



Press Freedom in 2008: Restrictive laws and physical attacks fuel further declines

By Karin Deutsch Karlekar

Global declines in press freedom continued in 2008, with negative trends outweighing positive movements in every region, particularly in the former Soviet Union and the Middle East and North Africa. This marked the seventh straight year of overall deterioration. Improvements in a small number of countries—including bright spots in parts of South Asia and Africa—were overshadowed by a continued, relentless assault on independent news media by a wide range of actors, in both authoritarian states and countries with very open media environments. The pattern of decline in what has been called the “first freedom” presents worrying implications for democratic progress as a whole, as journalists face an uphill battle in their efforts to hold officials and other powerful figures accountable, and media outlets’ ability to contribute to greater transparency is compromised. Given the current economic climate, which is certain to place a further strain on media sustainability and diversity in rich and poor countries alike, pressures on media freedom are now looming from all angles and are increasingly threatening the considerable gains of the past quarter-century.

Press freedom suffered in a number of Free media environments in 2008, as Israel, Italy, and Hong Kong all slipped into the Partly Free category and numerical declines were seen in Taiwan. Setbacks also occurred in a number of influential countries, many of which had already been on downward trajectories. Mexico and Senegal showed the largest numerical drops, and substantial negative trends were apparent elsewhere in the Americas (Bolivia and Ecuador) and in Asia (Afghanistan and Sri Lanka). Continued declines in Russia marked the steady closing of what had previously been a much freer media space. Press freedom in a number of influential states, including China and Iran, remained tightly restricted, despite the hope

offered by the internet and other forms of new media. The existence and use of repressive legislation against journalists and media outlets is a key factor behind global declines, as are the persistent threat of physical harassment and attacks against reporters and the related problem of impunity for past cases of abuse.

These disturbing developments constitute the principal findings of *Freedom of the Press 2009: A Global Survey of Media Independence*, the latest edition of an annual index published by Freedom House since 1980.

The Global Picture

Of the 195 countries and territories assessed in the latest survey, which covers calendar year 2008, 70 (36 percent) were rated Free, 61 (31 percent) were rated Partly Free, and 64 (33 percent) were rated Not Free. This represented a modest decline from the last survey, which covered the year 2007: 72 Free, 59 Partly Free, and 64 Not Free countries and territories. The findings for the year 2008 also represent a negative shift from the survey results of seven years ago, which represented the last recent high point of press freedom.

In terms of population, the survey found that only 17 percent of the world’s inhabitants live in countries that enjoy a Free press, while 41 percent have a Partly Free press and 42 percent have a Not Free press. These figures are notably affected by two countries—China, with a Not Free status, and India, with a Partly Free status—which together account for more than two billion of the world’s six billion people. The percentage of those enjoying Free media in 2008 declined, while the percentage of people who lived in countries with a Partly Free media environment expanded slightly, as four countries slipped into the Partly Free category.

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The overall level of press freedom worldwide, as measured by the global average score, worsened slightly in 2008, contributing to a seven-year downward trend. The averages for the legal, political, and economic categories all worsened as well, with the political category showing the largest decline.

As demonstrated by the score movements, there were few dramatic openings or closures in the world's media environments—changes that are typically seen in cases of coups, new governments, or serious political conflicts. However, there were significant movements, in some cases a continuation of past trends, in a large number of countries. In terms of countries whose score shifted by three or more points in 2008, declines outnumbered gains by a 2-to-1 margin.

The year featured no positive regional trends, with declines predominating in every part of the world. The largest regionwide declines were seen in the former Soviet Union and the Middle East and North Africa, while smaller negative trends were apparent in the Americas, Asia-Pacific, sub-Saharan Africa, and Western Europe.

Key Trends in 2008

Behind the declines in 2008 lie a number of themes that help to place these global findings in context.

