

3. COUNTRY REPORTS

3.1. Argentina

Argentina has always had a strong media presence, with its 36 million inhabitants enjoying a high degree of literacy. Traditionally, the media have played and continue to play a key role in the political and democratic system of the country and have always had a very strong impact on public opinion.

I. General Conditions

Only 2.6 per cent of the Argentine population is illiterate. Of the population aged 15 years and above (26,012,435), 3.69 per cent have received no formal education, 27.98 per cent have completed primary school, 16.23 per cent have completed secondary school, 4.23 per cent have completed tertiary programmes and 4.39 per cent have university degrees. It is worth mentioning that there are public universities in Argentina with free admission.

Illiteracy
and education

The media landscape is extremely complex and economically strong, with its hub in Buenos Aires. In total there are 8 national newspapers, 64 local newspapers, 86 national magazines, 26 national radio stations, 53 local radio stations, 1 national television station and 41 local television stations.

Local media

The radio sector is prosperous, and throughout the last two decades of democracy, it has been active and expanding, both commercially and in its contents. The radio stations with the largest share of the audience are those that have various percentages of foreign shareholders. This means that transnational communication groups have long been attracted to this market.

Radio

Radio Nacional is part of the media holding that is run and funded by the state. The various media run and funded by

the city of Buenos Aires stand out, particularly for the content they make available to serve the community.

Argentina has seen a remarkable boom in low-power radio stations being used as an instrument of freedom of expression. This is not only for minority groups like indigenous communities, but also in several provinces where, because of the 'economic web' woven around the sector, the local community has limited access to the media for expressing their views and concerns.

Over the past 20 years it has been a widespread practice for different groups of citizens to illegally capture frequency-modulated radio short-waves (FM truchas). These channels are used to express the views of individuals who cannot afford to buy, or are unable to get sponsorship for, air time.

TV Apart from cable TV, the only TV station with national outreach is the state-owned Canal 7. The local TV scene is much more varied and provides entertainment, amusement and distraction. The demand for information programmes remains largely unmet. Since the media monitor the needs and tastes of the public through opinion surveys, the broadcasting of fiction-based shows prevails, with little or no analysis of current affairs, or information programmes of a satirical, ironic or humorous nature.

Print In Argentina there are eight newspapers providing nationwide coverage, the two leading ones being *Clarín* and *La Nación*. There is also an important group of highly effective regional newspapers. Although some of these local publications generally outsell the 'big ones', the national agenda is set by *Clarín* and *La Nación*.

Media ownership Since the advent of democracy – a major turning point – none of the mass media have been directly or indirectly in the hands of political parties, although there have been and still are party magazines and newspapers. Nevertheless, this has not precluded the existence of a relationship between the media and the governing party. This relationship has swung like a pendulum at different social and political points of the 21 years of democracy (the Justicialist Party (PJ) and the Radical Party (PR) have always taken turns at being in power). The relationship has pivoted around the distribution of official advertisements and access to information in exchange for tax and legislative advantages for the media. In general, until the beginning of the 1990s, ownership of the

mass media remained with the traditional families who had a background in this sector.

Internet access and use has triggered not only the emergence of online versions of traditional newspapers and magazines but also the appearance of so-called digital journalism, i.e. a journalism with a new category of contents as well as professionals who produce and write for an audience that chooses to be informed over the web. Multimedia tools available in this new format have been explored in particular. In our opinion, digital journalism in a country where 1 per cent of the population has direct access to the Internet has broadened the margins of freedom to address new topics and with more in-depth coverage. It has improved the status of democracy and of information. There is no official censorship.

Internet
media

The levels of both national and regional newspaper buying in Argentina – particularly in large urban areas – are high compared to the rest of Latin America. Until nearly the end of the 1990s, the production of Sunday papers exceeded one million copies, in spite of the fact that the average cover price is not low. Additionally, although the sale of magazines has plummeted over the past ten years, particularly after the 2001 economic crisis, making them almost a luxury item, cover pricing is helping editorial houses survive – an average current affairs magazine costs US\$ 2. In fact, there has been continued growth in new editorial titles.

