

## **Executive Summary: 2019 Annual Report of the IACHR Office of the Special Rapporteur for Freedom of Expression**

### **In a context of stigmatization and digital attacks against the press, violence against journalists persists; repression and criminalization of protests has also escalated.**

In 2019, at least 27 journalists and press workers were murdered in the Americas for reasons reportedly linked to the exercise of journalism, a painful figure that remains within the trend of the last decade in relation to serious attacks on journalists. Indeed, murders of journalists were recorded in Bolivia, Brazil, Colombia, Guatemala, Haiti, Honduras, and Mexico. Meanwhile, in Venezuela, Nicaragua, and Cuba, the State carries out attacks against journalists, independent media, and opposition activists, through arbitrary arrests, as well as different forms of censorship and blocking of internet sites.

The Office of the Special Rapporteur draws attention to the generalization in the region of a narrative that stigmatizes journalists and the media, intentionally directed by high-level public authorities and followed by coordinated attacks on social networks. This practice, which is present in a variety of states—even with democratically elected governments—, increases the risk and vulnerability of journalists to retaliation, physical harassment, and online harassment.

Surveillance of digital communications and the espionage of the media and communicators were also reported in different countries of the region, although investigations into these practices do not show major progress. In some countries such as Cuba, Colombia, Chile, Nicaragua, and Venezuela, the implementation of control and surveillance strategies of citizen communications on social networks persists.

Although some countries have made progress in establishing mechanisms for the prevention of violence and protection of journalists, as well as policies for prosecution in crimes against communicators, the figures of impunity for the sanction of these attacks remain high. In addition to this, when leaders or high-level authorities deliver speeches that undermine the press or journalists themselves, they seriously jeopardize any policy or action by the States.

The Office of the Special Rapporteur is concerned that some countries resort to direct censorship through the closure of the media or interference in digital and traditional media, when they are perceived as critical, especially in Venezuela, Cuba, Nicaragua, and Bolivia. A particular case occurred in Ecuador, where a radio was critical of the government's measures and in favor of the mobilizations that took place in August. The member states must take into account that Article 13 of the American Convention explicitly states that the exercise of freedom of expression cannot be subject to prior censorship or indirect restrictions.

Despite the fact that several countries have made progress in legal reforms of crimes that protect the honor and reputation of public officials, in some countries in the region, the criminal offenses that allow the criminalization of the right to freedom of expression on matters of public interest are still in use. In Venezuela, dozens of journalists investigating corruption or abuses of power are subject to criminal proceedings and have had to leave the country for fear of being arrested; while in Peru a journalist has at least five judicial processes opened against her for aggravated defamation due to her investigations of members of a religious order.

Along these same lines, the Panamanian Prosecutor's Office opened nine complaints for the alleged commission of slander and libel crimes, filed by former President Ricardo Martinelli against around 40 communicators, managers, and owners of the La Prensa Corporation (Coprensa), of the newspaper *La Estrella* and *Radio Panamá*, among others. While in Mexico a renowned journalist would have been sentenced to pay half a million dollars for alleged moral damage to a former governor.

This report also accounts for the increase in social protests and citizen demonstrations in different countries of the region. The Office of the Special Rapporteur is alarmed by the high number of deaths, hundreds of wounded, and detained as a result of repression and excessive use of force by police and military bodies in different protests and public demonstrations, instead of privileging dialogue as response to citizen demands. Specifically, the situation

observed in Bolivia, Brazil, Chile, Costa Rica, Cuba, Ecuador, Haiti, Panama, Puerto Rico, Nicaragua, and Venezuela is of concern. In Cuba and Nicaragua, it is particularly serious that the authorities have ordered to systematically prevent the exercise of protest and demonstrations by declaring protests to be illegal or by violently dissolving those that are exceptionally convened.

