

FREEDOM OF THE PRESS

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Belgium

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Freedom of the press is safeguarded under Articles 19 and 25 of the Belgian constitution, and the rights of the press are generally respected in practice. The law prohibits hate speech, including Holocaust denial, which carries a maximum sentence of one year in prison. Journalistic sources are protected under a 2005 law, which also protects journalists from search and seizure. A 1994 law allows individuals to obtain access to official documents held by executive and judicial authorities, and stipulates that public authorities must offer an explanation of the document if requested. Physical attacks on journalists are rare.

Media ownership is highly concentrated, and a small number of media groups own the main newspapers. Ownership and distribution are distinct in Belgium's two regions, Flanders and Wallonia. Three major companies dominate newspaper distribution in Flanders, and two in Wallonia. The two regions have completely autonomous public broadcasters, with one broadcasting in French and the other in Flemish; each also has its own domestic and international broadcasting networks. The Belgian media industry has suffered severely from the economic downturn that began in 2008, as outlets are largely dependent on advertising revenues. Most media companies have sought to reduce staff, by up to a third in some cases.

There are no government restrictions on use of the internet, and 78 percent of the population had access in 2011. Several major controversies occurred in the digital media environment during the year. In January, the government decided to investigate whether the U.S. technology giant Apple had abused its dominant position in the tablet computer market by no longer allowing free media subscriptions on its iPad tablet computer, forcing publications to make subscriptions available exclusively through the company's iTunes online store. In another case, the courts ruled in May that the U.S. technology firm Google had breached Belgian copyright and database law by posting articles without authorization on its Google News service. In reaction, Google blocked several Belgian Francophone newspapers from its web search results for a few days in July. In September, one year after a raid by the Belgian computer crime unit against servers that were distributing illegally copyrighted material, a Belgian court ordered two major internet providers to block access to Pirate Bay, ruling that the website was offering illegal content.

2012 SCORES

PRESS STATUS

Free

PRESS FREEDOM SCORE

11

LEGAL ENVIRONMENT

2

POLITICAL ENVIRONMENT

4

ECONOMIC ENVIRONMENT

5