

***Executive summary: 2018 Annual Report of the Office of the Special Rapporteur for  
Freedom of Expression of the IACHR:***

***Patterns of violence and stigmatization against the press persist in several States of  
the region; the repression and criminalization of social protests, as well as the  
persecution of journalists and critical voices are concerning***

The Office of the Special Rapporteur notes with extreme concern an increase in violence against journalists for reasons related to the work they perform. At least 31 journalists and press workers were killed in the region in 2018 for reasons allegedly related to the exercise of journalism, which represents an increase in relation to 2017 (22 cases). There were murders of journalists in Mexico, the United States, Brazil, Guatemala, Colombia, and Nicaragua. These crimes demonstrate the persistence of patterns of violence in several States of the region, while in others they have been accentuated in the face of increasingly polarized political contexts that have seriously deteriorated the environment in which journalists can perform their jobs free from any type of intimidation or fear.

Likewise, this Office notes with concern the disappearance of a journalist in Haiti and another in Mexico, and the lack of progress in the investigations related to these cases, in addition to others reported in previous years. Likewise, the Office of the Special Rapporteur received information on the continuity of acts of violence, aggression, threats, intimidation, and various types of harassment against journalists and the media.

To the foregoing, it should be added the hundreds of deaths of protestors in contexts of social protests, and the harassment of the press in this framework, especially in Nicaragua and in smaller amounts in other countries such as Haiti, Colombia, and Bolivia. During 2018 there were numerous social protests and citizen demonstrations in different countries of the region. The Office of the Special Rapporteur notes with concern that in several of these cases the excessive use of force by elements of the Police was verified, particularly in Nicaragua, Venezuela, Chile, Haiti, Argentina, Brazil, Colombia, Cuba, Ecuador, Puerto Rico, and Bolivia.

In spite of these common problems in the States of the region, the Special Rapporteurship emphasizes that only in Venezuela, Cuba and Nicaragua there has been an orchestrated attack from the State towards journalists, media and opponents. In those States, the Special Rapporteurship has corroborated different forms of censorship against national and foreign media, arbitrary detention of journalists and human rights defenders, and different forms of blocking of websites. Additionally, the Office of the Special Rapporteur verified the stigmatization of the independent press.

Likewise, several countries have gone through electoral processes in which the press has faced hostilities by political leaders and alike, candidates, or government sectors, especially in Mexico where there have been more than a hundred crimes related to the electoral process.

Once again, the Office of the Special Rapporteur expresses its concern about the risk that journalists must face due to the work they perform. Faced with this situation, this Office has warned on other occasions that many journalists choose to stop investigating and disseminating information of high public interest to their local communities to avoid a reprisal against their life or their physical integrity, or that of their family members.

Although some countries, such as Colombia and Mexico, have made progress in taking measures to prevent violence and protect journalists, as well as policies for prosecution, for the Office of the Special Rapporteur the trend of impunity in several countries in the region regarding these attacks is alarming; this seriously jeopardizes any policy or action on the part of the States. The murder of the three members of *El Comercio's* journalistic team, who were kidnapped on the border between Colombia and Ecuador, demonstrates the imperative need for States to cooperate more and more with each other in order to implement common standards and collaborate in the prosecution of these cases.

In this context, the Office of the Special Rapporteur expresses its serious concern about the persistent stigmatization and discredit proffered against journalists by high-ranking authorities. Despite repeated recommendations by the IACHR and its Office of the Special Rapporteur, high-ranking authorities continue to maintain speeches that seek to disqualify and undermine the journalistic work of

some communicators, the media, and non-governmental organizations, for reasons related to the exercise and defense of the right to freedom of expression. This practice has been persistently committed in Venezuela, Nicaragua and Cuba; but also this Office is concerned about an increasingly critical context in the United States and Brazil, as a result of statements against the press that seek to undermine its fundamental role of informing and transmitting opinions about the government.

The Office of the Special Rapporteur urges state authorities to contribute decisively to the construction of a climate of tolerance and respect in which all people can express their thoughts and opinions without fear of being attacked, punished, or stigmatized for it.

During 2018, the Special Rapporteurship underlines the adoption of positive measures that have sought to strengthen the regime of access to public information and the incorporation of standards adopted by the Inter-American system, as well as the strengthening of supervisory bodies. In this regard, this Office recognizes progress in countries such as Argentina, Canada, Paraguay and Peru. It also highlights the adoption of judicial decisions in several States of the region which have incorporated the aforementioned standards and mechanisms to preserve freedom of expression.