The Office of the Special Rapporteur welcomes the progress in the incorporation of standards of the inter-American system in access to information; however, challenges persist to guarantee access to information held by the State, statistics, figures, and data on serious human rights violations in the past and also regarding current violations. The Office of the Special Rapporteur has observed with concern an increase in lack of compliance by obligated officials, in light of the decisions of the agencies that guarantee access to information.

Finally, the Office of the Special Rapporteur highlighted the collaboration of the States by providing information on visits made by this office during 2019, which resulted in an extensive analysis of the situation of freedom of expression and the formulation of recommendations. It also highlighted the work of civil society organizations and the media for the permanent support and information provided throughout the drafting process of this report.

**Below, we present a brief characterization of the main findings in the monitored countries, noting that the full report (link) details the situation of the events documented in each of the countries of the continent that could constitute violations or progress in matter of freedom of expression.**

**Antigua y Barbuda.** During 2019 in Antigua and Barbuda there were allegations of deliberate dissemination of disinformation in connection with the Barbuda local government elections. In August 2019, the Senate approved a new amendment to the Electronic Crimes Bill [2013], which incorporated the possibility of applying for a search warrant to obtain data from electronic devices, so that they can be used as evidence in possible legal proceedings. Recent amendments to the Act have made it clearer what offenses are covered by the Act, such as sending offensive messages through communication services, violation of privacy and child pornography, so as to avoid restrictions on freedom of expression.

**Argentina.** During 2019, the Office of the Special Rapporteur monitored with special concern various attacks, threats, and intimidation of journalists and communicators, perpetrated by both individuals and public authorities and officials. There are also continuing reports of the use of police force in the context of protests and arrests of demonstrators. This Office was also informed about the criminal complaint filed by the government against the organization Greenpeace due to a demonstration held during an official event. On the other side, the Special Rapporteur received worrying information about a request by a prosecutor's office to a news program to report the names of journalists involved in a story, judicial decisions prohibiting media from reporting on certain subjects, and the conviction by the Supreme Court of a former trade union leader for her criticism of a public official. In this regard, the Special Rapporteur's office follows with particular concern the prosecution of journalist Daniel Santoro for the alleged crimes of "coercion and extortion in the form of an attempt", linked to information he received from a confidential source. Finally, the Rapporteur highlights progress in the allocation of definitive licenses to community radio stations in various provinces of the country. Similarly, it highlights the respect for freedom of expression and the free circulation of ideas and information during the electoral process, which took place without any minor incidents.

**Bahamas.** During 2019, the Office of the Special Rapporteur received information with concern about the lack of progress in implementing the Freedom of Information Act (FOIA), which was passed in 2017. There have also been several cases in which the authorities have criminally denounced journalists or threatened to do so under the guise of defamation [libel] as a mean to limit freedom of expression.

**Barbados.** In the context of the 2018 general elections, the elected Prime Minister Mia Mottley is said to have proposed the introduction of a bill to ensure access to public information, to achieve greater transparency and accountability. During 2019, different officials have stated that the government will focus on making the freedom of information legislation effective, indicating that a complete transformation of the way the country's public administration is managed is needed. They indicated that several measures have already been taken to achieve more openness and transparency, such as press briefings after the Council of Ministers meeting. It is only at the time of the finalization of this Annual Report that this preliminary draft was approved.

**Bolivia.** During 2019 Bolivia was marked by a political crisis that led to the resignation of former President Evo Morales and then led to the interim presidency of former Senator Jeanine Añez. For more than 20 days the country experienced an escalation of violence that took the lives of 35 people in the so-called massacres of Sacaba (Cochabamba) and Senkata (La Paz), owing to joint tasks between the Armed Forces (FFAA) and the Bolivian Police. Similarly, clashes between protesters and human rights violations by groups of citizens mobilized during a civic strike in different cities of the country were reported. As a result, the Inter-American Commission on Human Rights (IACHR) conducted an observation visit to Bolivia from November 22 to 25. In this context, the Office of the Special Rapporteur has noted the lack of guarantees and security in the work of journalists, popular communicators, and the media. Along these lines, a complaint was made regarding the death and possible murder of the Argentine journalist, Sebastián Moro, occurred in a scenario of generalized crisis after the national elections and the power vacancy that resulted from the resignation of former president Morales. Likewise, this Office has expressed its concern about the persecution and harassment of independent journalists and popular communicators, such as the correspondent of *La Izquierda Diario*, Carlos Cornejo, the artist Leonel Jurado, the collaborator of *La Jornada de México*, Juan Trujillo, the student from the Universidad Mayor de San Simón (UMSA), Alexander Fernández, and the social media managers, Orestes Sotomayor and Alejandra Salinas, through the use of criminal figures such as “terrorism” and “sedition”.

