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Freedom Of The Press - Colombia (2011)

Status: Partly Free
Legal Environment: 12
Political Environment: 28
Economic Environment: 16
Total Score: 56

Press freedom is guaranteed by Colombia's 1991 constitution, and 2010 saw significant progress in combating impunity, including notable legal decisions in the murders of at least 4 journalists and the reactivation of 14 additional media-related probes. However, attacks and threats against reporters continued, primarily in provincial areas, while instances of terrorism involving journalists and broadcast stations also resurged in 2010.

Significant judicial developments included the dismissals of criminal defamation cases against three prominent journalists: Alfredo Molano and Alejandro Santos of the magazine *Semana*, and columnist Mauricio Vargas. Yet, a new criminal libel proceeding was launched against columnist Claudia López for accusing former president Ernesto Samper Pizano of murder and influence peddling. Additionally, the Congress debated several press freedom-related measures in 2010, including a proposed bill establishing sanctions for media violations of the rights and responsibilities contained in the Code of Children and Adolescents, and another regulating media on the publication of election news and opinion polls. This bill would include recurrent decrees banning reports on voter harassment and other irregularities during election day unless confirmed by an official source. Legislative actions regarded as positive by news media organizations included a bill requiring licenses for newspaper vendors, and a Habeas Data bill limiting access to personal information for all purposes, including journalistic reports and editorials. A proposed bill obliging all media to give substantial price reductions for electoral advertising was limited to cover electronic media only.

Major improvements were made in the fight against impunity. The General Prosecution Office reclassified the unsolved murder of Guillermo Cano Isaza in 1986 as a crime against humanity. The same office also issued an arrest warrant without bail against José Miguel Narváez, former deputy director of the Colombian security agency DAS, for the suspected murder of reputable journalist and humorist Jaime Garzón in 1999. A regional prosecution branch also charged former congressman Dixon Tapasco Triviño and his father, Ferney Tapasco González, with the 2002 murder of journalist Orlando Sierra, the assistant director of the daily *La Patria* in Manizales department of Caldas. Both individuals were bound in this criminal proceeding as the intellectual masterminds behind the murder, while Óscar Alonso López Escobar, a member of Tapasco González's security circle, was charged as an accessory, an intermediary between the Tapascos and the paid *sicarios* (assassin). A local criminal court in the southern town of Florencia delivered a 40-year sentence against Esneider Mayorga Corrales, mayor of Curillo, for the murder of journalist Hernando Salas Rojas in 2009. Mayorga was convicted as intellectual author of the

crime, while Elber Parra Cuéllar, his paid murderer, pulled the trigger, using the former's automatic pistol. Parra Cuéllar received a 42-year prison term for his crime. In total, 27 criminal inquiries for murdering journalists were reopened in 2010, with 14 of them yielding important results.

Arrests and formal inquiries have also been conducted in connection to illegal spying on journalists, justices, opposition leaders, and human rights workers by top officials in the government of former president Álvaro Uribe Vélez. Former legal secretary of the presidency, Bernardo Moreno, was fired and banned from holding public office for 18 years because of his role in a scandal over secret telephone, e-mail, and other interceptions, while a number of former DAS directors were sanctioned in similar fashion. Current president Juan Manuel Santos, who took office on August 7, admitted that 170 reporters are now under government protection and promised that Colombia would be a true democracy where fundamental liberties—including freedom of expression—are guaranteed. Investigations on the illegal spying continued under his administration.

Despite progress in solving past murders, Colombia remained a dangerous environment for journalists, with several members of the media killed in 2010. Clodomiro Castilla Ospina, owner and director of the magazine *El Pulso de Tiempo* and reporter for *La Voz de Montería* in the northwestern department of Córdoba, was killed in March. He had been under government protection after publishing reports linking government officials with illegal parliamentary groups. Rodolfo Maya Aricafe, a journalist and leader of the local indigenous community in rural Caloto, was also murdered, although it remains to be determined whether he was murdered because of his reporting activity or because of his political activism. Additional cases of suspected murder remained unclear.

Many journalists were also harassed or endangered during the year. For example, in August 2010, Marco Tulio Valencia of the *El Norte* newspaper in Mariquita, Tolima department, avoided five gun shots when walking home. This journalist, who had been threatened before, believes the murder attempt was connected to his reports on local operations of drug gangs. Terrorism continues to be a problem in Colombia, and it affects press freedom. Colombian attorney general Guillermo Mendoza confirmed that a bomb that exploded outside the building of Caracol Radio in Bogotá was aimed at the station. The explosion injured nine people within a week of Santos's inauguration. Two more terrorist attacks with explosives took place against the Puerto Wilches community radio station in Meta department and Linda Estéreo, a Caracol Radio affiliate in Doncello. Reporters in community media appear at an increasing risk in rural areas, often forced to rely on self-censorship to protect their lives.

Media ownership is highly concentrated among groups of private investors, and television is the dominant news medium. Independent and privately owned print and broadcast media are generally free to express a variety of opinions and cover sensitive issues without official restrictions, and all print media in Colombia are privately owned. The government operates one educational and two commercial television stations, along with a national radio network. There are hundreds of community radio stations in Colombia, although they sometimes receive pressure from

the government and armed groups. There is a widespread perception that journalists accept bribes in exchange for biased coverage. Local media depend heavily on advertising by provincial and municipal government agencies to stay in business.

These low salaries create financial dependence, which allows for an incentive for collusion among media owners, journalists, and officials. This concept, in turn, affects editorial views and news coverage.

There were no official government restrictions on access to the internet, although there were instances of secret tapping of the e-mail accounts of critical journalists, independent judges, and opposition leaders. The internet was accessed by 36.5 percent of the Colombian population in 2010. A multimedia journalism program called Promotores para el Desarrollo (PpD), which includes participants from rural communities, has been initiated in the departments of Sucre and Magdalena.