Finally, the Office of the Special Rapporteur highlights the collaboration of the States of Honduras, Ecuador and Brazil for facilitating on-site visits of this Office during 2018, which resulted in an extensive analysis of the situation of freedom of expression in these countries and the formulation of recommendations. We thank the States, civil society organizations, and the media for the permanent support and information offered throughout the production process of this report.

**Below we present a brief characterization of the main findings of the monitored countries, without prejudice to the fact that the report details the situation and the documented facts in each of the countries of the continent involving violations or progress in terms of freedom expression:**

**Antigua and Barbuda.** In the electoral context, the Office of the Special Rapporteur received information on legal actions initiated for defamation between political actors, despite the fact that in 2015 the law on defamation repealed the criminalization. On the other hand, according to available information, several public institutions would have breached the law on access to public information.

**Argentina.** The situation of the media in Argentina generated special attention from the Office of the Special Rapporteur, particularly due to the significant reduction in journalistic jobs. The merger processes of media and telecommunications companies and their possible impact on informational pluralism were also monitored. The Office of the Special Rapporteur positively assessed the process initiated by the government to establish a more transparent and equitable distribution system for government advertising, although it noted the impact that this had on the media that had lost their income and had to reduce their workforce. The Office of the Special Rapporteur highlights the progress made by the Agency for Access to Public Information and Data Protection in the implementation of the Law on Access to Public Information. On the other hand, the Office of the Special Rapporteur received information on attacks against the media and attacks against journalists. It was of special concern to this Office the attacks against journalists and communicators carried by security forces during the coverage of social demonstrations. In this regard, the Office of the Special Rapporteur continued to monitor judicial processes related to the use of force against protesters and journalists in the context of protests, and welcomes judicial decisions that identify and punish officials investigated for police abuse in demonstrations. In relation to the protection of freedom of expression on the Internet, the Office of the Special Rapporteur notes with concern judicial decisions ordering the blocking of websites and applications, and calls to resume the study of the bill on the liability of intermediaries currently in Congress.

**Bahamas.** The Office of the Special Rapporteur noted with satisfaction the implementation of some provisions of the law on access to public information enacted in 2017, including those related to whistleblower protection. It also noted the judgment of the Supreme Court of The Bahamas that dismissed a defamation suit filed in 2013 by the former Superintendent of Prisons, and former Ambassador to the United Nations, Dr. Elliston Rahamig, against the newspaper The Nassau Guardian. On the other hand, the Office of the Special Rapporteur was informed that stigmatizing statements were made by the Attorney General against activists and human rights defenders who would have promoted the dissemination of immigrant rights.

**Barbados.** During the electoral campaign prior to the general elections to occupy seats in the House, the Labor Party of Barbados -which obtained all the seats- raised its objective of promoting a law on access to public information and other legal reforms for improve accountability, protection of whistleblowers, and government transparency. On the other hand, the Office of the Special Rapporteur received information on a preliminary draft of a personal data protection law promoted by the government that includes provisions regarding journalism.

**Belize.** The Office of the Special Rapporteur received information about the attacks suffered by a correspondent from the Guatemalan *Prensa Libre* media by agents of the Belize Armed Forces when he was reporting in a border area; and about the impediment to a team of journalists by security agents to cover the arrival ceremony of the President of the Republic of China (Taiwan) to the country.

**Bolivia.** Civil society organizations pointed out that various journalists are described as "opponents" by government officials, which could expose them to aggression; They also pointed to cases of self-censorship in some media due to threats and intimidation suffered by journalists. In this context, the Office of the Special Rapporteur received information on acts of violence against journalists for reasons related to their work, and on situations in which judicial authorities required reporters to reveal their sources of information. On the other hand, there is still a non-transparent distribution of government advertising, which would be used as a mechanism to support or punish the media according to its affinity with the Government. The Office of the Special Rapporteur received information on events in which the police would have exceeded the use of force when intervening in social demonstrations, which led to the deaths of demonstrators, including a journalism student.

