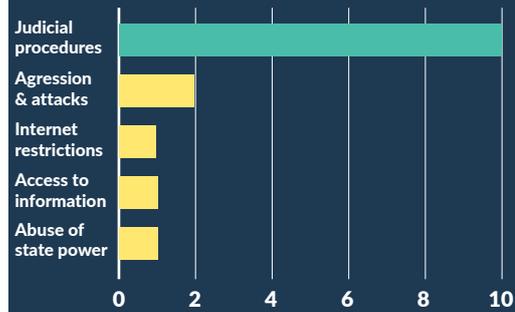


1
Internet restrictions



RELEVANT FACTS

ALERTS



CONTEXT

Materialized Threats

In Peru there were 15 registered alerts in 2019, compared to 13 in 2018. As in 2018 there were no reported cases of journalists killed, tortured, disappeared, kidnapped or detained in Peru. The number of attacks and aggressions fell by 60%, from five cases in 2018 to two cases in 2019. The number of violent incidents in proportion to the total number of alerts also fell. While in 2018 38% of reported alerts corresponded to direct aggressions and attacks, in 2019 that number dropped to 13%. With 10 registered alerts, a 233% increase from the previous year, judicial processes against journalists and the media accounted for a majority of total alerts. In 2018, the Shadow Report warned about the threat faced by journalists and media outlets in the form of accusations and legal procedures on the grounds of alleged crimes related to defamation and libel. This threat materialized in 2019 and continues to pose an increasing danger for the future. The main aggressor in Peru is still the State, accounting for 13 of 15 alerts in 2019. In 11 of those cases, the judicial system is identified as the perpetrator.

TRENDS

Judicial harassment and its consequences

The consequences of judicial harassment materialized in the conviction against journalist Pedro Salinas on April 8. A judge from the Piura region, almost 1000 km from Lima, sentenced Salinas to one-year parole and to pay a \$2,300 fine to Piura's Archbishop, Jose Antonio Eguren, for alleged aggravated defamation. The same accusation has been levelled against journalist Paola Ugaz. The journalists raised a warning that judicial processes might be affected by the great influence exercised by the church throughout the region. The Sodalicio Vida Cristiana, a religious organization with a strong presence in Piura, has led a campaign of judicial harassment against Ugaz and Salinas for their journalistic work-turned book. In their co-authored investigation, Ugaz and Salinas expose -through several personal testimonies- a series of sexual, psychological and physical abuses allegedly committed by members of the Sodalicio, Eguren being one of them. Ugaz faces four legal procedures initiated by people affiliated with the Sodalicio. Ugaz is also accused by Alberto Gomez De la Torre, a Sodalicio official, for allegedly providing false testimony in court during the trial against her colleague Salinas. Judicial processes against journalists for crimes such as libel and defamation, which in Peru are treated by criminal law and courts, represent a serious threat to fundamental freedoms. The justice system shows signs of being co-opted by local de facto powers and instrumentalized against journalists. Judicial intimidation undermines journalistic work by imposing heavy physical, psychological, financial, and emotional stress on journalists.

» IN FOCUS

Popular defense of freedom of expression

Freedom of expression and press freedoms are highly valued and defended by the public in Peru. Journalists play an important role in scrutinizing the exercise of power and the media's efforts to hold power accountable are highly valued by the public. Government attempts to censor or intimidate journalists undermine confidence in public institutions. People tend to be informed and change their opinion based on facts. On April 24, due to increasing popular pressure, Archbishop Eguren dropped accusations against Pedro Salinas who had been convicted 16 days earlier on charges of defamation. The sentence against Salinas was rejected by different sectors of Peruvian society as well as the international community. Even the Peruvian Ecclesiastical Conference and Lima's Archbishop manifested against the sentence. The procedures were contrary to standards set up by the Inter-American Court of Human Rights and others. Eguren's decision to withdraw the accusation left without effect the sentence against the journalist. Eguren also decided to withdraw his accusation against Paola Ugaz. This is considered a groundbreaking moment for popular support for freedom of expression in Peru.

