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Journalism weakened by democracy's erosion

The 2017 World Press Freedom Index, published today by Reporters Without Borders (RSF), shows that violations of the freedom to inform are less and less the prerogative of authoritarian regimes and dictatorships. Once taken for granted, media freedom is proving to be increasingly fragile in democracies as well. In sickening statements, draconian laws, conflicts of interest, and even the use of physical violence, democratic governments are trampling on a freedom that should, in principle, be one of their leading performance indicators.

In the span of just a year, the number of countries where the state of the media is considered "good" or "fairly good" has fallen by 2.3%. Countries regarded as model democracies are no exceptions. Canada (ranked 22nd out of 180 countries) has fallen four places in this year's Index. The United States (43rd) has fallen two. Poland (54th) has fallen seven. New Zealand (13th) has fallen eight. Namibia (24th) has fallen seven.

Media freedom's erosion is particularly visible in the European democracies. Even the Nordic top performers that have traditionally headed the Index have dropped a few places – three in the case of the Netherlands and two in the case of Finland, which has lost its No. 1 position for the first time in six years. As regards the "indicator" of the overall level of media freedom violations in a region, Europe continues to have the lowest (i.e. best) indicator but it has risen significantly – by 17.5% in five years. In comparison, the Asia-Pacific region's indicator rose by only 0.9% in the same period.

"The democracies that have traditionally regarded media freedom as one of the foundations on which they are built must continue to be a model for the rest of the world, and not the opposite," RSF Secretary-General Christophe Deloire said. "By eroding this fundamental freedom on the grounds of protecting their citizens, the democracies are in danger of losing their souls."

The decline in respect for media freedom in democracies is not new. It was already noticeable in previous Indexes. But what is striking in this year's Index is the scale and the nature of the violations seen.

I. Poisonous rhetoric and other political pressure

The election of the 45th president of the United States set off a witchhunt against journalists. Donald Trump's repeated diatribes against the Fourth Estate and its representatives – accusing them of being "among the most dishonest human beings on earth" and of deliberately spreading "fake news" – compromise a long US tradition of defending freedom of expression. The hate speech used by the new boss in the White House and his accusations of lying also helped to dis-

inhibit attacks on the media almost everywhere in the world, including in democratic countries.

After the United States, it is now France's turn (39th in the 2017 Index) to choose a new president and to see certain politicians assailing "the lying media." The French too are falling into the trap of "alternative facts" and "post-truths," and succumbing to a poisonous and violent environment in which it has become normal to hiss and jeer at journalists at meetings, or even [throw them out](#).

Donald Trump doesn't have a monopoly of "media bashing"

Discrediting the media is the preferred weapon of those who are "anti-system." Trump made great use of it and so did Nigel Farage, the xenophobic UKIP party's former leader in the United Kingdom (down 2 at 40th). Attacks on the media, especially the BBC, were the pillar of Farage's Brexit campaign. In Italy (52nd), Beppe Grillo, the comedian turned populist politician who heads the Five Star Movement, says he prefers blogging to answering tiresome questions from the journalistic "caste" and has called for the creation of a people's jury to determine the truth of reports in the media.

The US anti-media rhetoric is being echoed as far away as Africa. Just as Trump and his spokesman, Sean Spicer, warn that they will "hold the press accountable," so in Tanzania (down 12 places in the 2017 Index), President John Magufuli has accused newspapers of inciting dissent and has warned that "their days are numbered." Known as "Tingatinga" ("bulldozer" in Swahili), Magufuli recently demonstrated the ease with which he could attack media freedom when he fired his information minister for criticizing a raid by Dar es Salaam's governor on a radio and TV station and for saying he had a duty to protect the media and free speech.

While poisonous statements that discredit the media in the public eye have quickly become an additional means of creating tension, politicians have not abandoned the more traditional methods of political pressure for obstructing the media's work.

Direct and indirect political pressure

The past year has seen no shortage of leaders of democratic countries who have intervened directly in an attempt to modify media reporting. The most remarkable case was undoubtedly in Finland. Safely ranked first in RSF's Index for the previous six years, the country and its journalists were used to professional and good practices. Which is it was a shock when the enraged prime minister meddled in public broadcaster Yle's programming to prevent coverage of a possible conflict of interest in which he was involved.

Cases of direct political pressure and attempts to obstruct journalists were reported in Uruguay (down 5 places at 25th) and Chile (down 2 places at 33rd). In each case, pressure was applied from the highest level of the government or state institutions with the aim of suppressing coverage of corruption, embezzlement, or conflicts of interest. So too in Niger (down 9 at 61st), a country that set an example by being the first in Africa to ratify the Windhoek Declaration by decriminalizing media offenses. Authorities in Niger arrested three journalists who had published information that reflected badly on some of the country's leading figures.

Poland has fallen another seven places in the 2017 Index after a spectacular, 29-place plunge the year before. The controversial reforms carried out by Poland's ultra-conservative Law and Justice government since late 2015 include bringing public radio and TV broadcasters under its control, replacing their directors, and turning them into propaganda outlets. Several independent publications opposed to its reforms have been throttled economically. Now, despite widespread criticism, the government has announced plans to "re-Polishize" foreign-owned media outlets.