Media
access
Print

The number of subscribers to traditional cable TV services – there are no digital services – is still the highest in Latin America, given their affordability (60 pesos, or US\$ 21, per month). Annual TV and radio access is virtually 90 per cent nationwide. In the interior of the country, regional papers, radio stations and TV channels are more prevalent than the national media.

TV
Radio

All of these indications of the mass media consumption habits of Argentineans lead to the conclusion that the population's access to the media is high.

According to a recent survey, 35.8 per cent of Argentine Internet users access the network only through Internet cafés and cyber bars, 31.1 per cent only use their home computers, 25.9 per cent use several resources, and 7.2 per

Internet

cent use their computers at work.¹ In this way, many Argentines have frequent access to the Internet, although they may not own a computer or the necessary technology. The figures used by the government sector indicate a connectivity of 1.8 to 2 per cent of the total population, concentrated in the middle and upper classes.

Media consumption	The information flow follows its own logic: information is first printed in the press, then the radio stations broadcast it, and lastly, news networks announce it. In this multimedia era, there is an abuse of self-referencing techniques, which diminishes the accuracy of the information and the quality of the media.
Radio	The radio is, in essence, the vehicle for the dissemination of information [<u>often</u> : 3]. It gathers the news from the printed media and works throughout the day as the 'guardian' of news.
TV	According to a survey conducted by the Federal Broadcasting Committee COMFER (Comité Federal de Radiodifusión) of TV consumption habits, the average middle-class three person usually spends approximately three hours a day watching TV (both public channels and cable TV). ² The survey found that the higher the level of schooling, the lower the number of hours spent watching TV in a day. Almost unanimously, when it comes to making choices, viewers choose public channels. Those who prefer cable TV programmes generally spend only a few hours a day watching TV. The genre of programmes that include news, current affairs and documentaries is valued particularly by adults. News programmes are mostly watched by a university-level audience that, in general, is exposed to fewer hours of TV per day. People use TV <u>occasionally</u> [2] as a source of information.
Print	Printed publications are the fundamental source of information for people [<u>very often</u> : 4].
Internet	With regard to the Internet, a new contradiction emerged between 2001 and 2002: on the one hand, there was an imperative need to be connected to the virtual world, while, on the other, the biggest crisis of recent decades widened the already large gap between the very poor and the very rich in Argentine

¹ Prince & Cooke: *Estudio sobre Telefonía, Internet, Media y Hardware en Hogares*, Buenos Aires 2004.

² COMFER: *Encuesta de TV 2004 – Radiografía del consumo mediático*, Buenos Aires 2004.

society. But the habit of browsing the Internet and learning about the virtual world had already become established, particularly among the younger generation [occasionally: 2].

The media today plays a highly significant role in the formation of public opinion in Argentina [4]. Since the advent of democracy, institutions have been struggling to regain their credibility. In this scenario, the media have begun to fill the void, taking on an oversized role and social mission. According to an investigation by the Centro de Estudios Nueva Mayoría, the media improved its image during 2002.³

Media
influence on
political
opinion

What is the role of the state in the current media landscape? At present, the government owns the following media networks: Canal 7, Radio Nacional, Radio Faro, Radio Clásica and Radio Folklórica. The stations' directors and programmes usually change with every post-electoral change of administration. This situation, which could be viewed as positive because of the renewal it brings, also entails the serious risk of turning the media into an instrument of official advertising for the administration of the moment.

State-owned
media

The directors of the state-run media are appointed by the executive (the President). There is no direct participation by members of civil society or independent committees. However, there is a range of independent institutions and associations of professionals, academics and businesspeople from the private sector – Adepa, Adira, ATVC, independent producers and hundreds of NGOs that promote freedom of expression – which interacts with the public media. These people bring forward their proposals and suggestions for contents knowing that the public media should be the instruments that ensure citizens' rights to knowledge and information.

For example, the state-run news agency TELAM fulfils its duty by supplying information services to those media throughout the country which perhaps cannot afford to use alternative sources of information. In this respect, although the agency covers government activities in more detail and gives them a higher status than the rest of the news, it is not an instrument of propaganda.

³ Centro de Estudios Nueva Mayoría: *Percepciones de la sociedad Argentina*, Buenos Aires 2004.