- **Threats to media freedom are apparent even in established democracies and very open media environments.** In 2008, two countries (Israel and Italy) and one territory (Hong Kong) that had been ranked in the Free category slipped into the Partly Free range as a result of threats to media independence and diversity. All three had already been placed in the lower ranks of the Free category, but their move into Partly Free illustrates that even democracies sometimes resort to placing restrictions on media freedom. East Asia's freest media environment, Taiwan, also deteriorated during the year, due to increased official pressure on editorial content and the

What the Survey Measures

The *Freedom of the Press* survey assesses the degree of print, broadcast, and internet freedom in every country in the world, analyzing the events and developments of each calendar year. Ratings are determined through an examination of three broad categories: the legal environment in which media operate; political influences on reporting and access to information; and economic pressures on content and the dissemination of news.

Under the **legal** category, the index assesses the laws and regulations that could influence media content as well as the extent to which the government uses these tools to restrict the media's ability to function.

The **political** category encompasses a variety of issues, including editorial pressure by the government or other actors, censorship and self-censorship, the ability of reporters to cover the news, and the extralegal intimidation of and violence against journalists.

Finally, under the **economic** category, the survey examines issues such as the structure, transparency, and concentration of media ownership; costs of production and distribution; and the impact of advertising, subsidies, and bribery on content.

Ratings reflect not just government actions and policies, but the behavior of the press itself in testing boundaries, even in more restrictive environments. Each country receives a numerical rating from 0 (the most free) to 100 (the least free), which serves as the basis for a press-freedom status designation of Free, Partly Free, or Not Free.

harassment of reporters trying to cover news events.

- A number of important emerging democracies have suffered considerable numerical declines over the past five years, demonstrating the fragility of press freedom in nascent democratic environments.** Steady declines have taken place in countries such as Mexico, Argentina, and Peru in the Americas; Thailand, the Philippines, and Sri Lanka in Asia; and Senegal in sub-Saharan Africa. Mexico's decline of almost 20 points over the past five years is particularly startling, as it has not been accompanied by a radical political change (as in Thailand, where the military took power in a coup) or a worsening civil war (as in Sri Lanka). Instead, rising violence fueled by drug traffickers has led to a dramatic increase in attacks on media workers who try to cover corruption or gang activities, as well as self-censorship and impunity. Although some positive legal reforms have been enacted, Mexico's broadcast media continue to be dominated by two large companies.
- Authoritarian governments have also been moving to consolidate media control.** Countries with a more authoritarian bent have also seen substantial declines over the past five years. In both Ethiopia and The Gambia, the space for independent outlets has shrunk, journalists have been forced into exile, and internet-based news sites run by nationals living abroad have been censored. Russia's media space has been steadily closed, as legal protections are routinely ignored, the judicial system grows more subservient to the executive branch, reporters face severe repercussions for reporting on sensitive issues, most attacks on journalists go unpunished, and media ownership has been firmly brought under the control of the state.
- The internet and other forms of new media have provided limited openings, but press freedom in poorly performing countries remains subject to government controls.** In influential countries such as Iran and China, media freedom has stagnated amid worsening repression, despite the promising openings suggested by relative freedom on the internet. The findings from Freedom House's recently released pilot index of internet freedom called attention to the fact that in most countries, the internet is freer than traditional media forms, providing a key space for the relatively unfettered flow of independent information and viewpoints. However, while in the past several years these openings have been a driving force behind positive regional trends in the Middle East and North Africa and a number of authoritarian media environments, this year's findings show that governments are now using traditional means of repression—including lawsuits, imprisonment, and other forms of harassment—to clamp down on this novel means of disseminating information.
- The enabling environment for media freedom remains seriously constrained by an array of laws used to punish critical journalists and news outlets, and most governments appear unwilling to reform or eliminate these restrictive laws.** Both governments and private individuals continue to restrict media freedom through the use of laws that forbid "inciting hatred," commenting on sensitive topics such as religion or ethnicity, or "endangering national security." Libel and defamation laws are also commonly used to punish the press. At the same time, this year's survey found that positive legal reforms, such as those enacted in Bangladesh and Uruguay, can lead to significant numerical gains.
- Continuing impunity regarding past cases of abuse is fueling violence against journalists, and both factors are significantly hampering media freedom.** The level of violence and physical harassment directed at the press by both government and nonstate actors continues to rise in many countries, contributing to a number of score declines. In conflict zones such as Iraq and Somalia, the press is in constant danger.