RECOMMENDATIONS

In Peru there is a systematic abuse of the justice system to impede journalistic work which is aggravated by the fact that cases of libel and defamation are treated as criminal offenses. The criminalization of these offenses has a detrimental impact on the willingness of journalists and sources to come forward with information out of fear of prosecution. Towards the end of October 2019, IPYS Peru proposed a piece of legislation for the decriminalization of libel, slander, and defamation. Journalists and the media must be able to lawfully report on matters of public interest without fear. If journalists are intimidated into silence, the media's ability to effectively hold the government accountable is severely hindered. Journalists and the media's watchdog role must be vigorously protected. While Peru pioneered the creation of Laws of Access to Public Information in 2002, this Law needs to be updated to reflect changes in communication technologies, especially the growth and penetration of internet and mobile devices. The Law is effective and is used by journalists and the general public, but there is still a culture of official secrecy in public institutions. Few regularly produce and actively make public information easily available online. Cases of "habeas data" can take years in courts. The creation of an autonomous authority

URUGUAY

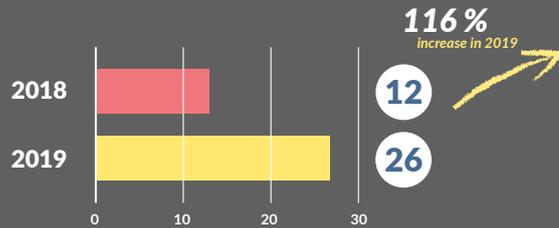


URUGUAY

VDS INDICATORS – January - December 2019

OVERVIEW

REPORTED ALERTS 2019



9
Agression & attacks

INDICATORS



0
Murder



0
Forced disappearance



0
Torture



5
Stigmatizing discourse



4
Judicial procedures against media & journalists



1
Juridical framework contrary to standards

0
Kidnapping



0
Arbitrary detention



9
Agression & attacks



6
Access to information



0
Abuse of state power

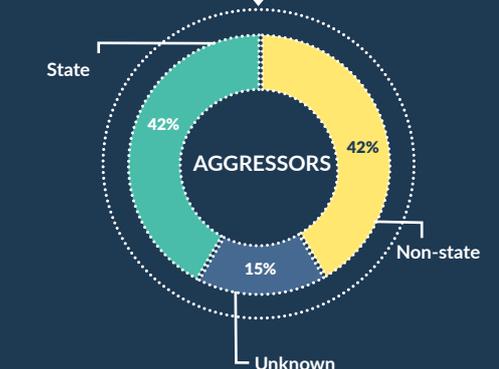
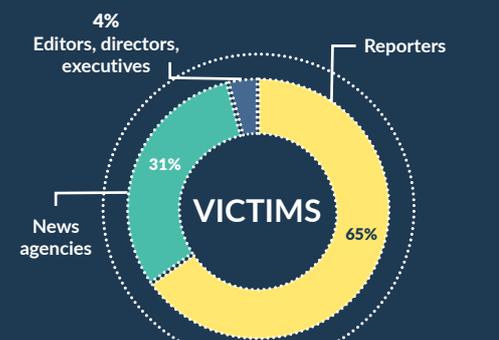
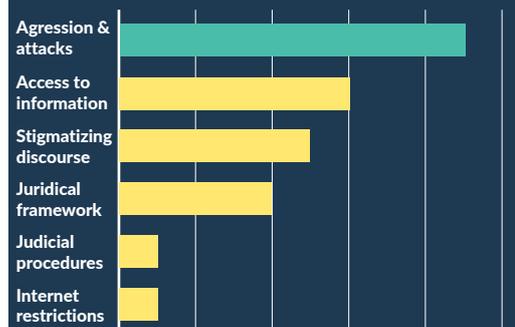