There is no specific law that controls the interference (if any) of the administration of the day. For that reason, the appointment of the directors of the government-operated media is based on the principles of plurality and probity and, on the whole, on the understanding that the state-run media are instruments to ensure freedom of expression as well as access to information for all citizens.

State-owned
media and
published
opinion

Historically, government-operated channels have been the instruments of communication for the administration of the day. The media pool run by the state has wide outreach and federal penetration because it fulfils the principle of reaching the entire territory in all its formats. This is in particularly marked comparison to the media in private hands.

The outlook for broadcasting is not very encouraging. The lack of planning and the confusion between state-run and government-manipulated media has been common for a long time, hindering the development of an autonomous structure capable of meeting the challenge of providing the information and cultural needs of the population. State-run media networks play a lesser role in agenda setting. Private media groups clearly dominate public opinion, as a natural result of the self-referencing logic used by media conglomerates, whose content is coupled with a lot of advertising and editorial and visual inputs.

The only statistics that provide a benchmark here are for the country's four air channels – 13, 9, 11, 2 and 7. Canal 7 comes in last in the ratings in almost all the time bands, and has consistently been in that position for the past five years.

The state-run media coverage is close to the government [+1], marking an information balance. In their various formats – radio, TV, news agency – the state-run media are fighting to establish their own identity and competitiveness in the local landscape. They often fight back with very interesting content proposals that the private sector then copies or ends up taking over for its own channels. An important principle for the state-run media is that independent information and full access to information should be available to the largest number of people. But the idea is far from the concept of propaganda, although it is true that the coverage of government-related actions is more extensive and gets more air time than in the private media.

The government officially communicates facts and developments through its formal communication channel: press conferences held in the presidential office, the Pink House. These are freely convened and are open to all members of the media. There are two means of entry: individual professionals can either confirm their attendance through accreditation granted by their employers, or they may attend as journalists with permanent accreditation (this is the mode used by prominent news agencies, newspapers, TV channels and radios). In practice, however, it is not that equitable, as the large media networks or multimedia conglomerates always have certain privileges, while smaller, independent or local media stations from the interior of the country face clear disadvantages.

Government
press
conferences

II. Legal Environment

The legal fragility that the media sector experiences in Argentina is understood better when you recall that the legislation in force (the so-called Broadcasting Act) was passed in 1980, during the military dictatorship. It fails to take into account changes in media ownership over time, and it is based on anti-democratic principles.

The regulatory-constitutional background of freedom of expression is poor and obsolete. The Argentine Constitution dates back to 1853 and none of its subsequent amendments have changed the specific wording on this matter. This constitutional deficiency, which urgently requires correction in a future reform, fails to address the current right to information. Additionally, the Civil Code, the Criminal Code and supplementary laws establish certain limitations on the availability of information with the objective of safeguarding honour, privacy, national security and public security, among others.

Freedom of
expression

Section 14 of the National Constitution establishes the principle of the press publishing ideas without previous censorship. Freedom of opinion is not restricted in any section of the Constitution. The constitutional reform of 1994 sets forth the prevalence of international treaties over internal laws, and grants constitutional status to several types of declarations.

Media
coverage

A major obstacle faced by Argentina today in its freedom of speech legislation – in addition to the state of legal limbo in which the media sector has evolved since the advent of

Regulation
of media
coverage

democracy – is the failure to sanction an Access to Public Information Act. In 2003, a bill was passed by the Chamber of Deputies of the Argentine Congress but it has been stuck in the legislative process.

In 1922, an addition was made to Section 114 of the Argentine Criminal Code regulating the publication of corrections in the same section of the media, when the honour of a person has been damaged by the press. For instance, Section 113 of the same code states, 'whoever publishes or reproduces by whatever means slander or defamation inferred by another party shall be repressed as author of the slander or defamation in question'. Since 1991, the Buenos Aires Union of Workers of the Press (UTPBA) has been arguing that this regulation places journalists on the same footing as eventual slanderers. For this organisation, journalism lacks the most elementary legal guarantees it needs to operate.

Labour unions of journalists have been in existence since the 1930s. In 1986, due to the merger of several of these associations, UTPBA was created. It includes all media workers: from editors-in-chief to administrative clerks.