Other countries of concern are Mexico, Russia, the Philippines, Thailand, Sri Lanka, and Pakistan. In a break with the recent past, a number of media workers were murdered in the Balkans in 2008, leading to numerical declines in Bulgaria and Croatia. Apart from the direct impact on individual journalists, these attacks have a chilling effect on the profession as a whole, adding to the existing problem of self-censorship.

Worst of the Worst

The world's worst-rated countries are Burma, Cuba, Eritrea, Libya, North Korea, and Turkmenistan. In these states, which are scattered around the globe, independent media are either nonexistent or barely able to operate, the press acts as a mouthpiece for the regime, and citizens' access to unbiased information is severely limited. Despite hope in recent years that the impact of the internet and other forms of new media would lead to openings in the media environment, the survey found that in 2008 most scores in this group of countries remained stagnant, with no significant breakthroughs noted. Rounding out the 10 most repressive media environments are two countries in the former Soviet Union—Belarus and Uzbekistan—and two others in Africa—Equatorial Guinea and Zimbabwe—where media are heavily restricted.

Regional Findings

Americas: In the Americas, 17 countries (48 percent) were rated Free, 16 (46 percent) were rated Partly Free, and 2 (6 percent) were rated Not Free in 2008. These figures are significantly influenced by the open media environments of the Caribbean, which tend to offset the less rosy picture in Central and South America. There was one positive status change during the year, but overall numerical declines outweighed gains. The average regional score worsened marginally compared with 2007, with the legal and political

category scores largely holding steady, while the economic category showed a small decline.

The only two countries in the region rated Not Free are **Cuba**, which has one of the most repressive media environments worldwide, and **Venezuela**, where the government of President Hugo Chavez continued its efforts to control the press. Media conditions also remained worrying in **Colombia** and **Guatemala**, which had high levels of intimidation and self-censorship.

Several positive signs were noted in the Americas. **Guyana** regained its Free status due to a decrease in attacks on journalists and the government's decision to lift its boycott on

advertising in the main independent newspaper. **Haiti's** score improved due to a trend toward less partisan news coverage and increased security for journalists. In South America, **Uruguay** stood out thanks to several legal

improvements, including passage of a new law that would end most criminal prosecutions of journalists, as well as a new freedom of information law.

However, significant numerical slides continued in a number of key countries, including Mexico, Bolivia, and Ecuador, as attacks and official rhetoric against the media escalated. **Mexico's** score dropped four points, to 55, due to the government's reluctance to reform regulations that restrict media diversity and independence; pressure on media outlets from local- and state-level officials who control advertising; increased self-censorship by the media when covering drugs, crime, and corruption; and operational difficulties stemming from the rising violence. **Bolivia** suffered a three-point decline as a result of the appointment of cabinet officials to Television Boliviana without any oversight or civic participation, as well as a high level of government interference in the media. **Ecuador** also dropped three points, thanks to enforcement of a legal provision that requires all stations to broadcast government-mandated content free of charge, and a government takeover of two television stations.

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Smaller declines were noted in Argentina, Guatemala, and Nicaragua.

The **United States** continues to be one of the better performers in the survey, but improvements in the level of attacks on and harassment of journalists were balanced in 2008 by the effects of poor economic conditions for the news industry, which threatened outlets' financial sustainability and the diversity of news sources. As a result, the numerical score for the United States worsened by one point, to 18.

Asia-Pacific: The Asia-Pacific region as a whole exhibited a relatively high level of press freedom, with 15 countries and territories (37.5 percent) rated Free, 11 (27.5 percent) rated Partly Free, and 14 (35 percent) rated Not Free. Yet the regionwide figures are deceptive, as they disguise considerable subregional diversity. For example, the Pacific islands, Australasia, and parts of East Asia have some of the best-ranked media environments worldwide, while conditions in South Asia, Southeast Asia, and other parts of East Asia are significantly worse. The balanced country breakdown also obscures the fact that only 6 percent of the region's population has access to Free media, while 43 percent live in Partly Free media environments and the majority, 51 percent, live in Not Free media environments. The overall level of press freedom in the Asia-Pacific region, in terms of the average regional score, declined marginally from the previous year, with small drops seen in both the legal and political categories.