In addition, the Office of the Special Rapporteur has called on the interim government authorities given the announcements to change the existing legal framework through laws that are not compatible with the recommendations on freedom of expression of the inter-American human rights system. Among them stands out the draft supreme decree S/N, stipulating, among other things, the reassignment of the radios of the Original Peoples (RPOs) in Bolivia.

**Brazil.** The Office of the Special Rapporteur has documented during 2019 a context of hostility toward the exercise of journalism and the free functioning of the media in Brazil. Repeat statements by high authorities aimed at smearing journalists and the media undermine the role of the press. In a context of polarization of the media scene and the narrative in social networks, a stigmatizing discourse is reproduced towards media outlets and communicators who have disseminated information on his administration, accusing them of taking an oppositional role or of political bias. The statements and attacks against the press are particularly serious because they can heighten the risk of threats and violence against these professionals and impact the population’s trust in journalism as an institution of democracy.

The Office of the Special Rapporteur also observes a variety of situations of threats against journalists in response to their work, and some of these episodes have involved the participation of individuals who say they are aligned with the government. Likewise, two murders and acts of violence against journalists for reasons presumably linked to their work have been documented. Also, the excessive use of force by the police in the context of demonstrations and protests persists in Brazil. The Office of the Special Rapporteur has taken note of acts of censorship, especially regarding artistic expression and productions on sexual identity, orientation, and diversity.

**Canada.** The Special Rapporteur has highlighted Canada's role in promoting and guaranteeing freedom of expression and the right of access to information. The Office has also taken note of the decision of the Supreme Court of Canada to overturn the decision of the Superior Court of Quebec to oblige Radio Canada journalist Marie-Maude Denis to reveal her source of information concerning investigative work of public interest. The Special Rapporteur received information about the adoption of the Digital Charter by the Government of Canada, which states that "digital platforms shall not promote or disseminate hatred, violent extremism or criminal content" and that sanctions will be applied to those who fail to comply with the established principles. This is a matter of concern to the Special Rapporteur's Office, since it transfers to private platforms the possibility of censoring content considered to be hate speech.

**Chile.** The Inter-American Commission on Human Rights (IACHR) condemned the excessive use of force and the violation of human rights in Chile in the context of social protests that shook the country, which resulted in fatalities, thousands of injured, as well as journalists and camera operators assaulted both by police forces and violent groups. The Office of the Special Rapporteur draws particular attention to the selective attack on camera operators and journalists during the coverage of protests, in addition to complaints regarding the existence of

pressures or censorship of communicators on state television channels and private media. Also, attacks and arson attempts were registered against different media facilities in several cities of the country. There were also reports of illegal detentions and torture, in which the most vulnerable populations such as children and adolescents were victims, as well as sexual attacks against women and the LGBTQ population. This Office has taken note of the legal initiatives that have emerged to restrict various aspects of the protests. The Commission received information on the presentation of a package of bills that could criminalize the exercise of freedom of expression and the right of assembly. The IACHR calls on the State not to develop criminal types that turn into criminal acts conduct commonly observed in protests that, in and of themselves, do not affect property such as the life, security, or freedom of persons.