For years there have been government agencies that regulate communications, particularly those of the radio-electronic media. Different bodies exercise different regulatory controls. The Federal Broadcasting Committee is responsible for granting licences and controlling radio and TV stations. COMFER is also empowered to create radio and TV chains under the power reserved by the state to grant new broadcasting frequencies. Other institutions are the Under Secretariat for Public Works and Communication of the Nation and the National Telecommunications Commission (CNT), which are both in charge of technical surveillance, and the Internal Revenue Service (DGI), which is in charge of tax supervision.

A series of supplementary laws has been adopted for journalists, which will make a major contribution to freedom of expression. Act 23.592 deals with discriminatory activities and establishes punishments of one to three years in prison for whoever, by whatever means, encourages or favours persecution or hatred against any person or group of persons on account of their race, national origin or political ideology.

To reinforce legislation that protects the professional rights of journalists, UTPBA submitted to Congress in 1994 a bill on real malice. This amendment introduced habeas data (the right of individuals to view and correct any personal data held about them) and safeguarded journalists' rights not to reveal their sources.

As for legislative developments over the past five years, particular milestones are worth mentioning: the 1989 State Reform Act, enacted during the Menem administration, served as the platform for the legal structuring of multimedia groups; the Investment Reciprocity Treaty signed by the US and Argentina, allowed foreign capital to buy shares in media companies; and much later, the proposed amendment to section 45 of the Broadcasting Act.

Changes in the past five years

The prevailing situation can be summarised as free media coverage with major restrictions [-2]. In these 21 years of democracy, there have been substantial changes in the legal architecture of the journalist profession. This has had a significant impact on employment conditions (a higher unemployment rate, negotiated compensation, early retirement programmes, organisational downsizing) – all of which were to a great extent triggered by the concentration of media company ownership in the hands of large conglomerates that have downgraded and impoverished workers. We therefore witness a strong aggravation of media freedom [-2]. There have been several proposed amendments to Act 22.285 – the abovementioned Broadcasting Act –, some of which have been defeated while others are still waiting to go through Congress. The 9/11 terrorist attack did not, however, have an extraordinary impact.

There is no legal basis for censorship; free media coverage is not restricted by law. Act 12.908 – the 'Journalist's Statute' – protects journalists' opinions, by stating, in section 5, that a journalist may not be debarred on account of his/her opinions, and that the rights to 'freedom of the press and freedom of thought are inalienable'.

Censorship under the law

Several organisations have long struggled to amend section 45 of the Broadcasting Act, because currently only business organisations qualify for radio and television licences. In 2003, however, this act was declared unconstitutional by the Supreme Court of Justice of the Nation. The Senate then passed a bill that amended this section, and while the bill makes non-profit organisations eligible for broadcasting

Media licences

licences, it states that 'legal entities that are utility providers are not eligible'.

An analysis of when the radio and TV licences were granted reveals that it was mostly between 1990 and 1995 with the so-called 'trampoline law' of economic emergency, which enabled the legal confirmation of multimedia companies. However, the core law for the sector – Act 22.285, passed in 1980 and still in force and which allegedly afforded legal protection to all these movements – proved to be, and still is, insufficient and outdated. This means that from the start, the granting of licences was full of irregularities and used dubious processes. Licences expire every ten years, when the government of the day can decide to review the terms and conditions, and may or may not extend the term of the licence. In addition, the duties and responsibilities of radio and TV licencees should be established by the Government and by control commissions, and compliance should be monitored and controlled.

Early in 2005, President Kirchner had to decide on renewing or revoking the granted licences. Together with part of his Cabinet, he decided to renew all licences for another ten years. Licences so far have almost never been refused.

Journalists'
status

In 1944, decree law 7.618 – the original 'Journalist's Statute' – was passed, establishing the rules for national work permits, working terms, minimum salaries for each category, and employment stability. In 1946, during the administration of constitutional president Juan Domingo Peron, Congress passed Act 12.908, which is the current Journalist's Statute. In section 2, the statute defines professional journalists as 'individuals who regularly conduct activities, for pecuniary compensation, in daily or periodical publications and news agencies'. The amendments introduced in 1960, based on the judicial criteria of the time, included 'radio-telephone, cinematograph or television companies that broadcast, show or air information or news programmes of journalistic style, and exclusively regarding the personnel assigned to these jobs'.