1
Internet restrictions



RELEVANT FACTS

ALERTS



CONTEXT

Uncertain Transition

Uruguay is in the midst of an important political transition. The victory of Luis Lacalle in the 2019 presidential elections ushers in a conservative government after 15 years of rule by the left-wing Broad Front. The new government bears watching in a country known for its political stability and formal respect for human rights and fundamental freedoms. The first issue relates to the composition of the new government which includes a coalition of five political parties. At least one of the political parties in the coalition has a troublesome connection to the country's militaristic-authoritarian history, The Cabildo Abierto party. In 2019, this uncertain transition coincided with an increase in the violations of freedom of expression, press freedom, and access to information. The number of reported alerts went from 12 in 2018 to 26 in 2019. The majority of cases have to do with attacks and aggressions, which increased from five in 2018 to nine in 2019; restrictions in access to information went from one in 2018 to six in 2019; and stigmatizing discourse went from one in 2018 to five in 2019. Despite this context, in general terms Uruguay has maintained low levels of violence against journalists and media relative to the region. It is important that in a context of instability and uncertainty, measures be undertaken to avoid future escalations.

TRENDS

Worrying Authoritarianism/Militarism

The authoritarian tendencies of some factions within the new government were demonstrated in the last months of 2019. Three prestigious Uruguayan media outlets, La Republica, Radio Uruguay, and Montevideo Portal, were subjected to judicial processes by Antonio Romanelli, chief security advisor to the former presidential candidate and leader of the Cabildo Abierto political party, Guido Manini Ríos. The lawsuit followed after the three media outlets published an accusation made by a collective of political prisoners during Uruguay's military dictatorship, against Romanelli. The former political prisoners accused Romanelli, through a public letter, of torture when he was an officer in the Penal Libertad prison between 1978 and 1979. Additionally, in 2019, Claudio Feola, Commander in Chief of the Uruguayan armed forces, presented a lawsuit against journalist Gabriela Pereyra for alleged libel and defamation. Pereyra's purported crime was to denounce Feola as "cowardly and arrogant" for failing to repudiate the enforced disappearances committed during the Uruguayan military dictatorship. The Commander in Chief evaded responsibility for his remarks doubting the existence of the enforced disappearances. As with other cases of judicial procedures against journalists, the issue lies within the judicial system, which allows questionable causes to take course, setting a dangerous precedent of intimidation against journalists and media who dare to challenge official narratives and established powers.

» IN FOCUS

Worrying Legislation

At the beginning of 2020, the new government announced the content of a Law of Urgent Consideration. In Uruguay, there is a special procedure for fast tracking pieces of legislation which are deemed of priority for the wellbeing of the nation. In this case, however, the “urgent” law deals with more than 400 articles that are not considered urgent and that in fact might gravely affect freedom of expression in the country. The legislation may severely restrict the right to protest and it threatened to establish a dangerous precedent for the removal of online content that might be deemed inaccurate. On one hand, the proposed law would reinstate the disappeared figure of “disregard for authority” in Uruguayan law⁵. This figure provides an ample degree of discretionary leeway to the police to intervene against acts of public protests, effectively penalizing dissent. This controversial measure, besides imposing restrictions of the general population for protest, is likely to affect journalists that report in a context of increasingly complex social and political scenarios. On the other hand, the proposed legislation attempted to establish the “right to be forgotten” in Internet searches, social media, and other digital platforms, and would have effectively created an unprecedented new right in Uruguayan law. Such an important transformation based on sweeping and vague definitions could have easily lead to abuse and misinterpretation, possibly severely affecting freedom of expression, press freedom, and access to information in the country. Freedom of expression also means the right to search, receive, and communicate information in an open and transparent way. The proposed legislation would have violated State obligations to guarantee these rights, which are also protected by global and regional human rights frameworks. Due to the strong criticisms, the right to be forgotten was finally removed from the legislation.

RECOMMENDATIONS

The proposed legislation and existing judicial processes against journalists and media threaten freedom of expression, press freedom, and access to information in Uruguay. They seek to limit the legitimate right of populations to protest, of journalism to inform, and the of citizens to demand and obtain information, especially in a context of increased instability and uncertainty. According to the UN’s Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, actions such as harmful legislation and judicial processes against journalists and media generates an intimidation effect against the whole of the media ecosystem, limiting the free circulations of information and opinions, which are fundamental aspects of a functional democratic government. In order to comply with international standards upheld by the UN, the Uruguayan state must reject regressive legislation which could potentially turn back the progress made by Uruguay in the last years and for which the country is internationally known. It is also imperative for the Uruguayan judicial system to dismiss weak legal cases against journalists and media in order to avoid setting a precedent of fear and self-censorship that could prove catastrophic to Uruguayan fundamental freedoms, democratic institutions, and sustainable development.