**Colombia.** Throughout 2019, the Office of the Special Rapporteur noted with concern the excessive use of force in the context of social protests initiated since November 21, in Colombia. In particular, it draw attention to a series of actions that led to detentions of journalists, as well as physical attacks and multiple obstacles that the communicators had to face during the coverage and recording of protests. In a more general context, the Office of the Special Rapporteur warns that journalists who carry out investigative journalism were subjected to stigmatization by political leaders, contract termination, and dismissals in various media, which raises concerns about a possible chilling effect on the exercise of freedom of expression.

Likewise, the office received information on the murder of four communicators for reasons allegedly linked to their journalistic work and urged to investigate these cases without ruling out the hypothesis related to the exercise of their profession. Finally, this Office highlights progress in the area of the National Unit for the Protection of Journalists and in the area of community broadcasting. Progress was also noted in various investigations concerning murders of journalists, notwithstanding that there are still pending cases that must be addressed with due diligence and sufficient resources to end impunity for crimes perpetrated in previous years.

**Costa Rica.** During 2019, the Office of the Special Rapporteur observed an increasing tendency in violent acts against the media and journalists in social protest contexts, accompanied by excessive use of force towards protesters. Likewise, it took note of legislative projects that are pending study by Congress and that would establish regulations for the exercise of the right to freedom of peaceful assembly, such provisions could adversely affect the right to freedom of expression. Finally, this Office welcomed the ruling issued on August 9 by the constitutionality chamber of the Supreme Court of Justice that reiterated that no compulsory membership is required, nor would it be mandatory to join the Journalists' Association, to be able to practice journalism in the country.

**Cuba.** Restrictions on freedom of expression, access to public information, and protest have persisted in Cuba during 2019. President Miguel Díaz-Canel's administration has reportedly intensified crackdowns on dissidents and opponents, as well as the harassment and systematic persecution of independent journalists, human rights advocates, activists, and dissidents who disseminate information and opinions on matters of public interest outside the control of the State. The harassment of journalists, activists, artists and human rights defenders is not only physical, but also psychological, and being subjected to humiliating treatment as part of police and government control has become normalized.

Notably, CubaNet journalist Roberto Jesús Quiñones Haces was sentenced to one year in prison for the crimes of resistance and disobedience due to his decision to cover the hearings in a trial of public interest. This Office, together with the United Nations (UN), sent an Article 18 letter requesting information on the conditions in which the journalist was being held. The Office of the Special Rapporteur has also expressed its concern over the potential enactment of new laws such as Decree Law No. 370 "on the computerization of society in Cuba," which undermines the exercise of freedom of expression and the possibilities for establishing digital media outlets. Similarly, Decree Law No. 349 punishes noncompliance with Cuba's cultural policy, and has reportedly led to the intensified censorship and persecution of artists in Cuba.

**Dominica.** During 2019, the government of Dominica requested assistance to carry out an electoral reform to the CARICOM Secretariat (CARICOM), the Commonwealth Secretariat (COMSEC) and the General Secretariat of the Organization of American States (SG / OAS), which in August carried out a Joint Special Mission in the country. The three organizations made a series of recommendations, noted the lack of information from citizens regarding electoral reform and their right to vote, stating that "not all people had received sufficient and accurate information that would allow them to understand the issues and form opinions substantiated ", and highlighted the need to

improve and balance the access of all parties to public and private media. According to public information, Deputy Héctor John and the brother of the leader of the United Workers Party Brian Linton would have been arrested and charged with incitement at a public meeting of that party, after demanding that the aforementioned electoral reform be carried out.