**Brazil.** The Office of the Special Rapporteur observed a marked confrontation between supporters of different political parties in the framework of the October general elections in Brazil. This context of deep polarization has generated an atmosphere of hostility against journalists and the media, which has resulted in dozens of cases of assault, persecution, harassment, and threats against media workers. Likewise, the electoral context provoked massive social demonstrations in different parts of the country, in which reporters were victims of repeated aggressions. The Office of the Special Rapporteur also observed that during the elections there was a phenomenon of dissemination of misinformation and fake news, in several cases, in order to influence the decisions of the electorate. In addition, the Judicial Branch adopted worrying measures regarding the restriction of certain interviews linked to the elections. Finally, the Office of the Special Rapporteur condemns and requests an investigation of the murders of journalists Ueliton Brizon, Jefferson Pureza, Jairo Souza, and Marlon de Carvalho Araújo.

**Canada.** Canada continues to be a country where journalists can exercise their work free of violence. However, the Office of the Special Rapporteur received information regarding some incidents that hampered the work of some journalists and the media. Likewise, this Office received with concern the information that the Supreme Court of Canada ordered a journalist to deliver all communications maintained with a source in relation to several articles published in 2014. Another case would be pending in the Supreme Court regarding a journalist who was summoned by a court with the purpose of revealing her sources of information in the framework of a trial on alleged acts of corruption of a former official. On the other hand, the Office of the Privacy Commissioner of Canada prepared a draft project on "Online Reputation" that civil society has described as a risk to freedom of expression. Finally, the Office of the Special Rapporteur also took note of the concerns expressed by civil society regarding the danger of closure of several print media for economic reasons.

**Chile.** In 2018, the Office of the Special Rapporteur noted with concern incidents related to journalists who published reports on topics of high public interest such as cases of sexual abuse, or matters related to public figures. Various social demonstrations took place during the year and, in this context, there were situations of excessive use of force by the security forces. In addition, the Office of the Special Rapporteur received with concern information about the destruction of video recordings by officials of the security forces who were involved in an operation that led to the death of a young Mapuche. This Office is concerned about the criminal conviction for "slandorous claim" imposed on a woman who claimed to be a victim of sexual abuse by a prosecutor. Likewise, a civil proceeding was initiated against a media for alleged crimes of insult that it would have committed through the broadcast of a series of satirical content programs. This Office also noted with concern a decision of the Supreme Court of Justice that ordered a group of media to publish a series of rectifications regarding information

that the judicial body considered incomplete. Finally, the Office of the Special Rapporteur took note of some progress in the field of community broadcasting.

**Colombia.** In 2018, the situation of freedom of expression in Colombia was marked by episodes of violence in different contexts that have mainly affected social leaders, human rights defenders, journalists, and the media. The IACHR urged the government to adopt measures to protect population groups and granted precautionary measures in favor of members of political and social movements that suffered different types of threats and harassment during the electoral process. In some cases, public officials and members of the security forces would have carried out attacks and stigmatizing statements against journalists. On the other hand, women journalists and civil society organizations made efforts to denounce and make visible the existing gender-based violence and discrimination. In addition, civil society has reported deficiencies in the fulfillment of obligations of active transparency by public entities and political parties imposed by the transparency law.

In Colombia, reporter Javier Ortega, photographer Paúl Rivas and driver Efraín Segarra, who were part of the team of *El Comercio* newspaper in Ecuador, were murdered in 2018. Also, journalists Valentín Tezada Rúa and Jairo Alberto Calderón Plaza were murdered.

**Costa Rica.** The first months of the year were marked by a strong political polarization in the framework of the electoral campaign in Costa Rica. In this context, according to the information received by the Office of the Special Rapporteur, the media and journalists were subjected to questioning, verbal attacks, and stigmatizing statements by different candidates running for office and their followers. There was also an increase in violence and expressions of intolerance and hatred against LGBTI people and women's rights defenders. On the other hand, the Office of the Special Rapporteur noted that a legislative bill on the protection of honor in social networks was presented in Congress, its provisions could negatively affect the right to freedom of expression.