⁵. The term is a portmanteau of the words “law” and “warfare”. In the Latin American context, it is used pejoratively to refer to the alleged instrumentalization of justice systems to prosecute political leaders. It often carries an implicit criticism of the media’s role in holding political power accountable. The media in Argentina is sometimes accused of waging warfare against certain politicians that have been imprisoned under corruption charges after their crimes have been publicly exposed by journalists.

VENEZUELA

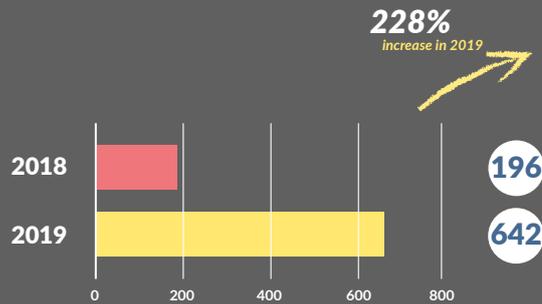


VENEZUELA

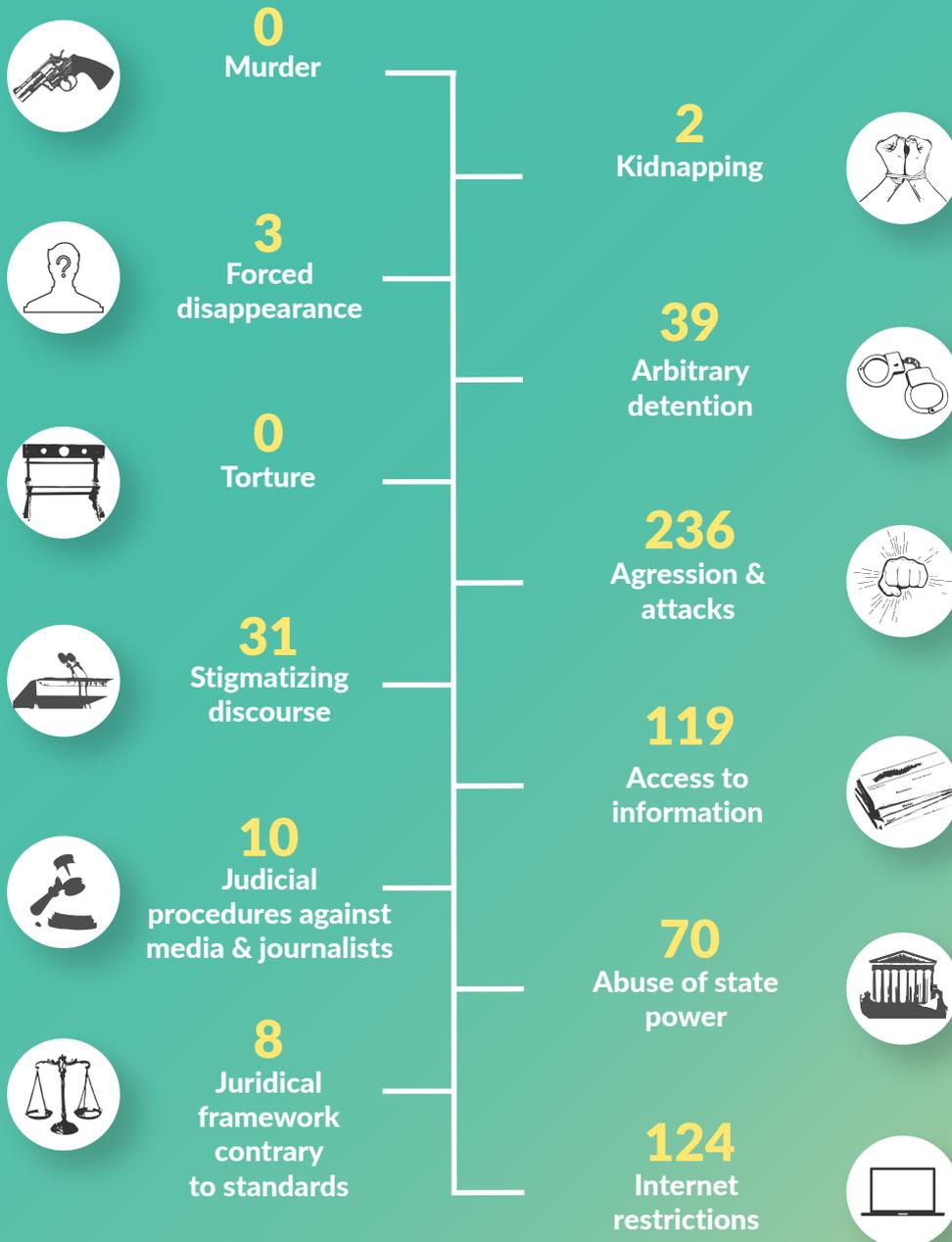
VDS INDICATORS – January - December 2019