**Ecuador.** Between January and June 2019, Ecuador was in a transition process initiated with the change of government of President Lenin Moreno, marked by actions that sought to dismantle a series of repression and control mechanisms over the press, the media, and civil society organizations. Still, the Office of the Special Rapporteur expressed its concern regarding violence against communicators and the media, as well as violations to the right to freedom of expression during social protests and the state of exception decreed in October. In April, the Ecuadorian government launched the Interinstitutional Committee for the Protection of Journalists and Communication Workers, as suggested by the IACHR and its Office of the Special Rapporteur in its recommendations after the country visit. This Committee is an instance of inter-institutional coordination of the Ecuadorian Government and instances of civil society organizations, although these are only listed as guests. The Office of the Special Rapporteur has taken note of the elaboration of a document called Public Policy for the Protection of Communication Workers, carried out through different meetings and thematic roundtables by the Information and Communication Council, an institution that exercises the technical secretariat of said Committee, in order to broaden the spectrum of inputs focused on developing the basis for a public policy of security for journalists.

**El Salvador.** During 2019, the aggressions, threats, and lack of guarantees for journalistic work in El Salvador continued. The country had presidential elections on February 3 marked by some obstructions in voting centers and limitations on access to information. The Office of the Special Rapporteur has followed up on different stigmatizing statements made by public authorities against press and media workers. In addition, other incidents were recorded, such as restrictions on questions from all media during press conferences, obstructions in journalistic coverage, defamation campaigns on social networks against communicators, and intolerance of criticism by authorities of the different political powers, all of which are indicators contrary to the creation of an environment conducive to the normal development of the journalistic exercise.

**United States.** There is still a climate of hostility toward journalism and the free functioning of the media in the United States a constant remarks disparaging the press as a “dishonest”, “corrupt”, “enemy of the people” that spreads “fake news” and his comments on “virtual acts of treason,” undermine the role of the press. This environment has paved the way for government supporters to attack and harass journalists and media outlets as well. There have also been attacks on the press during protests and demonstrations; in particular, two journalists were injured by rubber bullets during protests demanding the resignation of former Governor in Puerto Rico.

Likewise, the Espionage Act continues to be enforced, and journalists have been ordered by the courts to reveal their sources or to appear as witnesses to events they have reported or investigated. In particular, the Office of the Special Rapporteur is concerned about the charges brought under the Espionage Act against Julian Assange for publishing “government secrets,” and the search of a journalist’s home in San Francisco to ascertain his sources. Nevertheless, the Office of the Special Rapporteur highlights progress on the judicial and legislative fronts, both at the federal and state levels, which have issued favorable decisions that protect freedom of expression, as well as legislative initiatives intended to protect and guarantee this right.

**Grenada.** During 2019, cases of harassment and restrictions on the coverage of complaints made by communicators have been reported in Granada. An example of this is the harassment by government authorities of journalists when asking questions at press conferences, including physical attacks and threats.

**Guatemala.** The media and journalists faced a hostile scenario during 2019, characterized by the persistence of stigmatization campaigns against the press by high authorities, especially against journalists investigating cases of corruption and abuse of power by partisans of sectors that opposed the permanence of CICIG in the country. This panorama deepened during the electoral context and unleashed different types of attacks against the press and political candidates that were articulated through social networks, hacking of accounts, defamation, hate speech, as well as discriminatory or sexist. The IACHR also noted with concern the state of

emergency promoted by the government and the restriction on the right to protest, within which incidents were reported against the press. On the other hand, the IACHR and its Special Rapporteurship are concerned about the lack of progress in relation to the implementation of protection mechanisms for the protection of communicators and media, as well as the institutional weakening of the Historical Archive of the police.

**Guyana.** The government of Guyana announced in 2018 that it would work to reduce penalties for the crime of defamation still in force in the legal system. However, during 2019, multiple complaints would have been filed for this figure. In this context, the Minister of Public Telecommunications sued the news site Stabroek News and its columnist Anand Goolsarran, for alleged defamation regarding an investigation into conflicts of interest and corruption. The top lawyer of the government of Guyana also used the defamation figure to sue the Kaieteur News newspaper regarding allegedly wrong information that would have been rectified. According to information received by this office, the government of Guyana would be using the allocation of government advertising as a tool to reward and punish the media according to its editorial line.

