

## FREEDOM OF THE PRESS

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# Panama

Panama | [Freedom of the Press 2012](#) |

Freedom of the press is protected by law. However, the law allows for the prosecution of journalists for vaguely defined offenses related to the exposure of private information, and sets serious penalties for leaking government information to the press. Although there has been discussion about repeal, journalists are still subject to *desacato* (disrespect) laws that are meant to protect government officials from public criticism. Press freedoms continued to be severely threatened by the judicial branch and institutions under the direct supervision of President Ricardo Martinelli in 2011, and the risk of legal repercussions and judicial intimidation encouraged self-censorship among Panamanian journalists.

Since 2008, libel and slander against high-ranking public officials have not been subject to penal sanctions, but they remain criminal offenses. Cases occur regularly and often take years to move through the legal system. A draft bill introduced in the National Assembly in early January 2011 would have imposed a prison sentence of two to four years on any individual found guilty of "insulting" the president or any other government official. However, the bill was withdrawn in less than a week due to widespread complaints that it represented an assault on free expression. Press freedom advocates continued to push for the full decriminalization of libel and slander throughout the year. Another bill, introduced and withdrawn in September, would have regulated the salaries of journalists and required them to hold Panamanian citizenship and a university degree in order to practice their profession. In a positive step, a court dismissed a criminal defamation case in July against Grisel Bethancourt, the president of Panama's National Association of Journalists (CONAPE). The lawsuit had been brought against Bethancourt in 2009 for an article about the murder of a young girl that was based on public court documents. Despite the existence of transparency legislation, access to public information remains limited. Government officials sometimes refuse to release information, especially in cases involving corruption.

Journalists in Panama remain fairly safe compared with colleagues in neighboring countries. However, in a very unusual incident, the owner and program director of Radio Mi Favorita, Darío Fernández Jaén, was shot and killed in November 2011 while walking home in Penonóné, in the central province of Coclé. In addition to being a politician with the opposition Revolutionary Democratic Party (PRD) and a former governor of Coclé, Fernández hosted a radio program in which he was critical of President Martinelli and his administration. There were reports that Fernández had received threats in relation to his recent reporting on the allegedly corrupt allocation of local land titles. One perpetrator was arrested later the same month and reportedly confessed to having been hired to carry out the killing.

Harassment of journalists who are critical of the government continued in 2011, and the Martinelli administration persisted in vilifying independent media organizations. Martinelli announced in May that a national dialogue on freedom of expression would be held to address the increasing number of press reports on governmental abuse and threats. However, days later the president

## 2012 SCORES

### PRESS STATUS

**Partly Free**

### PRESS FREEDOM SCORE

**46**

### LEGAL ENVIRONMENT

**17**

### POLITICAL ENVIRONMENT

**19**

### ECONOMIC ENVIRONMENT

**10**

accused the media of having a hidden agenda. A smear campaign was launched in May against journalists who reported on U.S. diplomatic cables released by the antisecrecy organization WikiLeaks that were considered damaging to the administration. Videos were broadcast anonymously on YouTube and by the ruling Democratic Change Party on television, mainly targeting *La Prensa* newspaper journalists Lina Vega Abad and Santiago Cumbreira. The videos questioned the reporters' credibility and personal integrity, and were seen as retaliation for their reporting on government corruption. Cumbreira was also verbally abused and threatened in June by Labor Minister Alma Cortés and her staff after he published damaging information on one of the government's social programs. In addition, he received threatening telephone calls in August following his reporting on irregularities in the government titling of public lands.

Foreign reporters also faced official harassment in 2011. In February, two Spanish journalists and human rights activists, Paco Gómez Nadal and Pilar Chato, were pressed by the Panamanian government to accept voluntary repatriation to Spain after they were arrested in Panama City and accused of "disrupting public order" while covering a protest by indigenous and environmental groups against mining law reforms. This was not the first time that Gómez Nadal had been threatened with deportation for his defense and coverage of the rights of Panama's indigenous peoples and his criticism of the government. In July 2010, he was threatened and detained at the Panama City airport for hours and had his passport and residence permit temporarily confiscated without explanation.

All Panamanian media outlets are privately owned, with the exception of one state-owned television network and one radio station. There are about five daily papers, 100 radio stations, and several national television networks. Cross-ownership between print and broadcast media is prohibited. There have been allegations that the government distributes official advertising according to political criteria.

There are no government restrictions on the internet, which was accessed by nearly 43 percent of the population in 2011.

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