

FREEDOM OF THE PRESS

Peru

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

Freedom of the press is guaranteed by the 1993 constitution, but local and international media organizations continued to express concern about the harassment of reporters by both state and nonstate actors in 2011.

Politicians frequently react to criticism, particularly corruption allegations, by suing journalists, press outlets, and activists. Defamation remains a criminal offense that can result in imprisonment. In response to pressure from national and international media freedom organizations, Peru's Congress passed a bill in July 2011 that would eliminate jail terms for defamation and impose only fines and community service. While President Ollanta Humala expressed support for the decriminalization of libel before he was elected in June, he had yet to sign the bill into law at year's end.

According to the National Association of Peruvian Journalists (ANP), there were 25 defamation cases against journalists in 2011. Journalist Paul Garay Ramírez received a three-year sentence in April—reduced to 18 months in July—and a fine of nearly \$7,500 for allegedly accusing prosecutor Agustín López of corruption on his radio program. However, in October, after Garay had served over six months in prison, the Supreme Court overturned the conviction due to faulty evidence, which included a tape recording of the radio broadcast in question that Garay had denied was his voice or his program. In July, a criminal court sentenced journalist Hans Francisco Andrade Chávez to a two-year prison term and monetary compensation for defaming a deputy mayor of Chepen; an appeals court overturned the verdict in October. In September, Gaston Medina, the owner of a television and radio station, received a suspended prison sentence and was required to pay fines for the defamation of a local congressman. In November, Teobaldo Meléndez Fachín, director of the news program *Ribereña Noticias*, received a three-year suspended sentence and an \$11,000 fine for reports alleging that the mayor of Yurimaguas had misused a \$2 million government loan. In December, journalist Luis Torres Montero received a sentence of two years in prison and a fine of about \$55,000 for a political satire published in *La Primera* in 2010.

Despite the existence of access to information laws, adherence to transparency norms is inconsistent, particularly at the regional and local levels. There is no independent media regulatory body; under the 2004 Radio and Television Law, broadcast licensing is the responsibility of the Ministry of Transport and Communications.

The hostile climate for the press was evidenced in 2011 by numerous physical attacks and verbal threats against media workers. They were perpetrated by local officials, private actors, and the police, particularly in the run-up to the June 2011 private election. Topics like corruption, misuse of state resources, and drug trafficking are considered particularly dangerous to cover. Three journalists were murdered in Peru during the year. Julio Castillo Narváz, a host on the radio station Ollantay, was shot and killed in May at a restaurant in the northern city of Virú. Castillo was a strong critic of the conduct of municipal, provincial, and regional officials, and had reportedly received death threats for months. Pedro Alfonso Flores Silva, host of the Casma-based

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television news program *Visión Agraria*, was shot on September 6 on his way home and died two days later. He had allegedly been receiving death threats for two months before his murder. Flores had previously been sued for defamation by the mayor of the Comandante Noel district, Marco Rivero Huerta, but Rivero denied any involvement in Flores's death. Three suspects in the killing were arrested later in September. José Oquendo Reyes, host of the television news program *Sin Fronteras*, was shot and killed outside his home in the province of Chincha on September 14. Oquendo had been critical of the local government in his reporting and had accused the mayor of corruption; a suspect was arrested within days of the murder.

The National Association of Peruvian Journalists registered 189 cases of attacks on journalists in 2011, including physical and verbal attacks, threats and harassment, administrative and judicial pressures, and impediments to practicing journalism. In addition to tensions between the government and press outlets, there were numerous cases in which nonstate actors were accused of abusing journalists, including an incident in November in which the offices of the daily newspaper *El Sol de los Andes* in the city of Huancayo were vandalized by a mob of about 30 people who were upset over an article that linked local police with criminal gangs. Impunity for perpetrators of attacks on journalists has been a problem, and in November 2010 a special jurisdiction within the court system was created to hear cases involving serious crimes against journalists.

The government owns two television networks and one radio station, and operates the print news agency Andina. However, private outlets dominate the media industry, and the audience for state-run media is relatively small. Radio is an important news medium, especially in the countryside, and many incidents of harassment, intimidation, and censorship by media owners are related to coverage of local issues on the radio. The media corruption that was endemic during Alberto Fujimori's presidency in the 1990s continues to some extent, with journalists occasionally accepting bribes in exchange for slanted coverage, and owners using media outlets to promote their broader business interests.

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