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FREEDOM OF THE PRESS

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El Salvador

[El Salvador](#)[Freedom of the Press 2013](#)

Freedom of the press is protected under El Salvador's constitution, and Salvadoran journalists are generally able to report freely. Critical reporting on the government and opposition parties is for the most part permitted, and slander, libel, and defamation were decriminalized in 2011. However, there were setbacks in the implementation of a new access to information law during 2012, and the year was also marked by occasional threats and armed attacks against media outlets.

The Access to Public Information Law, approved by the legislature in March 2011, went into effect in May 2012. But in February, President Mauricio Funes had vetoed all candidates for the Access to Public Information Institute (IAIP), stalling the creation of the body intended to oversee compliance with information requests. The Supreme Court ruled in December that Funes did not have the right to block IAIP candidates, and that the president could not restrict access to information that had not been declared classified (*reservada*) by the legislature, as he had attempted to do in a regulation issued in September 2011. Also in

December, the digital newspaper *El Faro* reported that two of its information requests had been denied because the government claimed that the law did not apply to documents produced before May 2012. Legal experts argued that documents produced since May 2011 should in fact be available.

Although El Salvador is generally a safe place to practice journalism, there are still sporadic threats and acts of violence against media workers, especially in provincial areas. In January 2012, journalists with Radio Victoria, a community station in the northern department of Cabañas, received death threats after supporting environmental activists in their opposition to a Canadian company's gold-mining operations. In March, journalists at *El Faro* were threatened and harassed after reporting on a truce the government was secretly brokering between two major criminal gangs, Mara Salvatrucha 13 (MS-13) and Barrio 18. The gangs reportedly sent death threats to *El Faro* owner Carlos Dada. International press freedom groups called on the government to protect *El Faro* workers, which Funes pledged to do in April. In September, gunmen attacked the installations of Radio Sonora, assaulting two employees and stealing radio equipment. Various other impediments to journalistic activity were reported in 2012, including an incident in July in which Rafael Mendoza, an experienced congressional reporter for the newspaper *El Diario de Hoy*, was prohibited from entering the Legislative Assembly after allegedly insulting the chamber's president.

In a victory over impunity for past crimes against journalists, a judge in May sentenced Jonathan Martínez Castro to 30 years in prison for the murder of Channel 33 cameraman Alfredo Hurtado in April 2011. The defendant and another man indicted in the case, Marlon Abrego Rivas, who was still at large in 2012, are both members of MS-13. Hurtado had been covering police operations against local gangs when he was shot to death. Citing Hurtado's murder and the intimidation aimed at *El Faro*, the Committee to Protect Journalists noted that the country's widespread gang violence was posing a growing threat to Salvadoran journalists.

There are four daily newspapers, but most of the country depends on privately owned television and radio networks for news. Limited resources prevent many media outlets from producing to their full capacity, and reporters often exercise self-censorship to avoid offending media owners, editors, and government officials. Community radio has been stifled by the 1997 Telecommunications Law, which does not recognize community media outlets. The law has made it all but

impossible for such stations to obtain operating licenses. In a positive step, in May 2012 the Association of Participatory Radio and Programming of El Salvador (ARPAS) signed a cooperation agreement with the Funes government that formally recognized the importance of community radio to Salvadoran society and arranged for state-owned outlets to carry community programming.

Nearly 26 percent of the population accessed the internet in 2012, and there were no reported government restrictions on the medium. Online newspapers such as *El Faro* and *ContraPunto* are known for their independent, investigative journalism.

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