**Cuba.** In 2018, the situation of the right to freedom of expression in Cuba did not undergo substantial changes, repression and state control persisted. The arrival of Miguel Díaz-Canel to the presidency of the Cuban government did not mean an opening for the exercise of fundamental freedoms by citizens. The Office of the Special Rapporteur noted with particular concern the persistent selective and deliberate persecution of journalists, the media, human rights defenders, political dissidents, and independent organizations that disseminate information and opinions on matters of public interest that the State considers contrary to their official speeches. The start of criminal proceedings continues to be frequent in Cuba as a means of inhibiting or punishing expressions and critical positions of the ruling party; Citing or threatening police visits, pressures on family members, and travel restrictions on journalists, human rights defenders, activists, and political dissidents are also common. Likewise, the Cuban State uses arbitrary detentions - generally of short length - as a method to harass independent journalists, among others. Despite this situation, this year the regime brought into the debate a constitutional reform that establishes the general obligation of the State to recognize, respect, and guarantee freedom of thought, conscience, and expression, while the 1976 Constitution does not contain a similar provision. However, the IACHR and its Office of the Special Rapporteur warn that said draft does not contain guarantees for effective judicial protection of fundamental rights, maintains the single-party regime, and the impossibility of starting a media, all of which prevents the functioning of a pluralistic society.

**Dominica.** The Office of the Special Rapporteur received information on legal proceedings for defamation initiated by political leaders and members of the Police. In one case, the representative of the United Workers Party and opposition leader Lennox Linton announced that he would take legal action for defamation against a television presenter and a radio station for statements made by the Minister of Agriculture in his program. In another case, a court awarded compensation of \$160,000 dollars in favor of a police officer who sued a radio station and two presenters for defamation.

**Ecuador.** In August 2018, the Office of the Special Rapporteur made an official visit to Ecuador to assess the situation of freedom of expression in the country at the invitation of President Lenin Moreno, as part of the process of normalization of relations between the Ecuadorian State and civil society, the media, journalists, and international organizations for the supervision of human rights. The visit was carried out in a coordinated manner with the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression of the United Nations, who made an official visit to the country



in October 2018. From the visit emerged that Ecuador is going through a transitioning process of public institutions that seeks to overcome the consequences of the authoritarianism implemented by the government of Rafael Correa and dismantle the repressive practices aimed at closing the democratic space. The Office of the Special Rapporteur recognizes as a significant step forward the measures adopted by the current government to stop violations to the right to freedom of expression and to reverse their effects, as the manifestation of modifying several aspects of the Organic Law of Communication. It also welcomes the measures adopted to guarantee public recognition of the importance of the work of the press and human rights defenders in a democratic society through statements made by state authorities, public events, and the dialogue initiated with various sectors of society. On the other hand, after the tragic murder of three workers of the newspaper *El Comercio* on the border with Colombia, the Office of the Special Rapporteur urges the authorities to redouble their efforts to clarify the crime and prosecute all those responsible, and ensure the protection of journalism in conflict zones.

**El Salvador.** The Office of the Special Rapporteur continued to document attacks and threats against journalists by public officials in El Salvador. In some cases, officials warned of initiating legal claims against media or journalists. In turn, there were cases of limitation to journalistic exercise and access to information during electoral and judicial processes of high relevance. The Office of the Special Rapporteur notes that civil society continued to work on promoting adequate mechanisms for the protection of journalists, trained security forces, and drafted a law to guarantee the safety of the press. On the other hand, journalist organizations and freedom of expression defenders, as well as the Secretariat of Participation, Transparency, and Anticorruption of the Presidency, expressed concern about a Constitutional Chamber ruling that established additional criteria to those foreseen by the law on access to public information to deny requests for access to information. The dismissal of dozens of media workers and job insecurity in the journalistic sector also generated concern in journalists' organizations and in the Ministry of Labor. A research by the Attorney General's Office for the Defense of Human Rights revealed that poor working conditions are aggravated for women journalists, most of whom affirmed that they were exposed to verbal violence and sexual harassment during the performance of their tasks.

**United States.** The Office of the Special Rapporteur observes a context of hostility towards the exercise of journalism and the free functioning of the media. The constant declarations of disqualification by President Donald Trump against the press, which he considers "dishonest", "corrupt", "opposition" or that spreads "fake news", undermines the role of journalism and endangers reporters by encouraging the animosity of his followers against the media. In this context, several episodes of threats against journalists have been verified, and in some of these events people who are in favor of the government have participated. In addition, there have been murders and acts of violence against journalists linked to the exercise of their work. On the other hand, the Office of the Special Rapporteur notes that the application of the "Espionage Law" persists, there are also cases of judicial requirements for journalists to reveal their sources or to present themselves as witnesses about events that they have reported or investigated. This Office highlights the progress in the field of Justice, with favorable decisions to the protection of freedom of expression, as well as by the legislative branch at the federal and state levels.

