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## FREEDOM OF THE PRESS

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# Madagascar

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After a coup swept Andry Nirina Rajoelina, the former mayor of the capital, Antananarivo, to power in 2009, the ensuing dismissal of the parliament, a virtual suspension of the constitution, and the end of any semblance of judicial independence ushered in a repressive and violent period for the media. The press environment remained extremely volatile in 2012, with high levels of government censorship and intimidation of journalists and media outlets, as political instability continued throughout the year.

With the breakdown of democracy and constitutional governance since 2009, the laws protecting freedom of the press have been routinely ignored or selectively applied by the High Authority of the Transition (HAT), Rajoelina's interim government. A number of prominent defamation cases occurred in 2012. In May, two editors from the prominent opposition radio station Free FM—Lalotiana Rakotondrzafy and Fidel Razara Pierre—were charged with defamation after broadcasting reports that implicated media mogul and Rajoelina supporter Mamy Ravatomanga in involvement in the illegal trafficking of precious woods. The

editors were released after 24 hours in custody. In November, the government prosecuted four journalists—Rocco Rasoanaivo of *The Nation*, Zo Rakotoseheno of *Midi Madagasikara*, and Fidy Robson and Herivonjy Rajaonah of *Gazetiko*—for “defamation” and “complicity in spreading false news.” The case was also the result of a complaint filed by Ravatomanga.

The increased corruption of the judiciary, and the lack of an elected parliament or any independent media regulatory bodies, has allowed the HAT to effectively rule by decree without checks and balances. Attempts to strengthen constitutional and legal protections for journalists have been delayed pending resolution of the political crisis. Despite attempts by several members of the media to formally draft a code of ethics, no such code exists. The HAT’s Communication Ministry established an ethics commission for the media in late 2011, but it quickly collapsed without gains. In some cases, media bodies administer their own ethics criteria in lieu of national standards. In January, a number of leading journalists launched an open membership union for the protection of the profession and journalists’ interests.

Censorship, harassment, and intimidation throughout the media sector continued in 2012. None of the approximately 80 radio and TV stations closed after the coup have reopened. Several other media outlets either owned by or sympathetic to the opposition walked a tightrope between self-censorship and closure. Many television and radio stations have altered their formats, airing live call-in shows to avoid editorial responsibility for the content. In July, Free FM was forced to shut down due to intimidation from the transitional government, after it had aired a message from mutinying soldiers earlier that month. In response, officials and soldiers threatened the stations’ journalists and equipment. After suffering continued harassment from the government, Rakotondrazafy and Pierre, as well as a station technician, sought refuge at the South African embassy in August, and emerged in October after an agreement was reached between the South African and Malagasy governments. In November, the two editors were sentenced to a suspended three-month prison sentence, but a few days later, the court added a three-year sentence without the defendants being present. By year’s end, the sentences were being appealed and Free FM remained closed.

More than 300 radio and television stations operated in 2012. The government retains a monopoly on nationwide broadcasting, and radio and television licenses are often suspended arbitrarily. The government commonly justifies these

suspensions, as well as arrests of journalists, by “national security” concerns. Thirteen private daily newspapers, and many more that appear less frequently, are published throughout the country, but the number fluctuates due to suspensions. Widespread poverty and illiteracy severely limit the penetration of television, print media, and the internet, making radio by far the most important medium in the country. Major political figures own several of the private media outlets. Ousted president Marc Ravalomanana owns the Malagasy Broadcasting System, which operates television and radio stations, and Rajoelina owns the Viva television and radio networks. The state-owned media include Television Malagasy and Malagasy National Radio.

Only about 2 percent of the population used the internet in 2012, and access was limited mainly to urban areas. There were no reports that the government restricted internet usage or monitored e-mail in 2012. Given the extremely chaotic and restrictive media environment within the country, access to information from abroad via the internet took on added importance. Because many internet servers are located outside of the country and beyond the reach of the regime, the internet is seen as one of the most reliable sources of information. Political groups and parties use the internet to share opinions and to criticize opposing parties.

Prospects for rapid expansion of internet access from these low levels improved greatly with the November 2009 inauguration of the Lower Indian Ocean Network (LION) submarine cable, a fiber-optic network connecting Madagascar and the nearby islands of Reunion and Mauritius. The project, financed by a consortium made up of Orange Madagascar, Mauritius Telecom, and France Telecom S.A., made it possible for Madagascar to access broadband internet for the first time.

## 2013 SCORES

PRESS STATUS

**Not Free**

PRESS FREEDOM SCORE

**66**

LEGAL ENVIRONMENT

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