In general, a permit to practice journalism, according to the Ministry of Labour, is proof of having worked with a media company for at least two years, which only qualifies the journalist to receive free parking, but does not give the individual 'official' status for practising the profession.

There is no legislation specifically regulating whether journalists have the right to participate in every public meeting of the government or Congress. Participation in these events is therefore open to all accredited journalists.

In general, journalists will turn to the courts if they are threatened or are victims of government repression (in Argentina there has been a trend in recent years for attorneys specialising in communication affairs). These court cases provide international prestige and press coverage. It is worth noting that NGOs in Argentina have done a very efficient job in this regard, becoming very trustworthy witnesses for reviewing censorship, intimidation or persecution cases. The NGOs that are most active in this area include UTPBA, Poder Ciudadano, FOPEA and CELS, among others.

The year 1983 marked the beginning of a period in which democracy slowly strengthened, albeit with many obstacles in its way. In the 1990s, neoliberal policies influenced the economies of the entire region. Argentina started the period as an 'exemplary student' with the multilateral international organisations. As part of the state reform started by the Carlos Menem administration (Act 23.696), paragraph E of section 45 of the Broadcasting Act was repealed, paving the way for the emergence of multimedia groups. During this decade, the media sector was used as a strategic target for capturing foreign investments. The rationale was clear from the start: in 1989, the design of a legal construct based on Act 23.696 (the so-called Economic Emergency Act) led to the reform of state-run companies and became the key enabler of the privatisation of radio and TV stations and the formation of multimedia holding groups. In the second stage, with the signing of the US Investment Reciprocity Treaty in 1994, bets were placed on foreign investments coming into a more competitive sector that promised high profitability. Argentina was no different from other cases around the world, except for one thing: the deliberate absence (to this day) of a legislative framework. This allowed many acquisitions, mergers and partnerships to be completed with hardly any transparency.

Monopolies
and cartels

For local or national players that still hold media outlets and for the so-called 'small press' organisations, the emergence of media holdings is not a sign that the sector is in good health, although it may look like the prevailing model elsewhere in the world. The key is to be found in the enforcement of anti-

monopoly legislation. Argentina no longer regards the media as a public utility – a notion typical of the early days of radio broadcasting – so it runs the risk of letting financial reasoning become the overriding paradigm in the sector. The large media conglomerates, however, have downgraded and impoverished workers.

Given their method of disseminating information, the media conglomerates are undermining the quality of information. According to their toughest detractors, these groups are resorting to manipulation in order to present the facts without their contexts, insist on the use of the present continuous tense, build virtual realities, handle fleeting news, avoid establishing historical relations, flood the audience with information, and stifle whatever opposes the ‘new capitalist order’. And this is done by exerting pressure on journalists.

III. Political Conditions

Coverage of
marginal
groups

Some sectors of society have managed to get media coverage once they understand the media’s logic. A good example is a group that has emerged from poverty: Los Piqueteros. In December 2001, the country faced its toughest political and economic crisis of recent decades, bringing about the resignation of President De la Rúa. Before then, the marginalised sectors of society, the poor and the underprivileged, were barely mentioned in the media. The year 2001 was a turning point. These groups fell even deeper into disgrace. They joined forces and took to the streets under the name of Piqueteros. They have a distinctive way of demonstrating: with no prior notice they block the streets at key coordinates in the capital city, as well as on national and provincial roads throughout the country. This group traces its origin to the province of Neuquén, in the mid 1990s, when a group of workers blocked a national road so that their employment claims would be heard. The Piqueteros understood what interests the media and succeeded in getting publicity. They have now become the main centre of forceful opposition to the government – and they have plenty of press power. The discussion is focused on the legitimate claim of those excluded from the system versus the right of citizens to the protection of their private property and free transit. This debate, which in the past only occurred sporadically in the media, is nowadays an everyday affair. The blocking of streets and the picketers are now the true media stars.

There are no social sectors deliberately excluded from participation in the media, although there are sectors and subjects which occupy fewer centimetres in print and fewer minutes on the radio and TV, such as the rights of indigenous communities, the rights of children, or education-related topics. The prominent status given to so-called ‘...gates’ or political scandals ensures that they always hit the headlines or the cover pages of most newspapers.

