

Soft Censorship, Hard Impact

A Global Review



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Executive Summary

Soft Censorship is growing alarmingly as a global phenomenon. Official “soft censorship” (or “indirect government censorship”) describes an array of official actions intended to influence media output short of legal or extra-legal bans, direct censorship of specific content, or physical attacks on media outlets or media practitioners.

The tactics of official soft censorship are increasingly pervasive and alarmingly effective means of media manipulation and control around the world. Especially devastating in times of economic instability, governments are aware that soft censorship does not generate the international outcry evoked by killing journalists or shuttering publications. Although it is less visible, soft censorship can be equally insidious, and must be recognised for the very serious threat to media independence and press freedom it is today.

New research shows that what has long been known in Latin America as *censura sutil* or *censura indirecta* is practiced in diverse forms around the world. The late Cameroonian journalist and media freedom advocate Pius Njawe observed that soft censorship is “sophisticated repression [that] requires a sophisticated response.”⁵

The response required to combat many elements of soft censorship is growing clearer.

Synopses of incidences of soft censorship reported by human rights and press freedom groups⁶ and numerous media outlets are presented in this report. Also summarized are the findings of four recent investigations by regional experts into soft censorship in Hungary, Malaysia, Mexico, and Serbia. These reports, based on extensive research and interviews, are part of the Soft Censorship Global Review series. They were produced by the World Association of Newspapers and News Publishers (WAN-IFRA) in cooperation with the Center for International Media Assistance (CIMA), with funding of the Open Society Foundations.

A crucial first step in battling soft censorship is recognizing and exposing its existence. Investigations and analyses by media, civil society groups and academics are now using corporate reports, public documents, freedom of information requests, and wide-ranging interviews to reveal the extent of soft censorship in several countries. These findings are being transformed into advocacy that demands full transparency and fairness in allocation of all public funds for advertising and media support—and promotes the highest ethical professional standards for media outlets and individual media practitioners in all relations with governments at every level.

Responding to Soft Censorship: Expose and Reform

Soft censorship is used to promote positive coverage of—and to punish media outlets that criticize—officials or their actions. It is the practice of influencing news coverage of state bodies and officials and their policies and activities through allocation or withholding of state media spending (subsidies, advertising, and other media contracts or assistance), or selective application of licensing, permits or regulations, to shape the broad media landscape; promote or diminish the economic viability of specific media houses

or outlets; and/or reward or punish content produced by individual media workers.

These various types of soft censorship are deployed to different degrees and at different times in many countries, and are all potentially debilitating to free and independent media. Soft censorship can evoke pervasive self-censorship that restricts reporting while maintaining the appearance of media freedom.

Governments habitually seek new avenues of soft censorship to influence media content.

Soft Censorship, Hard Impact focuses primarily on financial aspects of official soft censorship: pressures to influence news coverage through biased, and/or nontransparent allocation or withholding of state/government media advertising and subsidies, or similar financial instruments; use of paid news and outright bribery; and abuse of regulatory powers.

Reflecting recent research, this report groups examples of these efforts into the five categories below. These classifications are neither exclusive nor exhaustive, and sometimes converge and/or are deployed as parallel or complimentary soft censorship tactics.

Advertising and influence

The abusive allocation of government advertising to reward positive coverage and punish critical coverage is doubly pernicious, as taxpayer money and public wealth is used and abused to promote partisan or personal interests. The opaque and purposefully prejudiced use of official advertising subverts both media freedom and public knowledge.

Subsidies

The abusive allocation of subsidies also means that taxpayer money is used to promote partisan or private commercial interests. In numerous countries, direct subsidies distort the media landscape by propping up state media, or through biased distribution to media backing incumbent regimes.

Paid “News”

Paid content disguised as news is a widespread form of media manipulation. Audiences are denied the honest and impartial reporting that professional journalism should supply. In many cases, arrangements formalized with media outlets institutionalize biased coverage of crucial matters.

Bribery/Payments

At the most delinquent end of the spectrum, journalists, editors and media outlets are often offered—and sometimes seek—direct payments or other compensation to shape or slant their reporting. It is a form of soft censorship often used in countries where journalists are poorly paid to favour and reward positive coverage.