**Haiti.** The Special Rapporteur noted with concern the murder of journalists Petion Rospide and Nehemie Joseph and the lack of identification and punishment of the perpetrators. Attacks against media and journalists were also reported during 2019, which has raised doubts regarding the protection for the exercise of the freedom to express expression in Haiti. Likewise, the Office of the special Rapporteur has registered the excessive use of force at the moment of repressing and dispersing the protests that erupted due to the political crisis and the corruption events linked to Petrocaribe, as well as the lack of statistics on deaths and detentions in this context.

**Honduras.** During 2019, citizen protests took place in the country, promoted by the education and health unions in various cities in Honduras, which were supported by broad sectors of the population. Although the demonstrations developed peacefully, there were also episodes of violence. The Office of the Special Rapporteur noted with concern the excessive use of force by state security forces - police and military - in the repression of protests, which resulted in deaths, detentions and injuries. On the other hand, the persistence of high levels of violence against journalists and the impunity of most crimes continues to be a serious problem for the exercise of journalism and the right to freedom of expression. During 2019, at least 6 murders of communicators were reported that could be linked to the exercise of journalism, and that their material or intellectual authors have not yet been identified. In addition, numerous communicators and journalists left the country due to threats received. Also of particular concern was the persistence of the use of criminal law to punish communicators, the sentence of 10 years imprisonment against a journalist for the commission of crimes of libel being particularly serious.

**Jamaica.** The Office of the Special Rapporteur has observed that in the municipality of St. James it the realization of a series of events in a state-owned building has been prevented, within the framework of the LGBTIQ community celebrations in the country. In addition, high level authorities have made stigmatizing statements regarding communicators and the media. During 2019, several attempts were made to carry out legal reforms that could affect the exercise of freedom of expression. In this regard, the Criminal Justice and Administration Act has been modified, increasing the penalties for those who take photographs of persons deprived of liberty. In addition, the amendment to the Access to Information Act has been proposed to increase the period from 20 to 70 years in which the documents of the cabinet are exempt from being disclosed. The Office of the Special Rapporteur highlights the role played by civil society organizations to prevent this from happening

**Mexico.** During 2019, journalists in Mexico continued to face a crisis of violence that killed 11 communicators. The attacks on journalists persists, aggravated by the lack of legal consequences expressed in the impunity of these crimes. The government's response to implement improvements and provide more resources for the protection mechanism seems insufficient given the magnitude of the violence against journalists and human rights defenders. In accordance with the recommendations made by the Office of the Special Rapporteur in the "Special Report on the Situation of Freedom of Expression in Mexico", after the on-site visit in 2017, this Office took note of the evaluation of the Protection Mechanism for Defenders of Human Rights and Journalists requested from the Office of the United Nations High Commissioner for Human Rights (OHCHR) by the current government), which is presented as a valuable opportunity to improve different aspects of the protection mechanism. Also, this office

sees with concern, the increase in stigmatizing statements by high public authorities against members of the press, which promotes the practice of mass harassment in social networks, as reported by different organizations and media.

**Nicaragua.** Throughout 2019, the Nicaraguan government maintained a pattern of repressive measures and actions to restrict in a systematic way the exercise of protest, the exercise of independent journalism, and the actions of human rights defenders. In that context, the main journalists of the country remained for several months in exile, the government controls the main private media that have been seized, also the duopoly of the television and radio in Nicaragua, in addition to the practice of discriminatory allocation of government advertising, which is reserved exclusively for the official media and those of the Ortega family. On the other hand, there was a continuous harassment and surveillance against journalists, especially in the cities of Bluefields, León, Masaya and Matagalpa. Additionally, the Office of the Special Rapporteur observes that the Executive controls the import and delivery of paper, machinery, equipment, and spare parts for written, radio, and television media, and much of the paper to print the newspaper *LA PRENSA*, the newspaper *Hoy*, *El Nuevo Diario*, and *Metro* are held by the General Directorate of Customs Services [*Dirección General de Servicios Aduaneros*] (DGA). As reported, due to the above, in September the newspapers *Metro* and *El Nuevo Diario* announced that they were closing, as well as the printed edition of the weekly satirical supplement *El Azote*. Likewise, the Nicaraguan government keeps equipment and facilities of *Confidencial*, *Niú*, *Esta Semana y Esta Noche*, and *100% Noticias* remain confiscated for a year.