The sad historical facts of the 1970s Dirty War have left a memory of fear, a self-restraint all too willingly exercised, deeply rooted in society. This cultural notion has produced a certain degree of ambivalence towards the media and is only slowly abating. On the one hand, there is a young, brave, new journalism, with a real calling to communicate, which will not remain silent, but, on the other hand, there is an old journalism that is willing to protect political and economic power in exchange for commercial favours. This way of practising the profession results, in many cases, from journalists keeping their information and sources well protected so as to keep their jobs or take bribes (‘envelopes’). The most complex instances of self-restraint are found in investigative writing (particularly on corruption, and on companies that are owned by the journalist’s own media holding). This is typical of multi-industrial communication conglomerates.

Self-censorship

Another instance of self-restraint is the case of journalists working with regional papers, which are commonly owned by the traditionally dominant families in the region – the same families that are a source of employment for a large part of the community and that are often involved in corruption cases. Journalists often avoid undertaking an investigation for fear of losing their jobs or, even worse, of being the target of intimidating acts.

Nevertheless, the greatest self-censorship is caused by the indirect mechanisms used by the government to silence the press. The current administration of President Kirchner has a peculiar style of managing communication; some would even go so far as to label it imperial. Major efforts are being made to try to bring back the old manipulation mechanisms, such as the discretionary use of official advertising (subsidies) to silence information, and the fostering of an entourage of journalists, taking care of them by providing them with good, insider information, who then disseminate the official line. In general, this phenomenon intensifies

Illegal state repression

during election time. This means that the manipulation of the media and the use of information, with the resulting effect it has on public opinion, have become an obsession for this administration.

In the last study that Reporters Without Borders conducted worldwide on the freedom of the press, Argentina dropped from 42nd position in 2002 to 79th in 2004.⁴ The report specifies that although there were no deaths, journalists are victims of legal harassment and threats, while official advertising is not allocated transparently.

Asociación Periodistas counted 159 cases where press freedom was violated: 12 attacks, 32 aggressive acts, 46 threats, 19 censures, 18 acts of intimidation, 31 court harassments, 11 verbal harassments and 1 case of legal restrictions.⁵ In the past five years, press freedom in Argentina has sustained countless attacks in court, in the form of rulings against journalists and fines, and on the legislative front, with new regulations curtailing its activities. Some figures from previous years confirm the weak status of press freedom in Argentina. In 2002, Asociación Periodistas recorded 16 cases defending press freedom: 14 favourable court rulings and 2 favourable acts of legislation.⁶

In January 2000, the press voiced its concerns over Act 25.063, which required a 10.5 per cent VAT on ads in the newspapers covered by the law, while maintaining the tax exemption for commercials on AM radio stations. Using veto and partial enactment, the executive branch decided to levy a 21 per cent tax on both activities, using tax powers that are absolutely forbidden by the Constitution.

Obstacles to
Internet
access

The most concrete state initiatives to spread Internet access can be found in Fernando de la Rúa's administration. Based on a private investment of approximately one million dollars by Martin Varsavsky, an Argentine businessman living in Spain, a project was designed to provide all schools in the country with Internet access to broaden the freedom of information for all citizens, through the Educ.ar programme. The project failed because its target was not met. Since then,

⁴ Reporters Without Borders: *Third Annual Worldwide Press Freedom Index*, Paris 2004.

⁵ Asociación Periodistas: *Ataques a la Prensa - Informe 2002/2003*, Buenos Aires 2003.

⁶ Ibid.

Internet access has been an important and constant item on the agenda of the Ministry of Education and its public education policies.

The hottest issue in the relationship between the government and the media is a series of events over which Sociedad Interamericana de Prensa (SIP) has voiced its concerns. At its last general assembly in October 2004, it resolved to send a mission to Argentina in order to assess the progress of proposed legislation in the fields of freedom of information and the accusations of media harassment in the province of Neuquén. The final report states: 'In the journalistic environment there are comments about the excessive control by the Nestor Kirchner administration over what is published or broadcasted', according to the report. The organisation has called for the 'prompt passing of legislation that provides for free access to public information pursuant to the terms of international treaties and documents', and has expressed its concern about 'potential amendments that may be introduced to the bill, which would deviate from the spirit of the legislation'.⁷

Changes in
the past five
years

Since President Kirchner took office, there have been incessant reports of the discretionary use of government-sponsored advertising and information. The latter induces the manipulation of information. Reports have been compiled by various institutions and associations that advocate freedom of expression and journalism, like ADEPA, SIP, and several prestigious journalists, both local and foreign.