Licenses, Imports, Audits

Several other tools and techniques are used as tools of soft censorship, although the boundaries between these and hard censorship can be indistinct or overlapping. Onerous licensing regimes are one example. Restricting access to physical means of production, such as barring import of newsprint, is another. Inspections and tax audits might be used as harassment that imposes serious costs and inconvenience on targeted media outlets or individuals, or means to shutter independent or critical voices.

Beyond the scope of the investigations detailed here are myriad forms of unofficial indirect censorship that may affect media output. These may rise from cultural, religious, or other social norms and traditions, or adherence to societal narratives that influence institutional and individual reporting, and which might be promoted or imposed by a variety of non-state actors.

An early elaboration of the concept of indirect government censorship as soft censorship was offered by the Open Society Justice Initiative [OSJI—which continues to partner in these reports] in a 2005 paper that described three main forms: abuse of public funds and monopolies, abuse of regulatory and inspection powers, and extra-legal pressures.⁷ “Indirect pressures,” the paper observed, “combine a semblance of legality with clearly unlawful methods and goals of improperly influencing media content and other forms of political expression.”

A study of soft censorship in seven Latin American countries, *The Price of Silence: The Growing Threat of Soft Censorship in Latin America*, was issued in 2008 by the Argentine Association for Civil Rights and the OSJI.⁸ A 2009 report by the Center for International Media Assistance (CIMA) was among the first efforts to assess soft censorship as a global phenomenon.⁹

This report builds on these and other efforts to identify and understand the bases and mechanisms of official soft censorship—and suggest means to combat it.

Recommendations

The country reports on Hungary, Malaysia, Mexico, and Serbia supported by WAN/IFRA and CIMA (summarized later in this report) offer a series of suggestions to expose and reform soft censorship. Several were country-specific, but these eight overarching recommendations address the most salient problems of soft censorship globally:

1. Laws and regulations guaranteeing fair and transparent official advertising should be enacted and properly enforced.¹⁰
.....
2. Impartial audience measuring systems based on certified standards should be established to ensure that advertising allocation can be based on technical criteria.
.....
3. All state funding for media development and support should be allocated in public competitions on principles of transparent and non-discriminatory state aid under equal conditions for all media.
.....
4. All state funding for media development and support should be paid in a transparent manner, with clear audit and reporting rules.
.....
5. Laws should provide significant penalties to state bodies and officials violating prohibitions on use of public funds to promote individual or partisan political interests.
.....
6. Any state support of content production must be clearly separated from its role as advertiser, with editorial integrity explicitly guaranteed, and be subject to transparent review.
.....
7. All broadcast licenses and spectrum allocation should be fully, clearly, and transparently regulated by law, based on objective, clear, public, and democratic criteria.
.....
8. Media owners and journalists should adopt clear codes of conduct that ban accepting bribes or any other gifts or compensation that influence coverage.
.....

Soft Censorship Global Survey

Soft Censorship is a growing challenge to media freedom around the world. Examples from 30 countries are noted below, falling in several principal (and sometimes overlapping) areas: advertising and influence; subsidies; paid “news”; bribery/payments; and licenses, imports, audits, etc.

Advertising and Influence

The powerful impact of biased governmental advertising allocation on media viability and editorial policies is noted in the Hungary, Malaysia, Mexico, and Serbia country reports. The opaque and purposefully prejudiced use of official advertising subverts media freedom and public knowledge in many other countries, as examples below demonstrate.