OVERVIEW

REPORTED ALERTS 2019

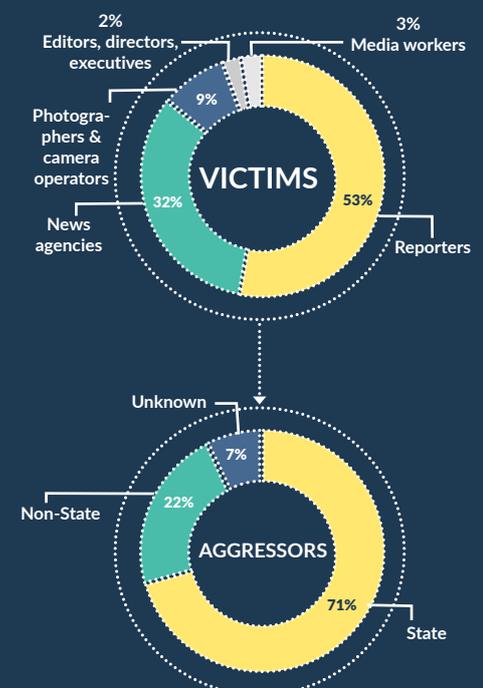
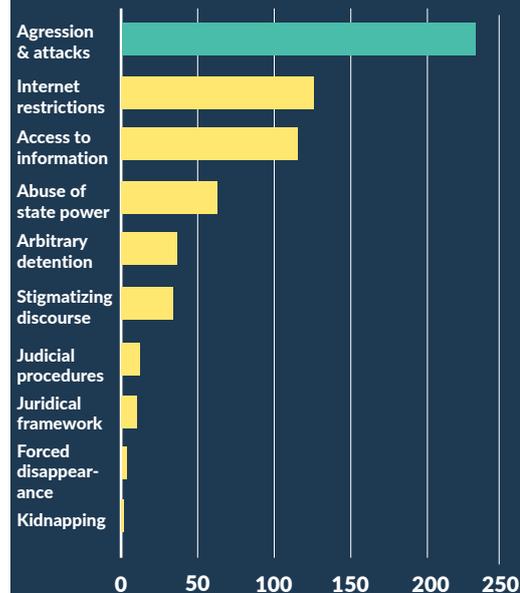


INDICATORS



RELEVANT FACTS

ALERTS



CONTEXT

The worst year on record

Systematic abuse of state power, violent aggressions, attacks and threats, disinformation, lack of transparency, and outright censorship turned 2019 into the worst year on record for Venezuelan journalism. A total of 642 alerts were issued, representing a 228% increase in relation to the previous year. This increase occurred in a context of ongoing and constant social conflicts in the middle of one of the most profound and complex economic and political crises in the hemisphere. With the exception of murders, all other indicators experienced sharp increases in 2019 in Venezuela. The year saw an appalling escalation of direct violence against independent journalism in the country. The silencing of independent journalism and obstructing the media from registering human right violations and other acts of corruption, by whatever means necessary, are clear state priorities. Alerts of stigmatizing discourse soared by almost 1000%; aggressions and attacks increased by 473%; internet restrictions by 376%; arbitrary detentions by 225%; access to information by 213%; and judicial framework contrary to standards by 166%. These dramatic figures speak of a deepening of the crisis in the country. The state has repeatedly demonstrated its unwillingness to respect, protect, least yet promote, freedom of expression, freedom of the press and access to information. It made evident a resolute effort to silence the media, intimidate journalists and create a state of official censorship. The trends identified in this and the previous year indicate that the situation is likely to worsen further.