Asia is home to the two worst-rated countries in the world, Burma and North Korea, as well as other poor performers like China, Laos, and Vietnam, all of which feature extensive state or party control of the press. Conditions in the world's largest poor performer, **China**, deteriorated slightly in 2008. There was a promising burst of relative openness in the aftermath of the Sichuan earthquake in May, complemented by regulations allowing freer movement for foreign journalists and assurances of complete media freedom during the Olympic Games. However, the authorities on the whole tightened the reins on both domestic journalists and internet portals, while employing more sophisticated techniques to manipulate online

content and blocking access to Tibetan areas. Journalists who did not adhere to party dictates continued to be harassed, fired, or jailed, and the year also featured the first murder of a citizen journalist in the country. In addition, in a setback for China's nascent investigative journalists, the government imposed a three-month suspension on *Caijing* (*China Business Post*), a commercial newspaper known for its relatively daring reporting.

In terms of status changes, **Hong Kong's** status declined to Partly Free to reflect the growing influence of Beijing over media and free expression in the territory. Of particular concern were the appointment of 10 owners of Hong Kong media outlets to a mainland Chinese political advisory body, increased restrictions on film releases in the period surrounding the Olympics, and reports that critics of Beijing encountered growing difficulty in gaining access to Hong Kong media platforms. Elsewhere in Asia, **Cambodia** slipped into the Not Free category as a result of increased violence against journalists, particularly ahead of the July elections. A veteran reporter for an opposition newspaper was killed during the year, the first murder of a journalist in the country since 2003.

Numerical declines also took place in Afghanistan, Sri Lanka, Fiji, Mongolia, and Taiwan, in most cases due to increased civil strife and the associated pressure on media coverage and outlets. Media freedom suffered in **Afghanistan** as a result of growing editorial influence by the government and by both official and private Iranian sources, as well as the harsh sentence handed down in the Pervez Kambaksh blasphemy case. In **Sri Lanka**, the press freedom score declined in large part because of a deteriorating legal and political environment that included the charging of a journalist under the Prevention of Terrorism Act for the first time in 30 years; mounting restrictions on coverage of the war and the military; an increase in self-censorship; and a reduction in the diversity of views as criticism of the government is increasingly excluded.

Official pressure on media outlets and journalists was a primary cause behind declines in **Fiji**, where authorities deported two foreign-national editors and the *Fiji Times* was held in

contempt for publishing an unflattering letter about three judges; **Mongolia**, where the government imposed a media blackout and the July elections brought violence against journalists and media outlets; and **Taiwan**, which saw heightened polarization, allegations of increased government pressure on editorial content, and assaults on journalists by both state and nonstate actors during demonstrations surrounding the November visit of a Chinese envoy.

South Asia defied the overall regional trend by showing significant improvement in a number of countries. In the biggest shift of the year, the **Maldives** rose from Not Free to Partly Free and its numerical score improved from 66 to 56 due to a wide-ranging change in the media environment. This included a new constitution protecting freedom of expression, the opening of additional private radio and television stations, the release of a prominent journalist from life imprisonment, and a general loosening of restrictions after the country's first democratic presidential election in October.

Two other key countries in the region, which had both seen declines in 2007 for media restrictions tied to political unrest and emergency regulations, regained some of their former freedoms. **Bangladesh** saw a five-point improvement due to improved legal conditions, including the lifting of the state of emergency and the enactment of a freedom of information law. There were also fewer cases of harassment and violence against journalists, who were consequently better able to cover sensitive political events like the December elections. Similarly, in **Pakistan**, emergency regulations remained technically in place but were barely enforced, leading to a considerable easing of restrictions on media coverage in 2008. Although the new civilian government did not have a perfect record regarding media freedom, outright bans on broadcast channels were less common, as was the heavy-handed use of official advertising boycotts against critical news outlets.

Central and Eastern Europe/Former Soviet Union: For the combined CEE/FSU region, 8

countries (28 percent) remain classified as Free, 10 (36 percent) are Partly Free, and 10 (36 percent) are Not Free. However, a majority of the people in this region (56 percent) live in Not Free media environments, while only 18 percent have access to Free media. In 2008, the regionwide average score showed the biggest drop of any region, with particularly noticeable slippage in the political category.