On the other hand, the IACHR and its Office of the Special Rapporteur observe with great concern the situation of impunity characterizing the serious crimes committed against journalists and the media in the context of the social protests that were carried out in Nicaragua in 2018. According to information available, due to the application of the Amnesty Law, approved in June 2019, the investigations related to these crimes would have been archived. Thus, for example, it was reported that investigations into the fire of *Radio Darío*, and the murder of journalist Ángel Gahona, would have been archived. Finally, on June 11, journalists Lucia Pineda and Miguel Mora were released under the Amnesty Law, after being detained for almost 6 months on charges of alleged terrorist offenses and hate speech. According to the information available, the accusation against them would still be in place even though the trial would have been suspended.

**Panama.** During 2019, the Office of the Special Rapporteur observed a constant use of criminal and civil proceedings against journalists and the media that investigate and publish acts of alleged corruption, which could generate a climate of self-censorship for the press. Along these lines, this Office has accounted for around 40 directors, journalists and press personnel with legal proceedings. Likewise, it has taken note of the validity of article 195 of the Criminal Code that punishes with deprivation of liberty, or its equivalent in fine days, the crimes of libel and slander when they are committed through a media outlet, spoken or written, or using a computer system. In addition, there would be no limit for civil compensation claims for these causes.

**Paraguay.** Throughout 2019, the Office of the Special Rapporteur observed a context of political polarization in Paraguay that led to the development of social protests, in which there were incidents between protesters and State security agents, as well as attacks against journalists who provided coverage. This Office documented speech by high-level authorities of the State that seeks to delegitimize the protests against the government and link them with alleged destabilization plans. It draws the attention of this office the increase in threats, intimidation, aggressions and legal actions aimed at criminalizing the work of journalists who disseminate information of high public interest. Similarly, the Office of the Special Rapporteur noted with concern the dismissals of media journalists. Finally, this Office highlights the advances in the protection of the right of access to information, although it observed regulatory reforms that could be regressive in this area.

**Peru.** Throughout 2019, the Office of the Special Rapporteur has taken note of the constant use of judicial harassment against investigative journalism in Peru through criminal law figures (slander, insult and defamation) as a mechanism to pressure journalists and communicators, which could have an inhibitory effect. Among other cases, several criminal actions against the journalists Paola Ugaz, Pedro Salinas and the site Ojo Público stand out. 1038. Likewise, the removal of the director of the National Institute of Radio and Television (IRTP) aroused concern in journalists and organizations as a possible attempt at greater governmental influence from the public media. In

addition, the Office of the Special Rapporteur received information on bills presented in Congress that would seek to establish state controls on information and conditions to the press, as well as other attempts to regulate and sanction digital communication and the flow of information in social networks, impose the so-called right to be forgotten in different circumstances and regulate the use of personal data.

**Dominican Republic.** The Office of the Special Rapporteur highlights the Special Rapporteur received information on threats against journalists from criminal groups linked to drug trafficking. The office notes that on the instructions of the Executive Branch and the coordination of the Attorney General's Office, all the necessary protection would have been offered to the journalists involved. Also, a television journalist denounced, through a letter, that the attorney general would be conducting a campaign of harassment against him for the publication of public procurement contracts that would involve him. This Office also wish to emphasize that the Constitutional Court (TC) of the Dominican Republic declared unconstitutional some of the articles contained in the Law on Political Parties, Groups and Movements, and the Electoral Law, which contained provisions which threaten the freedom of expression in electoral contexts as it contemplated sentences of up to 10 years in prison for crimes of defamation and libel against candidates and political parties and 3 to 10 years for violations of ethical, legal and constitutional norms on the use of print media , electronic and digital.**Saint Kitts and Nevis.** Although the Freedom of Information Act was passed in 2018, it would not have been implemented yet. According to the government, this is due to the lack of resources for the development of protocols and the hiring of personnel. On the other hand, the Supreme Court of Justice declared in March 2019 that rules 26 and 38 of the Law on Public Service were contrary to the Constitution and, therefore, invalid, since they prevent the participation of public officials in political party activities.