TRENDS

An official state of censorship

In 2019, a worrisome 69% of total alerts identified the Venezuelan state as the perpetrator. Almost half of the alerts reflect direct participation of the police or the army. The other half were perpetrated by other public institutions and government officials; 25% of the total are directly attributed to two specific institutions: the National Commission for Telecommunications (CONATEL) and the state-owned telecommunications company Cantv. Content regulation in radio and TV is worryingly and rapidly increasing as a weapon against freedom of expression, freedom of press, and access to information. These silencing mechanisms effectively shut down the transmission of six foreign TV channels including CNN and BBC, nine local radio and television shows, and nine national TV stations in 2019. This official censorship strategy adds to the 35 outlets that ceased to circulate in 2018, clearly a deliberate attempt to destroy or diminish independent journalism to its minimum capacity. Besides content regulation, censorship is often carried out through violence. Out of the total of 235 reported cases of aggressions and attacks, the state is identified as the perpetrator in 50%.

» IN FOCUS

Imprisoning Journalism

An appalling 39 alerts of arbitrary detentions were registered. Most of the cases occurred during social and political protests where journalists are targeted by state forces and political fanatics with the same virulence shown against protesters. Many are spontaneous protests by citizens in the face of severe shortages in basic staples such as food and medicine, as well as the lack of public services such as water and electricity. The arbitrary detention of journalists and protesters are characterized by direct participation of the police, military, and intelligence services and in coordination with civilian militias. They are accompanied by physical and verbal abuse and the destruction or confiscation of journalistic equipment and resources. One of the most emblematic cases of arbitrary detentions in 2019 was that of Luis Carlos Diaz, journalist, human rights defender, and cyber-activist of Circuito Union Radio. Diaz was accused over Twitter by Diosdado Cabello, a high-ranking government officer, of being responsible for an alleged cyberattack that led to an electricity blackout affecting the whole of the national territory. Following Cabello's allegation, the journalist was detained in one of the centers of the National Bolivarian Intelligence Service in Caracas. Diaz was forcibly disappeared for more than 8 hours between March 11 and 12. During his detention, the police services confiscated his journalistic equipment such as computers, cellphones, and flash cards. After more than 24 hours of detention, Luis Carlos Diaz was set free but charged for instigation to commit a crime. Among the measures dictated by the 31st Caracas Control Tribunal include restrictions against leaving the country, participating in protests, discussing the case and presenting for parole every 8 days. The chronic situation of imprisoning journalists, even if for short periods of time, seeks to silence independent journalism and to impose fear and self-censorship among journalists.

RECOMMENDATIONS

Confronting systematic violations with the explicit purpose of silencing journalism requires drastic measures to avoid further escalation. The violence exerted by the State itself legitimizes violence in the eyes of political fanatics and other groups, which may be emboldened to further physically harm journalists. An increase in the number of murders against journalists is a real possibility in coming years. This is a heavy blow for the right of people to be informed and to make informed decisions about public issues. Official censorship strategies and lack of transparency in access to public information also mean lack of accurate information about healthcare, the economy, food and nutrition, and education, affecting people's capacity to make informed decisions about their own lives and futures. The Venezuelan Constitution and international treaties signed by the country recognize access to information as a fundamental right. It is imperative for the Venezuelan state to stop content regulation and to replace the institutions in charge of censorship with institutions that work to promote and stimulate the exercise of human rights and fundamental freedoms. The international community, civil society, and other alternative institutions must take urgent measures to guarantee and safeguard journalists and their family members and to promote conditions for the safe exercise of journalistic work in Venezuela as a prerequisite of a just and inclusive society.

