Philippines

Country:
Philippines
Year:
2016
Press Freedom Status:
PF
PFS Score:
44
Legal Environment:
14
Political Environment:
20
Economic Environment:
10

Overview

Media freedom in the Philippines is compromised by the threat of legal action, violence, and impunity for past crimes against journalists. Efforts to decriminalize defamation remained unsuccessful in 2015, and civil society groups announced in August that they were abandoning a campaign to pass a freedom of information (FOI) bill and would instead pursue ways to improve access to information under existing laws.

Key Developments

• Highly partisan media coverage of a deadly gun battle between government forces and the Moro Islamic Liberation Front (MILF) in January 2015 further inflamed anti-Moro sentiment and opposition to a peace agreement with the rebel movement.
• Impunity for crimes against journalists was compounded by a lack of progress in trials related to the 2009 Maguindanao massacre, an election-related crime in which 32 journalists and other media staff were among the 58 people killed.

Legal Environment: 14 / 30
The constitution guarantees freedom of speech and of expression. However, national security legislation introduced in 2007 can be used to curb journalists’ traditional rights and access to sources, as can the National Security Clearance System, which was designed to “protect and ensure the integrity and sanctity” of classified information against “enemies of the state.”

Existing legal protections have failed to prevent or punish violence against journalists, leading to an entrenched climate of impunity. Trials related to the Maguindanao massacre remained encumbered in 2015 by legal technicalities and procedural delays. None of the 197 people accused has been convicted in the case, and in July the alleged mastermind, Andal Ampatuan Sr., died of a heart attack. However, in separate cases, one suspect in the 2010 murder of radio reporter Miguel Belen was sentenced to life in prison in February, and Thai authorities in September arrested and deported the two accused masterminds in the 2011 murder of journalist Gerardo Ortega.

Defamation is a criminal offense that can be punished with prison terms and large fines. For nearly two decades, journalists and advocacy groups have been frustrated in their campaign to decriminalize libel and defamation. Cases continue to be filed against journalists whose reporting angers officials and other powerful individuals. As of September 2015, a former mayor of Digos City, Davao del Sur Province, had filed more than 225 counts of criminal defamation against a local radio and television station that were critical of extrajudicial killings and flawed projects during his administration. The stations were ordered to cease operations that month due to a complaint filed before the National Telecommunications Commission (NTC).

Weaknesses in the judicial system often affect the handling of cases related to media freedom. Those with the means to hire strong legal representation are able to manipulate the technicalities of the law in their favor or delay cases to the point where justice is effectively denied.

National security and privacy justifications are regularly employed to obstruct the public’s access to government information. In August 2015, after more than 15 years of unsuccessful campaigning to pass an FOI bill, the Right to Know, Right Now! Coalition declared the bill dead and announced a shift in strategy toward improving FOI in practice. In December, the Philippine Center for Investigative Journalism and the Office of the Ombudsman organized an Open Data Summit in Quezon City to encourage greater transparency in the public and private sectors.

There are no restrictive licensing requirements for newspapers or journalists.

**Political Environment: 20 / 40**

While the media collectively offer a range of views, reporting by private outlets tends to reflect the political or business interests of their owners and financial supporters. Both the private media and the many publicly owned television and radio stations address numerous controversial topics, including alleged election fraud, ongoing counterinsurgency campaigns, and high-level corruption cases. However, the country’s
outlets are often accused of providing shallow and provocative content as opposed to investigative journalism and useful analysis.

In January 2015, clashes between an elite police unit and MILF fighters in Mamasapano, Maguindanao, left some 70 people dead, including 44 police officers, 18 MILF members, and several civilians. Media coverage of the incident was highly partisan, further inflaming anti-Moro sentiment and opposition to a peace agreement between the MILF and the government that was awaiting congressional approval. A watchdog group, the Center for Media Freedom and Responsibility, critiqued the media’s trivializing and sensationalizing of grief, lack of diverse perspectives, and lack of historical and contextual information.

A censorship board has the power to edit or ban content for both television and film, but government censorship does not typically affect political material. Politically motivated libel cases and the threat of violence leads some journalists and media outlets to practice self-censorship.

Journalists are frequently subject to harassment, threats, stalking, illegal arrests, raids on their outlets, and murder. According to the Committee to Protect Journalists, at least seven journalists were killed in 2015, though the group could not confirm that the motives were related to their work. The Philippines remained one of the deadliest countries in the world for journalists, with more work-related killings between 1992 and 2015 than any country except Iraq and Syria. Eyewitnesses to the killings of journalists also face grave danger. Although President Benigno Aquino III pledged to end killings and impunity upon his election in 2010, little was accomplished during his administration, and government officials publicly played down the issue. Those advocating for an end to impunity have called for a stronger witness protection program, enhancement of the police’s ability to investigate cases, and reforms of antiquated court rules that have delayed trials.

Economic Environment: 10 / 30

Most media outlets are privately owned. Among the television and radio stations owned by the government, a wide variety of views is presented. There are hundreds of newspaper titles, but private television ownership is more concentrated, with the two largest broadcast networks (ABS-CBN and GMA-7) controlled by wealthy families with interests in other sectors of the economy. These networks dominate audience share and the advertising market. Radio is a popular medium, and there are more than 600 stations in the country. Nearly 41 percent of the population accessed the internet in 2015. Internet use is not restricted, and Filipinos are among the region’s most active users of social media such as YouTube, Facebook, and Twitter, which often carry news content. Fixed-line broadband penetration remains low, particularly in rural areas, and many users access the internet through their mobile phones.

The practice of using bribes or strategic “favors” to elicit positive coverage is widespread; it is a subject openly debated among journalists, and various organizations offer ethics training in an effort to combat bribery. In another common practice known as block-timing, individuals or groups lease airtime from broadcast stations using their own sponsors. Block-time programs are often designed to promote or attack political interests, especially
during election campaigns, though they are also used by local environmental, human rights, or anticorruption activists. These programs are prone to sensationalism and unethical practices, and their hosts are frequently victims of violence.

Job security is tenuous for many journalists, as salaries are small and employment uncertain, and contractual work continues to replace permanent positions. Some reporters are expected to seek advertisers to supply revenue for their own wages. In December 2015, the National Union of the Journalists of the Philippines criticized GMA-7 for carrying out a series of layoffs despite the network’s rising profits.

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