The increasingly visible pressure that Israeli Prime Minister Benjamin Netanyahu has put on the media is less in degree but just as disturbing. Although Israel (91st) is often described as "the Middle East's only democracy" and has risen a few places in the 2017 Index, Netanyahu has tried in recent months to tame the Israel Broadcasting Authority because he thinks its programming is out of control. He is said to be "obsessed with the media and journalists, regarding them as his enemies."

II. Spying on sources

Journalists are "democracy's watchdogs" and the protection of their sources is the "cornerstone of freedom of the press." Although enshrined in such terms by the European Court of Human Rights, these principles are being attacked in an increasingly open manner all over the world, including in the democratic countries that first proclaimed them. Even if the "Panama Papers" leaks in 2016 served as a reminder of the important role that whistleblowers and media play in providing information in the public interest, the overall trend is towards adoption of legislation and provisions that threaten the essential conditions for a free press.

Democracies under surveillance

In Germany (ranked 16th in the 2017 Index), the Bundestag passed a law in October 2016 extending the mass surveillance powers of the Federal Intelligence Agency (BND) without making any exception for journalists. The grounds cited for the new law was the need to combat terrorism, harmonize legislation, and bring it into compliance with the constitution. The BND can now legally spy on all non-German and non-EU nationals, including journalists and lawyers. It turns out that this controversial and much criticized law has helped to legalize existing practices. A few months after its adoption, Germans learned that the BND had already spied on at least 50 journalists and news organizations for indefinite periods since 1999.

It was also in late 2016 that the United Kingdom (down 2 places at 40th) adopted a new law extending the surveillance powers of the British intelligence agencies. Dubbed the "Snoopers' Charter," the Investigatory Powers Act put the UK in the unenviable position of having "the most invasive surveillance law in democratic history," one with absolutely no protection for journalists and their sources. Ignoring all criticism and fears being voiced, the government then added a bill to the parliamentary agenda in early 2017 that would allow the courts to imprison human rights defenders, journalists, and whistleblowers for up to 14 years on spying charges.

Targeting whistleblowers

By refusing to acquit Antoine Deltour and Raphaël Halet, the French whistleblowers responsible for the LuxLeaks revelations, Luxembourg's justice system set a bad example for countries such as the UK and New Zealand that work to criminalize whistleblowers and journalists' sources. The Kiwi government's desire to make leaks punishable by up to five years in prison and dramatically reinforce the powers of the intelligence agencies contributed to New Zealand's fall from 5th to 13th place in the Index.

Chile's fall of two places in the Index was less spectacular but the adoption of two legislative amendments dubbed "Leyes Mordaza" (gag laws), which penalize leaks about ongoing judicial investigations, was the subject of intense debate within Chilean society. The amendments were passed at a time when several politicians, big businessmen, and military officers were being investigated in various cases involving alleged corruption, abuse of authority, or illegal election campaign funding.

Amid all these dismal developments, France missed a chance to set a positive example. In October 2016, the National Assembly approved a bill "aiming to strengthen media freedom, independence and pluralism" that was proposed by Socialist Party deputy Patrick Bloche. But the Constitutional Council took a step backwards a few weeks later by striking down the law's provisions for the protection of journalists' sources.

Investigative journalism in danger

Reinforced legislation rarely bodes well for journalists. One of the reasons why Canada fell 10 places in last year's Index was the adoption of an Anti-Terrorism Act in 2015 that encroached on freedom of expression. It has fallen four more places in this year's Index after a series of scandals in 2016 highlighted the importance – and fragility – of the confidentiality of journalists' sources. It emerged in November that at least six journalists had been spied on by the Quebec provincial police, which just weeks before had seized a journalist's computer in a raid on his newspaper. The Montreal city police meanwhile obtained at least 24 warrants to spy on journalist Patrick Lagacé's mobile phone. In all these cases, the aim was to identify sources, which journalists have a duty to protect. This principle was also badly undermined by a legal dispute between the Royal Canadian Mountain Police and Vice News reporter Ben Makuch. Although Makuch was backed by Canadian media outlets and media freedom groups, an Ontario appeals court forced him to surrender all of his communications with a suspected Jihadi fighter.

In a reckless and alarming manner, Canada's southern neighbor has continued to implement measures that endanger the right to information, especially investigative journalism, which depends on the safety and anonymity of its sources. The Obama administration's obsession with controlling information and combatting whistleblowers was reflected in 2016 in whistleblower Jeffrey Sterling's continued detention and in border searches of US and foreign journalists, who were forced to hand over electronic devices to the police. Secretary of Homeland Security John Kelly's recent suggestion that anyone entering the United States should have to surrender their passwords to allow examination of their online social network activity does not bode well. If implemented, such a measure could have grave consequences for the protection of sources and media diversity.