Basically, the discretionary use of official advertising threatens not only freedom of information but also the sustainability of the independent press. In all, there has therefore been strong aggravation in the field of media freedom [-2].

Another way in which the government can influence the print media is through its indirect control of the inputs for newspaper production/printing. The Argentine government is a main player in this arena, as it has a 28.8 per cent share in the Papel Prensa SA papermill, which supplies the paper for the two leading newspapers in Argentina (*Clarín* and *La Nación* who also hold shares). This company supplies paper for 60 per cent of the domestic market. The government uses the distribution of official advertising as an indirect

Government
control over
print media

⁷ www.sipiapa.com/espanol/publications/informe_argentina2004o.cfm .

mechanism to control the media. In our opinion, the government also uses its share in Papel Prensa as an indirect mechanism for exerting extra pressure or negotiation between the media and the state. Direct influence on the content thus happens almost never.

IV. Economic Pressures

State subsidies The independent press accuses the newspaper *Página 12* (traditionally the leftist newspaper) of suddenly becoming 'the president's newspaper'. In early November, a very prestigious journalist reported on pressure and censorship. Worst of all, all eyes are focused on Head of Cabinet Alberto Fernández and the shady 100 million pesos (approx. US\$ 33.9 million) allocated to the official advertising budget. It should be taken into account that this number is double that spent during 2003, and enlarges the 2004 annual budget for it by 31 million pesos (approx. US\$ 10.5 million). Furthermore, the manner in which the advertising budget is spent is astonishing: the highest amounts are paid to channels that do not necessarily have the best ratings. For instance according to IBOPE, *Telefé* is the most watched TV channel; however, *América* channel, Channel 9 and Channel 13 receive more advertisements. The existing untidy government policy towards the media and the shady administration of official advertising funds affect freedom of expression, as well as the right of citizens to information.

Private media companies do not receive any subsidy from the state. However, in their permanent wrestling with power, the items on their agenda are tax exemptions or rebates, and very often, flexible legislation for the sector. The only way the national state provides finance for the private companies is for official advertisements. The coverage of the subsidised media is therefore close to the government [+1].

Further aspects Multimedia companies had their birth and rise in Argentina in the 1990s. 'Foreign-sounding ideas' were favoured because of the inflow of international capital into this highly profitable sector of the economy. US capital gathered mainly around TV content production, while European capital chose more traditional sectors: public TV and print. These changes immediately brought about the creation of two dominant groups: *Clarín* and *Telefónica*, which stand out both for the number of media companies they hold and for the wide range of sectors they cover.

In 1999, the economic downturn triggered the collapse of this model and found media companies unable to meet their financial obligations. The outlook was one of massive denationalisation of the industry. Companies started to demand the involvement of the state to help avoid their collapse. They maintained a position that contrasted fully with that adopted in the 1990s, when government intervention had been criticised and questioned. Grupo Clarín is the clearest illustration of the outcome of this process.

Clarín went from being a single-media company (Clarín Newspaper) in the 1980s to becoming the nationally owned group of major influence on the public agenda, dominating the Argentine media scene. In the 1990s, it adopted a wide-ranging diversification strategy that led to a profound indebtedness. Clarín Newspaper had been reporting declining sales and advertising revenues. From late 2001 to early 2002, in the midst of economic, political and financial chaos, a space was created by different sectors that were interested in encouraging and regulating the production of cultural assets. The devaluation process that followed convertibility increased the possibility of the denationalisation of cultural companies.

One month before President Kirchner took office, in a context of much lobbying and pushing, the Cultural Wealth Preservation Act (25.750) was passed. This act protects newspapers, magazines, editorial companies, broadcasting services, audiovisual and digital content providers, Internet access providers and street advertising companies. The protection consisted of a 30 per cent limit on the participation of individuals or legal entities in the shareholding and/or voting rights on the boards of media companies.