**Saint Vincent and the Grenadines.** An alleged corruption case involving the highest authorities resulted in a series of requests for financial compensation and threats of legal action against members of the opposition and the press.

**Saint Lucia.** During 2019, the Office of the Special Rapporteur received complaints about the use of the defamation figure as a strategy of senior public officials to persecute journalists, television media and members of civil society in Saint Lucia.

**Suriname.** According to information received by the Office of the Special Rapporteur, several journalists have pointed out the need for a Law on Access to Public Information as a tool for journalists to do their job, and have denounced that political actors provide erroneous information.

**Trinidad and Tobago.** The Inter-American Commission on Human Rights (IACHR) and its Special Rapporteur have noted with concern the validity in the legal system of Trinidad and Tobago of the Sedition Law, sanctioned in 1920 by the British colonial government. This Office has received information on the application of said law on different occasions as a way to hinder the exercise for freedom of expression and the work of the press, trade unions and civil society, accusing them of committing "seditious acts" or having "Seditious intentions."

**Uruguay.** The Office of the Special Rapporteur noted that, within the framework of the presidential and parliamentary elections in Uruguay, complaints were made regarding the dissemination of deliberate disinformation campaigns. Along these lines, around 70 media, institutions and civil society organizations launched an information verification program called Verificado.uy, which played a leading role in the verification of information. Likewise, the Office of the Special Rapporteur has taken note of the approval of the decree that approves the Open Government Action Plan, which would propose reforms to Law No. 18.381 on the Right to Access to Public Information (UAIP) to update the obligations of transparency of government and non-state public agencies.

This Office also highlights the progress regarding several judicial decisions that protected freedom of expression and ordered to file criminal complaints for and a right of reply requested by political actors against various media outlets within the framework of a debate on the participation of these leaders in the military dictatorship (1973-1985).



**Venezuela.** Throughout 2019, the serious violations of the right to freedom of expression in Venezuela continued to deepen, in the context of an intensification of the political and social conflict. Violence against journalists and media workers, exercised in many cases by members of the security forces themselves, increased during events of public interest, such as protests, political acts or legislative debates. Numerous journalists were arbitrarily detained by members of the Police or intelligence services while carrying out their work or covering demonstrations, and were repeatedly forced to erase journalistic material. According to the information received by the Office of the Special Rapporteur, the police and military security forces would have repressed the demonstrations by using tear gas, water cannons and royal bullets to disperse the protesters, which would have resulted in hundreds of people wounded, detained, and dozens of deaths. In addition, a pattern of censorship was observed in Venezuela, through the systematic blocking of websites of news media, social networks or streaming services ordered by state authorities and executed by the public Internet provider, CANTV. In addition, there were recurring failures in internet connectivity due to damage to the telecommunications infrastructure and interruptions in the electric power service. In addition, the National Telecommunications Commission (Conatel) ordered the blocking of international news channels of television services for subscribers, ordered the closure of stations and ordered the suspension of the transmission of certain programs.

The Office of the Special Rapporteur received information on several cases of arbitrary detentions, and criminal proceedings carried out against journalists in alleged reprisal for their informative work, in many cases without the guarantees of due process. Arbitrary detentions and the subsequent application of vague, ambiguous and disproportionate criminal regulations that restrict freedom of expression to silence opinions or critical information on the political and economic situation facing the country, both against journalists, State officials, politicians, opponents, or citizens who express themselves through social networks.