In 2018, youtuber Zachary Stoner was assassinated. Also, the Office of the Special Rapporteur condemned the mass shooting inside the newsroom of the Capital Gazette newspaper, located in Annapolis, capital of the state of Maryland, which led to the deaths of editors Rob Hiaasen, Wendi Winters, Gerald Fischman, reporter John McNamara and advertising assistant Rebecca Smith.

The torture and murder of Saudi journalist Jamal Khashoggi at the Saudi Arabian consulate in Istanbul, Turkey, drew international condemnation. Although the incident occurred outside the territory of the United States, Khashoggi worked as a journalist and opinion columnist for the US media *The Washington Post*.

**Grenada.** In the framework of the general elections held in March in Grenada, the electoral mission of Caricom reported that on the day of the elections there was "an adequate security presence that was neither oppressive nor intimidating and, in general, contributed to the the voters exercise their prerogative in a peaceful and orderly environment." Regarding the political financing of the campaigns, the preliminary report of the OAS electoral mission states that "[i]n Grenada, there is no specific legislation and no regulations that directly address the issue of campaign financing." The electoral campaigns must be financed privately and "the origin of private funds is not regulated"; In addition, political parties are not required to disclose their finances. In this regard, the Office of the Special

Rapporteur recalls that "electoral processes are closely linked to freedom of expression and information, since in order for citizens to be able to carry out their decisions at the time of voting, it is essential that they have the greatest amount of information. possible".

**Guatemala.** The Office of the Special Rapporteur notes the persistence in Guatemala of a context of violence against journalists, which was observed by the IACHR during its on-site visit in 2017, marked by murders, threats, and a speech that seeks to stigmatize the media and journalists committed to the fight against corruption, and the abuse of power. In addition, structural problems persist in the country that prevent citizens from receiving information from a variety of sources, such as high levels of ownership concentration and control of the media, while maintaining serious obstacles for the access of indigenous peoples community media to the radio spectrum and public resources to achieve sustainability. Several communicators denounced harassment by the State for reporting the crisis generated by the eruption of the Volcán de Fuego in June 2018, where several people died, others were wounded, and others displaced. As a result of this situation, President Jimmy Morales publicly questioned the work of the press and accused it of sowing panic and terror. On the other hand, the decision of the State not to renew the mandate to the head of the International Commission against Impunity in Guatemala (CICIG) and to declare its chair, Iván Velázquez, persona non grata, has caused concern in the international community. In this context, several communicators reported receiving harassment, threats, and bullying for reporting on the events that led the Government to take the decision not to renew the mandate of CICIG. In addition, the Office of the Special Rapporteur received information on the murders perpetrated against Laurent Ángel Castillo Cifuentes, Luis Alfredo De León Miranda and José Daniel Rodríguez.

**Guyana.** The decision of the Caribbean Court of Justice to declare unconstitutional the law that prohibits in Guyana that men show themselves in women's attire in public with "improper purposes", based on the fact that this provision violates, among others, the right to freedom of expression, was welcomed by the Office of the Special Rapporteur. This Office highlights the Court's assessment of the role of freedom of expression as "the cornerstone of any democracy," which is why any excessive restriction on this freedom causes "damage, not only to the individual whose expression is denied, but to society as a whole". On the other hand, journalists and civil society expressed concern regarding the approval in Parliament of a controversial Cybercrime Law that, among other negative consequences for the circulation of information, could criminalize the work of the media. In addition, according to the information available, the Government of Guyana would be promoting a bill to reduce the penalties contemplated for criminal defamation.

**Haiti.** Haiti continues to be a country with weak institutions to guarantee the right of journalists to work free from violence, threats and other types of risk. This restrictive environment is exacerbated by the lack of policies, measures, and concrete actions to guarantee freedom of expression and the exercise of journalism. In addition, there are barriers to access information held by the State. The Office of the Special Rapporteur followed with special concern the disappearance of photojournalist Vladjimir Legagneur. Likewise, once again this Office reiterates its concern regarding the abusive use of force by the security forces at the time of dispersing social protests. A draft law against defamation that contained criminal penalties restricting freedom of expression would have been shelved by the House of Representatives. Finally, this Office was informed of a case of death threats by security agents assigned to the Haitian Parliament.