While the region shares a common history of communist oppression, the trajectory of countries in the former Soviet Union has diverged significantly from that of Central and Eastern Europe in terms of respect for fundamental political rights and civil liberties. The press freedom ratings for these subregions reflect a similar divergence. All of the countries of

Central Europe and the three Baltic states, which have managed to overcome a decades-long legacy of Soviet media culture and control, are assessed as Free. In contrast, 10 of the

12 non-Baltic post-Soviet states are ranked as Not Free. Of the 195 countries and territories examined in the survey, 3 of the 10 worst press-freedom abusers—Belarus, Uzbekistan, and Turkmenistan—are found in the former Soviet Union.

In 2008, as in 2007, the region featured no status shifts in either direction, and all of the significant numerical changes were negative. Several countries in the Balkans, such as **Bosnia and Herzegovina**, **Bulgaria**, and **Croatia**, showed negative trends due to increased physical threats and harassment of journalists. Both Bulgaria and Croatia suffered rare murders of media workers, while the general level of intimidation and violence rose in all three countries. Impunity for past crimes against journalists was noted as a growing concern in Bulgaria, while in Bosnia and Herzegovina, Republika Srpska authorities exerted increasing political control over media outlets.

Backsliding in the former Soviet Union continued, with a number of countries, including Armenia, Kyrgyzstan, and Russia, showing numerical declines, thanks in large part to legal pressure and attempts to control broadcast media

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outlets. As part of a state of emergency declared in March in **Armenia**, the government censored all media for several weeks and obstructed the work of both local and foreign journalists; in addition, authorities declared a moratorium on new media licenses until 2010. **Kyrgyzstan's** score declined due to growing official influence over state broadcaster KTR, as well as decisions to limit media diversity through the removal of Radio Free Europe/Radio Liberty content from KTR and the politicized closure of two independent newspapers.

Most importantly, **Russia**, which serves as a model and patron for a number of neighboring countries, saw additional deterioration in 2008. Its score dropped from 78 to 80 owing to the consistent inability of the pliant judiciary to protect journalists; increased self-censorship by journalists in an effort to prevent harassment, closure of media outlets, and even murder; and the frequent targeting of independent outlets by regulators. Reporters suffer from a high level of personal insecurity, and impunity for past murders or physical attacks against journalists is the norm. State control or influence over almost all media outlets remains a serious concern, particularly as it affects the political landscape and Russians' ability to make informed electoral choices.

Middle East and North Africa: The Middle East and North Africa continued to show the lowest regional ratings, with no countries or territories rated Free in 2008, 4 (21 percent) rated Partly Free, and 15 (79 percent) rated Not Free. In contrast to the positive changes in 2007, the average regionwide score fell slightly this year, with negative movement noted especially in the political and economic categories.

Although transnational broadcast media and internet-based forms of information dissemination have had a positive impact, media environments in the region are generally constrained by extremely restrictive laws concerning libel and defamation, the insult of monarchs and public figures, and emergency rule. Of long-standing concern are **Libya, Iran, Syria,**

Tunisia, and **Saudi Arabia**, where journalists and bloggers faced harsh repercussions for expressing independent views during the year.

In terms of numerical movements, scores for most countries in the region were stagnant in 2008. However, **Israel**, the only country in the group to be consistently rated Free, moved into the Partly Free range due to the heightened conflict in Gaza, which triggered increased travel restrictions on both Israeli and foreign reporters; official attempts to influence media coverage of the conflict within Israel; and greater self-censorship and biased reporting, particularly during the outbreak of open war in late December.

Negative movement was also seen in the **Israeli-Occupied Territories/Palestinian Authority** (which includes both the West Bank and the Gaza Strip), which saw a two-point decline due to worsening intimidation by both major political factions that restricts critical and independent coverage and the diversity of viewpoints available. Journalists faced pressure and threats from all sides, including from Israeli forces present in some parts of the territories.