The Americas

- **Argentina**'s government is accused of routinely manipulating distribution of official advertising to limit free speech, according to many press freedom organizations.¹⁷ The newspapers *Clarín* and *La Nación* account for 60 percent of the readership in Buenos Aires, but receive just 2.5 percent of government advertising. Other newspapers with a small fraction of the circulation are awarded far more official advertising.¹⁸
- In **Colombia**, local media depend heavily on advertising by regional and municipal government agencies to stay in business, encouraging collusion among media owners, journalists, and officials, Freedom House reported.¹⁹
- According to the Inter American Press Association, the effect of uneven distribution is particularly devastating in countries such as **Ecuador**,²⁰ where the government is the largest advertiser and therefore in a position to extort undue influence over independent media outlets.^{21 / 22}
- According to the Media Development Investment Fund (MDIF), evidence exists in **Guatemala** of an arbitrary allocation of public advertising that distorts the local print market and discriminates against *El Periódico*, the country's single most independent media outlet.²³
- In **Mexico**, the soft censorship country report's research and extensive interviewing exposes how federal and local governments use official advertising to shape editorial lines as well as to push partisan agendas, selectively funding media outlets that support certain officials and their policies.²⁴
- The family of President Ortega controls much of the broadcast media in **Nicaragua**.²⁵ Between 2007-2008, 80 percent of the USD 3.5 million state advertising budget was reportedly channeled into a broadcaster owned by President Ortega's sons.²⁶ It is also reported that the president's wife tried to buy shares in *El Nuevo Diario*, one of the biggest newspapers in the country, after the government cut publicity that accounted for a quarter of the paper's advertising revenue. Negotiations fell through when another buyer emerged.

Africa

- In **Botswana**, dominance by the state-controlled and free *Daily News* distorts the press market. Subsidized advertising rates are kept artificially low, undermining profitability of independent media.²⁷ In 2012, the government restricted state advertising in private weekly newspapers deemed too critical of the government and made unsuccessful efforts to ban private advertising in the daily *Mmegi* and the *Sunday Standard*, Freedom House found.²⁸
- **Liberia** has no legislation regulating the placement of government advertising. According to IREX, the Liberian government accounts for the majority of advertising in the country and places its advertisements in “friendly” newspapers.²⁹ The issue affects many publications reportedly owned for decades by either “private business interests or secretly funded by the government”.^{30/31}
- In 2012, **Namibia’s** government ended a decade-long advertising boycott of *The Namibian*, the country’s largest daily newspaper. In 2000, then President Sam Nujoma blocked all government advertising and purchases of the leading daily because he perceived the newspaper to be anti-government.³²
- In **Senegal**, an estimated 85 percent of advertising revenues are reserved for state-run media, according to IREX. In 2008, during a newscast on state-run television, the head of communications for the ruling Senegalese Democratic Party, Farba Senghor, invited all the state department heads close to the ruling party, and all the party’s loyalists, to boycott private media and suspend subscriptions and advertising contracts to punish them for what he called a critical tone against the president and the government.³³ It is believed that the state and its agencies have been observing an unofficial boycott of private media deemed “hostile” since then.³⁴
- The **South African** government has favored advertising boycotts in response to critical coverage in newspapers in recent years. In June 2011, for example, the Zuma government announced a R1 million (around USD 96,500) cabinet-approved advertising budget for newspapers that “assist the government in getting its message across,”³⁵ according to Freedom House.

Asia

- Independent and anti-government media in **Azerbaijan** are discriminated against via an unbalanced allocation of state advertising, while private advertisers, who provide the largest portion of media advertising revenue, are actively discouraged from placing advertisements in such publications.³⁶ IREX reported in 2011 that the opposition newspaper *Azadliq* was struggling to survive because of an advertising boycott, while pro-government paper *Azerbaijan* enjoyed regular income from advertising placed by the government and by government-endorsed companies, as well as official announcements.
- **Cambodia's** media struggle to maintain editorial integrity, often succumbing to government (or private) influence that is rewarded with advertising. An estimated 99 percent of local advertising revenue is found in just a handful of newspapers.³⁷ There is no independent regulatory body. Subsidizing news is reportedly endemic, especially among Khmer language publications.³⁸
- In **Hong Kong**, CIMA found that advertising boycotts are particularly aggressive, with government not only withholding state advertising but discouraging private advertisers from using specific media outlets.³⁹ The Chinese government has used its influence to discourage private advertisers from funding publications that it does not endorse, such as *Next Media*, a pro-democracy publication that openly opposed the security law, known as Article 23, and promoted the campaign that helped block its passage. As a result, this overt opposition to the government agenda led to an advertising boycott of *Next Media* not only by the state and state-owned companies, but also by private advertisers that had been warned off by the government. The boycott is estimated to have induced an overall annual loss of approximately USD 25.8 million for *Next Media*, and is believed to have produced a chilling effect on other media.⁴⁰
- In **Kazakhstan**, IREX reported that publicly owned publications have no incentive to be profitable, since to do so would result in cuts in revenue from state advertising.⁴¹ While all types of print media are supposed to receive state contributions of some kind, pro-government publications often receiving preferential treatment over independent and potentially critical outlets. While a local state-run newspaper in 2011 received funding amounting to USD235,000, an independent newspaper received only USD6,700 in the same year.
- In **Nepal**, the Kantipur group accused the Indian Embassy of interfering with its coverage in 2010 by punitively withdrawing advertisements from its English-language newspapers, *Kantipur* and the *Kathmandu Post*, CPJ reported.⁴²
- In **Pakistan**, the government uses newspapers' heavy reliance on state advertising to influence coverage. The Dawn Media Group suffered a 60 percent cut to its state advertising share in 2006 after refusing to join a media blackout on military operations against Taliban and al-Qaeda forces.⁴³