**Honduras.** During the on-site visit carried out by the IACHR and its Office of the Special Rapporteur to Honduras from July 30 to August 3, it was observed that in the context of the protests over the questioning of the electoral process, journalists and the media were threatened and assaulted both by state agents and supporters of the political groups in conflict. In addition, this Office received information about pressure on media directors and journalists to influence the coverage of elections and other events of public interest. This polarization spread to social networks, where a stigmatizing discourse prevailed towards the work of journalists. The Office also noted with concern the excessive use of force by the State security forces, which resulted in numerous deaths, arrests, and injuries. On the other hand, the IACHR emphasized that the persistence of high levels of violence against journalists and the impunity of most crimes continues to be a serious problem. To this structural aspect it is necessary to add the decision of the Legislative Branch to apparently maintain the crimes of insults, slander, and other offenses that affect

freedom of expression in the integral reform of the Criminal Code and the presentation of a bill to regulate social networks.

**Jamaica.** In accordance with the information received by the Office of the Special Rapporteur, civil society organizations expressed a series of concerns about a bill presented in 2017 that is pending before Parliament in relation to the protection of personal data, which would require the media to send to the eventual office of the information commissioner the description of the personal data received, stored, or processed. Also, that office would have broad powers over individuals and organizations (including the media) to obtain information, such as the identification of sources and the requirement for rectifications, and penalties for non-compliance would include incarceration. On the other hand, the Press Association of Jamaica exhorted the government to resume press conferences after cabinet meetings, which were suspended by the government since the beginning of 2018.

**Mexico.** The Special Rapporteurs for the Freedom of Expression of the IACHR and for the Promotion and Protection of the Rights to Freedom of Opinion and Expression of the UN found during the joint official visit to Mexico from November 27 to December 4, 2017, that the country "is going through a deep security crisis that seriously affects the human rights of its population." The *Special Report on the Situation of Freedom of Expression in Mexico* published after the visit makes a series of recommendations to the State to guarantee the protection of journalists and the proper investigation of the attacks linked to their work. The Special Rapporteurs pointed out that "often the acts of violence have been directed at those who are most indispensable to publicize the situation of conflict and insecurity, corruption, and crime: journalists." During the visit, the Special Rapporteurs heard testimonies about murders and disappearances, physical and psychological attacks against journalists and the media, and other forms of interference that are intended to harm not only individual journalists but also the right of the public to be informed.

In 2018, the situation of violence persisted with respect to the previous year. The Office of the Special Rapporteur recorded at least 12 murders that had been perpetrated against journalists for reasons allegedly linked to the victims' professional work, which shows that the work of journalists continues to be the essential factor that motivates violence against them. Despite the actions and intentions of the government and of different federal and state entities in the strengthening of prevention policies, cases of violence continue to seriously affect the work of journalists.

In 2018, Carlos Domínguez, Leslie Ann Pamela Montenegro del Real, Leobardo Vázquez Atzin, Juan Carlos Huerta Martínez, Héctor González Antonio, María del Sol Cruz, José Guadalupe Chan Dzib; Rubén Pat, Mario Leonel Gómez Sánchez; Gabriel Soriano Kuri, Alejandro Márquez Jiménez and Diego García Corona, were murdered.

The episodes of violence also occurred in a context of strong confrontation of political supporters during the electoral process that began in September 2017. From the beginning of the campaign until the general elections held on July 1, 2018, a hundred homicides were perpetrated for political motives. In this context dozens of attacks against journalists were also recorded due to their coverage related to the electoral process.

**Nicaragua.** In 2018, the Nicaraguan government implemented a series of repressive measures and actions to restrict the exercise of protest and the right to demonstrate, to harass independent journalism and the actions of human rights defenders, in the context of the launching of different forms of persecution to the citizen movement that led the social protests initiated on April 18. There is still an official discourse in the country that calls out those who protest as "terrorists" who seek to carry out a "coup d'état", which has been used to justify the criminalization and imprisonment of journalists and human rights defenders. Journalists, independent media, and their directors have been denouncing continuous attacks, threats, surveillance, arbitrary arrests, and even attacks on the facilities of the media. Journalist Ángel Gahona was killed in the context of the protests, and later two young men were sentenced to prison as perpetrators of the crime. However, human rights organizations denounced that the convicted individuals would have been arbitrarily accused. The IACHR and its Office of the Special Rapporteur also express their serious concern over the decision of the Police to declare the illegality of the protests or demonstrations carried out by social movements, students, and organizations, as well as the decision to establish prior authorization for all types of protests in public spaces, contrary to international standards.