On a positive note, **Iraq**, which is still one of the most dangerous countries in the world for media workers, saw a numerical improvement as a result of the Kurdistan regional parliament's passage of a media law giving journalists unprecedented freedoms and eliminating prison terms for defamation cases. In addition, a partial improvement in the security situation enhanced the ability of journalists—especially foreign journalists—to move around the country and cover the news.

Sub-Saharan Africa: Overall, 7 countries (15 percent) were rated Free, 18 (37 percent) were rated Partly Free, and 23 (48 percent) remained Not Free in sub-Saharan Africa. As in previous years, the average regionwide level of press freedom declined slightly during 2008, along with the average score in the legal and political categories. Press freedom conditions continue to be dire in **Equatorial Guinea, Eritrea,** and **Zimbabwe**, where authoritarian governments use

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legal pressure, imprisonment, and other forms of harassment to sharply curtail the ability of independent media outlets to report freely. All three countries rank among the bottom 10 performers worldwide.

Unlike in previous years, the region saw no status changes in 2008, while numerical trends in individual countries presented a mixed picture, with some improvements but a greater number of declines. **Senegal** took a significant step backward due to a dramatic increase in both legal and extralegal action against journalists and media houses, accompanied by overtly hostile rhetoric from the president and other officials. An equally large numerical decline was registered for **Madagascar** as a result of increased legal pressure on critical media outlets, including the closure of an opposition newspaper and the expulsion of its editor from the country.

Smaller numerical declines were seen in Botswana, Chad, Congo (Brazzaville), Lesotho, Mauritania, South Africa, and Tanzania. Official harassment of the press and increased use of various legal means to restrict media freedom were key factors in many declines. For example, registration requirements for journalists and newspapers were tightened in **Botswana** and **Chad**; use of libel and defamation charges against journalists increased in **Mauritania** and **Tanzania**; and official intolerance of criticism was reflected in the case of the cartoonist Zapiro in **South Africa**.

Several countries managed to rebound from declines suffered in 2007. **Comoros**' score improved after a change in government brought restored media freedoms and the release of a large number of political prisoners, including journalists. **Sierra Leone** saw a significant numerical improvement as the opening of new outlets diversified the country's media ownership and official harassment of the press eased in the aftermath of the 2007 elections. Media diversity also improved in **Angola**, where the creation of TV Zimbo, the country's first private television station, ended the state monopoly on television broadcasting. Meanwhile, positive legislation concerning access to information and the creation of an independent media regulator and public broadcaster was either enacted or pending in **Liberia** during the year.

Western Europe: Western Europe has consistently boasted the highest level of press freedom worldwide; in 2008, 23 countries (92 percent) were rated Free, and 2 (8 percent) were rated Partly Free. Although the level of press freedom largely held steady, the average regional score declined slightly, with noticeable deterioration in the legal category.

The region registered one status downgrade in 2008, as **Italy** slipped back into the Partly Free range thanks to the increased use of courts and libel laws to limit free speech, heightened physical and extralegal intimidation by both organized crime and far-right groups, and concerns over media ownership and influence. The return of media magnate Silvio Berlusconi to the premiership reawakened fears about the concentration of state-owned and private outlets under a single leader. Countries registering numerical declines included **Greece**, where foreign journalists were restricted from attempting to cover the situation in the north and a new media law inhibited smaller, minority owned radio stations.

Karin Deutsch Karlekar, a senior researcher at Freedom House, served as managing editor of Freedom of the Press 2009. Overall guidance for the project was provided by Arch Puddington, director of research, and by Christopher Walker, director of studies. Extensive research, editorial, and administrative assistance was provided by Denelle Burns, as well as by Sarah Cook, Tyler Roylance, Elizabeth Floyd, Joanna Perry, Joshua Siegel, Charles Liebling, and Aidan Gould. We would also like to thank our consultant writers and other members of the survey team for their contributions.

This project was made possible by the contributions of the Asia Vision Foundation; F.M. Kirby Foundation, Inc.; Free Voice; Freedom Forum; The Hurford Foundation; John S. and James L. Knight Foundation; Lilly Endowment Inc.; The Lynde and Harry Bradley Foundation; the National Endowment for Democracy; The Nicholas B. Ottaway Foundation; and the Taiwan Foundation for Democracy.