V. Non-state Repression

Since the return to democracy, the media have almost never been persecuted or repressed by specific non-state groups. But it should be noted that soft or indirect mechanisms of silencing and controlling the press have been strengthened, such as the harassment of journalists in court, the discretionary use of official advertising and the connivance between economic groups and media companies that belong to the same multi-industry conglomerate. The situation in the interior of the country, particularly in the poorer

Repression
by non-state
groups

provinces, is worth mentioning, where the government of the day – in many cases exercised almost as if it were a viceroynalty – is directly linked to those who own the media.

Changes in the past five years The assessment of Argentina's situation over the last few years is one of slight aggravation [-1]. As regards the present situation, it can be said that, for example, 2003 is comparable with 1983 (the democratic spring). The country is going through a process of confidence and sincerity building, comparable to the one at the onset of democracy. However, there is a huge democratic gap between the capital (Buenos Aires city) and the rest of the country. Most acts of aggression and harassment and prohibitions against journalists have occurred in the interior of the country, in small towns, against local newspapers and broadcasters.

In 1997, the most emblematic assault on the freedom of the press in times of democracy was perpetrated: the assassination of graphic reporter José Luis Cabezas, while he was covering the vacation of postal businessman Alfredo Yabrán in Pinamar, in the province of Buenos Aires.

VI. Conclusions

Evaluation of media coverage Argentina has seen a strengthening of the indirect mechanisms for silencing and controlling the press, including legal pressures on journalists, the discretionary use of official advertisements (subsidies), and the confabulation between economic groups and journalist companies belonging to the same conglomerate. Looking at the facts over the last two or three years, we perceive the notable increase of hostile behaviour towards journalists and the media, in many cases using force or intimidation, with legal complaints or subtle attacks. Journalists' freedom is in jeopardy due to the scarcity of jobs and financial and economic restrictions.

For many experts in communication in Argentina, it is the media conglomerates themselves – multimedia groups – that have a negative effect on media coverage. In all, a strong aggravation in this field [-2].

KAF support Since the 1980s, the Konrad Adenauer Foundation has played a key role in Argentina through its local office and the Communications Media and Democracy Programme. Training activities, discussions, workshops and research studies in the field of political communication, ethics, and

journalist formation, have left and will continue to leave a deep imprint on regional journalistic activity, permanently highlighting democratic values, freedom of expression and freedom of thought. It is worth emphasising that independent, free and democratic journalism permanently receives economic and moral support from the KAF.

The present constraints – economic, legal and political – on media freedom make it seem adequate to define the general situation as being one of freedom of media with major restrictions.

Freedom of the media: general situation

To conclude, it should be noted that there are multiple ways of perpetrating attacks on journalists and harming them: physical violence, censorship, threats, legal and verbal harassment, among others. Journalism, however, is most undermined when it is hindered from fulfilling its inherent function: communicating a true and informative message. It is even worse when such hindrance takes place under seemingly normal circumstances, and in the midst of full democracy. Today, this is perhaps the largest obstacle faced by those who aspire to practice this profession seriously and responsibly.

Major obstacles

Daniela Blanco / Guadalupe Barrera

Daniela Blanco is senior producer for Cosmopolitan Television Latin America. Guadalupe Barrera is project assistant at the Konrad Adenauer Foundation office in Argentina.

BIBLIOGRAPHY:

Anguita, Eduardo: *Grandes Hermanos. Alianzas y negocios ocultos de los dueños de la información*, Buenos Aires 2002.

Asociación Iberoamericana de Derecho de la Información y de la Comunicación (AIDIC): *Informe sobre el estado de los derechos de la información y de la comunicación año. Informe 2002-2003*, Lima 2003.

Duhalde, Eduardo Luis y Alén, Luis: *Teoría Jurídico Política de la Comunicación*, Buenos Aires 1999.

Observatorio de Medios de la UTPBA, Número 1, Buenos Aires 2004.

Revista Noticias, Número 1450, Buenos Aires 2004.

Un Ojo Avizor... en los medios. Publicación informativa sobre medios de comunicación. Números 11 (1999), 12 (1999), 14 (1999), 15 (2000), 16 (2000) y 17 (2001). Buenos Aires.