In this context, the practice of journalism represents a serious risk in Nicaragua, which is reflected in the numerous violent attacks against journalists and the media since the beginning of the protests. The aggressions have come from State agents, vigilante groups, and demonstrators. According to the information received, dozens of media workers would have been victims of physical assaults, arbitrary detention, surveillance by state security bodies and vigilante elements, as well as dispossession, theft, or destruction of work equipment. In particular, those journalists who are called out by the government or its supporters, for their critical coverage on the situation and human rights, would be the subject of constant harassment by government supporters or trolls on social networks, death threats, and stigmatization and defamation campaigns. Several journalists have had to leave the country for fear of attacks against their life and integrity. Moreover, the Office of the Special Rapporteur has noted in its annual reports that in Nicaragua there is a duopoly consolidated in the media, so most of the broadcast media is under the political control of the presidential family or a businessman related to the government.

According to the monitoring of the IACHR, at least 325 people would have been killed in the context of social protests, and hundreds were arbitrarily detained. A large number of those detained would have been sentenced without due process.

The Rapporteurship issued press releases in which it expressed its condemnation of attacks, political pressures and indirect censorship against journalists and the media. In particular, the office followed the situations of La Prensa, Confidencial, 100% Noticias, Radio Darío, Radio Mi Voz, Channel 12 and the journalistic team of Channel 10 of Nicaragua. Also, the Office of the Special Rapporteur noted with concern the arrests of Miguel Mora and Lucía Pineda of 100% News

**Panama.** In 2018, the Office of the Special Rapporteur noted with concern a context in which journalists and the media have been subjected to multiple criminal and civil lawsuits that seek to protect the privacy and honor of political actors or the dissemination of information on events of public interest. In particular, it is worrying that these disproportionate actions put at risk the economic sustainability of the media, as a consequence of the large sums required and the economic expenditure of these media to exercise their defense.

**Paraguay.** In a context of continued social protests in different parts of the country due to corruption and other matters of public interest, representatives of congress and the President of the Executive were elected in April. The Office of the Special Rapporteur notes important progress in multiple areas that have had in common the strengthening of transparency in public institutions, particularly in places such as the Supreme Court of Justice, the Magistrates Prosecution Panel, and the Judicial Council. However, this Office has received information about episodes of violence, assaults, and judicial measures against journalists in the context of the protests, as well as measures by the prosecutor that sought to summon journalists and require their sources to inform and disseminate information on issues of public relevance. In addition, unions and civil society organizations warned about death threats, physical attacks, censorship measures, the continued job insecurity in the sector, and the reiteration of unjustified dismissals.

**Peru.** Throughout 2018, the Office of the Special Rapporteur noted that investigative journalism was threatened in Peru due to harassment from the judicial and political sphere against a group of journalists that revealed a plot of alleged corruption that involved members of the Legislative and Judicial branches, politicians, and businesspersons. The harassment was characterized by the filing of requests to reveal the sources of the investigations. On the other hand, several journalists were victims of threats and physical and verbal aggressions due to their work. In addition, the Office of the Special Rapporteur was informed that reporters frequently suffered attacks by security forces and protesters during coverage of social protests. In another context, the approval of a law by the Legislative branch that prohibited the State from contracting publicity with private media generated concern and motivated a statement from the Office of the Special Rapporteur, as well as opposition from the Executive. Ultimately, the law was declared unconstitutional by the Constitutional Court. Regarding access to public information, the State made legislative efforts to strengthen the National Authority for Transparency and Access to Public Information, to which the Office of the Special Rapporteur recalled the importance of providing the initiative with the necessary budget and of guaranteeing its autonomy and institutional independence.

**Dominican Republic.** In 2018, the Office of the Special Rapporteur received information on judicial decisions that held journalists accountable under a normative framework incompatible with



inter-American standards. In addition, this Office observes with concern legislative initiatives that could represent setbacks to the right to freedom of expression. In addition, the Office of the Special Rapporteur was informed of harassment, threats, and attacks against journalists and media that would be linked to the journalistic exercise. On the other hand, the National Commission of Public Spectacles and Broadcasting would have issued a series of resolutions that imposed prior censorship and sanctions against journalists and artists under alleged infractions against "morals" and "good manners". Despite progress in transparency and e-government policies, a large group of public institutions would continue to fail to comply with the obligations arising from the law on access to public information.

