



Freedom of the Press 2015 - Peru

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2015 Scores

Press Status: Partly Free

Press Freedom Score (0 = best, 100 = worst): 47

Legal Environment (0 = best, 30 = worst): 15

Political Environment (0 = best, 40 = worst): 20

Economic Environment (0 = best, 30 = worst): 12

A number of Peru's long-standing press freedom problems persisted or grew worse in 2014. The use of criminal defamation charges against critical journalists continued, and attacks on reporters by both state and nonstate actors were especially serious during the year. Two journalists, and the wife of a third, were murdered in separate incidents, possibly in connection with their coverage of local corruption and gang violence.

Legal Environment

Freedom of the press is guaranteed by the 1993 constitution but not always respected in practice. The 2014 appointment of Daniel Urresti as interior minister cast doubt on the government's commitment to legal safeguards for journalists. In July it was revealed that Urresti was under investigation for the 1988 murder of journalist Hugo Bustíos, who was gathering information on military abuses against civilians in Ayacucho at the time of his death. Although two other officers were convicted of the murder in 2008, one of them had recently named Urresti – a military intelligence official in the late 1980s – as the leader of the group responsible for Bustíos's death. The Peruvian National Association of Journalists and the Institute for Press and Society (IPYS) called for Urresti's resignation.

Politicians frequently react to criticism, such as allegations of corruption, by suing journalists, press outlets, and activists. Defamation remains a criminal offense punishable by imprisonment, though sentences are frequently suspended. In March 2014, César Quino Escudero, editor of the biweekly magazine *El Observador*, received a six-month suspended prison sentence for defaming Ancash governor César Álvarez Aguilar. He was also fined \$8,400 and sentenced to 120 days of community service. Álvarez has a record of filing defamation cases against critical reporters, and his 2013 complaints against two journalists at the television station Canal 55 were still pending in late 2014.

Despite the existence of access to information laws, transparency regarding official documents is inconsistent in practice, particularly at the regional and local levels. In December 2012, the government published a legislative decree denying the public access to any information related to national security and defense. Any person who reveals such information could be charged with a criminal offense and punished with up to 15 years in prison. The national ombudsman's office, the Defensoría del Pueblo, submitted a challenge to the decree to Peru's Constitutional Court. The case was still pending at the end of 2014.

In October 2013, President Ollanta Humala signed new cybercrime legislation into law. Press groups expressed concern that the legislation, which was approved by Congress in a closed-door session, would undermine transparency and access to information. It restricts the use of government data by prescribing three- to six-year prison sentences for those found guilty of intercepting computer information from public institutions. It also establishes three- to five-year prison sentences for building databases to track personal, professional, or financial information about individuals or companies, a practice frequently used by transparency groups to monitor the work of government contractors.

There is no independent media regulator in Peru; under the 2004 Radio and Television Law, broadcast licensing is the responsibility of the Ministry of Transport and Communications. Foreigners and foreign companies are prohibited from obtaining broadcast licenses and holding more than a 40 percent stake in a licensee, and poorly worded regulations grant excessive power to the ministry to deny applications.

Political Environment

Outright censorship of content is not practiced, but journalists are often subject to pressure from government officials, business figures, and media owners to limit or refrain from coverage of sensitive topics. Local government supporters were thought to be behind the August 2014 cancelation of the television program *Claridad* after threats were made against Corporación Daxi, the company that operates the station on which *Claridad* aired. The show was critical of local officials and reportedly the only independent local news program in the region, which has long been hostile to journalists.

Physical attacks and threats against media workers continue to create a difficult working environment for the press. Coverage of topics like corruption, misuse of state resources, and mining-related social conflict is considered particularly dangerous. The murders of at least two journalists – along with the wife of a third – in 2014 were flagged for possible connections to their work. In July, Donny Buchelli Cueva, the owner of the Solimar radio station and host of the program *Más Radio*, was tortured and murdered at his home. He had recently begun reporting on the questionable ethics of certain local electoral candidates. In October, Gloria Limas Calle, the wife of journalist Gerson Fabián Cuba, was killed while defending her husband from gunmen at the Junín offices of Radio Rumba, where Fabián hosts a program. Fabián had recently covered controversial topics on his show, including corruption charges against a mayoral candidate and criticism of protests against energy company Pluspetrol. In November, Fernando Raymondi, a 22-year-old journalism student and writer with the popular magazine *Caretas*, was shot and killed at his father's grocery store outside Lima. Although police denied that the murder was connected to his reporting, at the time of his death Raymondi was writing a story on a string of killings carried out by local gangs.

A number of other attacks on journalists and media outlets occurred across the country during 2014. In March, online journalists Pedro Escudero Cárdenas and Germán Escudero Saldarriaga began receiving death threats in conjunction with their work, which focused on corruption in the northeastern city of Pomabamba. In April, a homemade bomb exploded at the home of newspaper

editor and radio host Yofré López Sifuentes. López was unharmed, but his parents suffered minor injuries. López believed that the attack was retribution for his work, which centered on local corruption and corporate malfeasance. Also that month, Henry Pinedo, director of the northeastern-based Radio Ayahuasca, reported that some of his journalists had received death threats by text message, and that one was assaulted by a municipal employee, after they began covering irregularities among local garbage-collection services.

Separately in April, journalist Manuel Calloquispe Flores, director of the América TV program *La Cara del Pueblo*, requested government protection after receiving threats in connection with his coverage of regional strikes and environmental damage caused by illegal mining in southeastern Peru. In September, journalist Santos Porras, editor of the weekly newspaper *Quién*, was kidnapped after making accusations against Vladimir Cerrón Rojas, a local official in the Junín region of central Peru. He managed to escape, but days later three people approached him as he was running errands and threatened to kill him. In October, journalists Paola Collazos and José Atauje reported being followed and threatened after investigating ties between local officials and criminal organizations in the Ayacucho region of southeastern Peru.

Impunity for perpetrators of attacks on journalists continues to be a problem. According to the Peruvian Press Council, the murders of 58 journalists between 1982 and 2011 remain unsolved.

Economic Environment

Despite government ownership of one television network, two radio stations, and the print news agency Andina, private outlets dominate the media industry, and the audience for state-run outlets is relatively small. Radio is an important news medium, especially in the countryside. The internet penetration rate in Peru reached about 40 percent in 2014. There are no reported government restrictions on access, and the use of social media and other digital tools has been increasing steadily in recent years, particularly in urban areas.

In August 2013, Peru's largest media conglomerate, Grupo El Comercio, which owns the influential flagship newspaper *El Comercio*, purchased a 54 percent stake in Empresa Periodística Nacional S.A. (Epensa), which owns the dailies *Ojo*, *Correo*, *El Bocón*, and *Ajá*. The purchase gave Grupo El Comercio a 78 percent share in Peru's newspaper market. The company had been criticized for its politicized news coverage in the past, and critics expressed concern that the purchase would negatively affect the diversity of opinion in the country's media. In November 2013, eight journalists, including the editor of *La República*, *El Comercio*'s main rival, filed suit in the Constitutional Court to block the merger. President Humala also criticized the purchase, calling it "dangerous" and suggesting that a national debate be held on media consolidation. The legal challenge remained unresolved at the end of 2014.

The media corruption that was endemic during Alberto Fujimori's presidency in the 1990s continues to some extent, with journalists occasionally accepting bribes in exchange for biased coverage.

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