III. Media independence under threat

The past year also saw a continuation in the trend for media ownership to become concentrated in ever fewer hands, which is exacerbating the media's dependence on political and economic power holders. In France, ownership of the leading media outlets has never been so concentrated and the risk of conflicts of interest never so great. Even if it has not fallen in the 2017 Index, France experienced several crises that highlighted the fragility of journalists' independence and the growing threat to the public's right of access to freely and honestly reported news and information.

French billionaire businessman Vincent Bolloré has never hidden his intention to influence the editorial content of the media outlets owned by his company Vivendi. But the effects of high-handed management meddling on media independence were never so starkly illustrated as when his leading TV channel, Canal +, censored a report about Crédit Mutuel, a bank run by one of his friends, dropped an irreverent highlights program called "Le Zapping" and finally also dropped its leading investigative reporting program, "Spécial Investigation." Journalists at the Bolloré-owned 24-hour TV news channel iTélé staged the second-longest strike in the broadcasting sector since May of 1968 in a bid to defend their editorial independence and ethical journalism. But they were outgunned and the bitter dispute ended with the departure of around 100 of the channel's employees, who have yet to be replaced.

Denial of funding

Financial as well as editorial independence is at stake in the conflict in Poland between the conservative Law and Justice government and the opposition print media. By restricting their distribution and by ordering all state agencies to cancel their subscriptions and not place any ads in the targeted newspapers, the government is hoping to throttle them economically. The loss of funding was quickly felt by the opposition daily Gazeta Wyborcza, which is now in a critical financial situation.

This method is also being used in Namibia (down 7 places at 24th), a country that has until now always been ranked well in RSF's Index. Namibia's independent media are being denied both advertising and information from government agencies and offices, which are now only obliged to provide information to the state-owned media.

Financial pressure sometimes results in sudden death. This happened in Hungary, which has fallen in RSF's Index for the fourth year running and is now ranked 71st. The leading left-wing opposition daily, Népszabadság, was the victim of an "economic coup" in October 2016, when it suddenly closed for good without any warning. Its owner, Austrian businessmen, gave financial difficulties as the reason, but he was widely suspected of colluding with Prime Minister Viktor Orbán's conservative government.

"All of these different kinds of pressure are steadily eroding our democracies from within and can insidiously induce journalists to censor themselves to avoid economic reprisals or the danger of being the target of increasingly violent verbal attacks," RSF Editor-In-Chief Virginie Dangles said. "This trend is all the more worry-

ing because democratic governments no longer hesitate to use ever more radical methods to obstruct the work of the media.”

IV. Obstacles in the field

Today's hyper-connected democracies pay more attention to their image than to their founding principles, which include the right to report the news freely. In Spain (29th in the Index), a magazine photographer was fined 600 euros in April 2016 for posting a photo of a policeman arresting a woman on Twitter. The fine was imposed under the Protection of Citizen Security Law, a “gag law” that had come into effect a few months before. Its aims include protecting the image of the Spanish police, drastically restricting the right to demonstrate, and limiting the rights of journalists to gather and disseminate information.

Even in the absence of specific legislation, there were many examples last year of the difficulties that journalists increasingly encounter in the field, especially when covering demonstrations. In a case regarded as a direct attack on media freedom in Canada, newspaper reporter Justin Brake faced a possible ten-year jail sentence in a criminal prosecution for covering a demonstration by opponents of the Muskrat Falls hydroelectric project in October 2016. In the United States, at least ten journalists including Amy Goodman, the well-known host of the Democracy Now! news program, were arrested and threatened with prosecution for covering the Dakota Access Pipeline protests. Five other journalists were arrested and charged with “obstruction of a highway” while covering #blacklivesmatter protests in the states of New York and Louisiana about police brutality against African-Americans.

Beating reporters back

Democratic governments don't lack imagination when it comes to limiting coverage of sensitive subjects. Tanzania banned an opposition protest and coverage of the protest while Namibia chose a less subtle method of censorship, though the country is widely regarded as a model democracy. Two Japanese TV journalists arrived in Windhoek in April 2016 with all the necessary accreditation from the Namibian government. But when they left a few days later after filming a report about a munitions factory that had been built by North Korean laborers, officials at the airport simply confiscated their cameras and laptops.

Even France has subjects that are off limits, or at least difficult to cover. Tight controls and restrictions were placed on the media's coverage of the dismantling of the “Jungle” encampment at Calais. The refugee and migrant story is a complicated subject to cover, especially for freelancers. Several photographers and reporters were taken into police custody while doing reports about migrants in the Calais region and along the border with Italy.

The case of Laurent Carré, who was thrown to the ground and manhandled by gendarmes during a police operation near the Italian border, although clearly identified as a photographer working for the newspaper Libération, has raised questions about the attitude of the French security forces towards the press at events in which they are directly involved. There were many other examples of the freedom to report being obstructed in France, all of them unworthy of a democracy. They included police violence against reporters covering demonstrations, which

peaked during the protests against a new labor law in April and May 2016; videos showing that people filming or photographing demonstrations were deliberately beaten; and the many reporters who said their press armbands turned them into targets instead of protecting them.