**Saint Kitts and Nevis.** The Parliament of Saint Kitts and Nevis enacted a Law on Access to Public Information that seeks to "promote the maximum disclosure of information of public interest, to guarantee the right of everyone to access information, provide effective mechanisms to ensure that right." Also, the government enacted a Law on Protection of Personal Data that would contain exemptions applicable to those who collect personal data for journalistic, literary, or artistic purposes."

**St. Vincent and the Grenadines.** The Office of the Special Rapporteur received information about the indictment against citizen Yugge Farrell for the crime of "abusive language" after making allegedly offensive comments against the wife of Finance Minister Camilo Gonsalves, who is the son of Prime Minister Ralph Gonsalves. The charges were finally dropped in December 2018. The incident had generated a strong impact on various sectors and protests, as well as questions that pointed to the Gonsalves family abusing their power to prosecute Farrell.

**St. Lucia.** The Association of Caribbean Media Workers expressed concern over a statement by the Minister of Tourism, Information, and Broadcasting, Dominica Fedee, during a session of Parliament, about the intentions of his administration to "impose" additional regulations on private press media. He would also have accused the media of producing false, "indecent" and "profane" content. On the other hand, according to the information available, in January two young people were arbitrarily arrested for expressing criticism against the administration of Prime Minister Allen Chastanet, broadcasted through a video on social networks. The young people would have been forced to issue an apology video; in November the case would have been dismissed by a court.

**Suriname.** According to the information available, in Suriname there is a context of widespread corruption, characterized by the lack of legal mechanisms that force officials to render accounts and provide public information. The Association of Journalists of Suriname has denounced that there is a practice in government aimed at centralizing information and restricting the journalistic work. The Association also questioned the initiation of a judicial investigation into a leak of information to the media and expressed concern about the lack of guarantees of protection for informants of acts of corruption.

**Trinidad and Tobago.** The Office of the Special Rapporteur sent the State of Trinidad and Tobago a technical opinion regarding a draft law on "cybercrimes" presented in 2017, with a series of recommendations to adapt the initiative to international standards. In particular, the Office of the Special Rapporteur expressed concern about some of the definitions formulated in the bill that could unduly interfere with the right to freedom of expression. Another matter of concern for this Office was the conviction against two radio presenters for making defamatory statements in a radio show against an businessperson.

**Uruguay.** Throughout 2018, the Office of the Special Rapporteur took note of claims by journalistic associations that indicate a complex working scenario for journalists and media workers in the country, based on the job insecurity of the sector, the continuity of the dismissals, and the breach of labor agreements. In another context, this Office was informed about the use of information held by the State by the Government regarding people who have expressed their opposition, which would respond to a strategy to inhibit criticism on issues of public interest. On the other hand, the Office of the Special Rapporteur noted that the Law on Access to Public Information was notoriously used by various media and journalists to access information of public interest, and that the Public Information Access Unit resolved in several cases in a positive way the delivery of required information. Finally, the Office of the Special Rapporteur was informed of delays in the implementation of the Audiovisual Communication Services Law and some related issues.

**Venezuela.** In 2018 the deterioration of the situation of freedom of expression in Venezuela was deepened due to the start of criminal proceedings against journalists investigating acts of corruption, the

practice of arbitrary arrests of communicators covering protests, and the arrests of opposition leaders, as well as citizens who express criticism or disagree with the government through social networks. The practice of arresting and expelling foreign press correspondents was also intensified. In enforcing the so-called Anti-Hate Law, sanctions or warnings were imposed on media and journalists, protesters and public officials were arrested, and legal proceedings were initiated against different individuals for their expressions on social networks. The IACHR and its Office of the Special Rapporteur were also informed about the violence exercised against journalists and social media workers by members of the security forces while covering protests, many of whom were forced to destroy recordings by state agents or were prevented to approach to cover events. In parallel, the government develops new strategies to try to control messages on the Internet through the blocking of websites and the surveillance of citizen communications on social networks. Finally, the situation of provision of paper by the state company that monopolizes said product, also worsened, causing 35 newspapers to see their editions and page numbers reduced. Several of them stopped circulating in paper format.