CONCLUSIONS AND RECOMMENDATIONS

A New Programmatic Vision for Journalism in Latin America

Fulfilling the 2030 Agenda is a daunting aspiration that first and foremost requires a storm in the way structural change is understood and approached in the region. Changing the institutional landscape of societies is a piecemeal process. Small changes can have transformative effects if they are consistent over time as part of a shared programmatic vision. Voces del Sur is strategically positioned to help initiate the effort to engage relevant stakeholders from all sectors and at all levels in building a compelling, empowering, and enabling narrative about sustainable development especially about the ways in which freedom of expression, press freedom, and access to information are critical components of any strong democracy. These freedoms must be showcased as broader enablers of sustainable development, as well as widely recognized as both ends in themselves and means towards improved democratic institutions and ultimately improved public services and value. The VDS network and the live evidence base that is being created through its collective multi-layered monitoring approach can help clarify the situation and prospects of these fundamental freedoms so as to engage the necessary stakeholders and create energy to structurally and sustainably strengthen the environment for quality journalism and media.

An effective programmatic vision is not an exact blueprint. It is a clear and well-founded sense of direction that must always be accompanied by concrete ideas for its next steps. The qualitative insights and quantitative data gathered and systematized by the VDS network of CSOs provides a valuable point of departure and strong foundation for action. The 2030 Agenda in general and SDG 16.10.01 offer a clearly articulated direction for said action. The conclusions found in this Shadow Report, at the

national and regional level, suggest that a clear focus on developing quality journalism and media ecosystems; establishing a holistic security framework for journalists, human rights defenders, and trade unionists; and enabling the emergence of alternative institutions can structurally change the environment for freedom of expression, press freedom, and access to information for the better.

Recommendations on Developing Quality Journalism and Media Ecosystems

The business and journalistic models of media outlets have been in crisis since at least the onset of the Internet era. The challenges related to the impact and viability of quality journalism are exponentially more difficult in societies where the institutional landscape is hostile and economic or human development are weak. Nurturing journalism and media ecosystems in these contexts will require supporting both new business and journalistic models. Financial viability through diversified revenue streams must be a priority. For example, it makes sense for an outlet with strong audiovisual, design, and technology capabilities to consider a content agency business unit, whereas a media outlet that seeks to build a membership model must have an enabling newsroom culture and the appropriate tools for meaningfully engaging its member community. Additionally, journalistic models must be responsive to audience preferences and designed to mitigate potential structural barriers against fundamental freedoms. One such example is outlets in contexts where access to public information is tightly controlled might consider leak platforms and campaigns to incite whistleblowers, just as outlets that are censored on the radio or TV might turn to digital platforms. While the internet can support the evolution of journalistic models and especially the circumvention of censorship, efforts need to be made to reach vast sectors of

the public without connectivity. Independent journalists and media outlets in Latin America require support in assessing and transforming their models.

Recommendations on Establishing a Holistic Security Framework for Journalists, Human Rights Defenders and Trade Unionists

Effectively promoting and protecting freedom of expression, press freedom, and access to information requires holistic security frameworks. In other words, security must be viewed and addressed from a multi-level and 360-degree vantage point. It is worth considering in detail the wording of SDG 16.10.01, which refers to journalists, trade unionists, and human rights defenders. It is reasonable to conclude that structural conditions affect these actors similarly and therefore that violations against one group may be a harbinger of coming troubles for the others. Thus, it is imperative that stakeholders who work to protect journalists, trade unionists, and human rights defenders work together. VDS can lead the way by including the latter two in its monitoring. There are several ways this could be achieved. In some countries the CSO that is currently part of the VDS network may expand the scope of its monitoring effort. In many countries there are likely organizations already monitoring violations against trade unionists or human rights defenders. It may be a matter of coordinating the exchange of information. This does not mean that these different areas, each with its own challenges, ought to be lumped together or even necessarily that all should be reported together. Still, collaborating and learning together is indispensable. Beyond that, security must be approached across levels, including the personal and family level, the newsroom and organizational level, the structural level, and in the scope of national and international laws and norms. It includes challenges as diverse as defending web

infrastructure, the physical and emotional wellbeing of people under great duress, entrenched corruption and impunity, brutal police states, gender violence in newsrooms, and many others. This work will require building strong coalitions and making the most of potential synergies, which are VDS strengths.

Recommendation on Enabling the Emergence of Alternative Institutions

In the face of hostile institutional landscapes and unfavorable structural arrangements for freedom of expression, press freedom and access to information in much of Latin America, it is necessary to complement existing reform efforts with a focus on alternative institution building. An example that offers many valuable lessons is the International Commission against Impunity in Guatemala (CICIG). This UN led international body succeeded in creating new institutional space for some of Guatemala's law enforcement and justice system to overcome omnipresent corruption and state co-optation in order to investigate and prosecute major crimes such as embezzlement of public funds and extrajudicial executions. This kind of model could be replicated to prosecute perpetrators of crimes against journalists. Impunity is one of the major obstacles for effectively preventing violations. With time, strong long-standing coalitions—whether formal or informal—can become part of the institutional landscape. The VDS network of CSOs all over Latin America has the potential to establish itself as an influential institution in matters of these fundamental freedoms. Considering the ineffective and often deliberately undermined monitoring capability and credibility of many of the mandated state institutions, the VDS shadow monitoring system is another clear example of alternative institution building. These may also include new social movements using people power to demand and defend

freedom of expression, press freedom, and access to information, new laws, new civil society entities, new journalist cooperatives or associations to improve working conditions, and myriad other innovative institutions that will undoubtedly result from the expansion of civic space, inclusive engagement and imaginative collaboration.

Final Recommendations

To Civil Society Organizations

Civil society can contribute to improving the institutional landscape for freedom of expression, press freedom, and access to information in Latin America, as well as enable the structurally transformative potential of quality journalism. It must continue to rigorously build up the evidence base and provide analysis to better understand the state and future of these fundamental freedoms in the region. The shared continuity, learning and improvement reflected in the work of VDS are good news for the 2030 Agenda in Latin America. In order to enhance its impact, VDS ought to consider fostering shared programmatic visions at the national, regional and international levels in order to foster greater understanding and more effective initiatives in terms of the role of freedom of expression, press freedom, and access to information in building and sustaining democratic, inclusive and just societies. They must work together to improve indicators and homogenize methodologies. These indicators in turn must feed complex and methodologically robust coefficients in order to favor regional and global comparisons and analyses.

To National Governments

States and governments should implement measures specifically designed to improve the security of journalists so that they can exercise their rights and

their work in an environment that is free from violence and intimidation. These measures should aim principally at protecting the life, integrity, and property of journalists and media but should strive further to create an environment that is nurturing of journalistic work that distributes equally and without political discriminations the public resources destined to advertisement (where available according to national laws and regulations), meeting international standards in transparency and accountability. Special emphasis should be made on fighting impunity, prosecuting crimes against journalists and offering reparations for victims and survivors.

To the United Nations

Indicator SDG 16.10.1 is still classified as a Tier II indicator, meaning that it is both conceptually clear and has an internationally established methodology and standards. However, the data is not regularly produced by countries. If the SDGs are to be reached, this data gap must be addressed. Therefore, the UN should work to promote multi-stakeholder coalitions and national platforms to monitor, follow up, and review progress towards all SDGs and particularly towards SDG 16. The coalitions and platforms must be open, broad, and inclusive and must take into consideration government, media, and human rights organizations.

REFERENCES

ARTICLE 19 (2016): [The “Right to be Forgotten”](#): Remembering Freedom of Expression. Policy Brief.

OECD (2019): [Measuring Distance to the SDG Targets 2019](#): An Assessment of Where OECD Countries Stand.

OHCHR, UNESCO & ILO (2018): [Metadata for the SDG 16.10.1](#).

UN (2019): [Report of the Secretary General Special Edition](#): progress towards the Sustainable Development Goals.

UNESCO (2019): [Intensified Attacks, New Defences](#) – Developments in the Fight to Protect Journalists and End Impunity, In-Focus edition of the World Trends in Freedom of Expression and Media Development, Paris.