Europe

- *Balkan Insight*, the media outlet of the Balkan Investigative Reporting Network, reported in 2013 that **Albania's** Council of Ministers spent hundreds of thousands of euro in 2008 and 2010 on adverts broadcast on *TV Klan*, a private TV station owned by Aleksander Franaj, a strong supporter of former Prime Minister Sali Berisha, as part of a broad scheme to promote pro-government media, which ran during the eight years that the centre-right Democratic Party held power.¹¹
- According to IREX, in **Bulgaria** there is a growing concern that big advertisers, both nationally and locally, are forced to place their ad budgets with certain media through political influence. The 2011 presidential and local elections brought other problems to the surface, including hidden political advertising in the commercial media.¹²
- Mediadem, a European research project, reported that existing regulations on the equal and just distribution of state advertising budgets in **Greece** are believed to be generally ignored or poorly implemented.¹³ Direct control through advertising fees is another tactic, and there is a lack of transparency in state funding for advertising in the printed press and other media.¹⁴ Printed press, radio and television are all said to have relied heavily in recent years on state and pro-government private advertising contracts.
- WAN-IFRA flagged actions by the Regional Government of **Madeira, Portugal** to influence local media through of advertising allocations in April 2009 and again in June 2012. The regional authorities placed 172 pages of advertising with local government owned *Jornal de Madeira* in 2011 alone, while the privately owned *Diário de Notícias* received only 8.5 pages.¹⁵
- **Ukrainian** state advertising distribution has allegedly discriminated against regional independent media since the financial crisis, according to IREX. The government has reportedly reduced the transparency of public bids and allocated more advertising to state-run media.¹⁶

Subsidies

In numerous countries, direct subsidies distort the media landscape by propping up state media, or through biased distribution to media backing incumbent regimes. Examples include:

- In **Bulgaria**, the government uses direct and indirect subsidies to exert pressure on critical media and to reward loyal media. The influence of local governments on smaller local media is overwhelming, and many outlets have become mouthpieces for the authorities, according to IREX.⁴⁴ A similar model is reportedly being applied on the national level towards bigger national media, where the government is using its role in the distribution of Bulgarian public and European structural funds to reward loyalist media by awarding contracts for communication campaigns to large media and creating a financial dependence on public funds as a tool of content control. Another approach is allegedly depositing large amounts of public resources with the bank connected to one of the large media groups in the country that openly supports and promotes the government.^{45 / 46}
- In **Kazakhstan**, all types of print media are supposed to receive state contributions of some kind, but pro-government publications often receive preferential treatment over independent and potentially critical outlets. According to IREX, a local state-run newspaper received funding amounting to USD 235,000 in 2011, the same year an independent newspaper received only USD 6,700.⁴⁷
- In **Senegal**, the pro-government publication *Le Soleil* received indirect state funding in 2008 via a special elections subsidy for positive coverage, advertising and announcements, the Friedrich Ebert Stiftung found.⁴⁸ IREX calculated that the state subsidy to private media in 2008 was West African CFA 300 million (USD 720,000).⁴⁹

Paid “News”

Paid content disguised as news is a widespread form of media manipulation and can be a form of soft censorship. Audiences are denied the honest and impartial reporting that professional journalism should supply. In many cases, arrangements formalized with media outlets go far beyond ad hoc bribes or payments [described in the next section] and institutionalize biased coverage of crucial matters.

- In **India**, the official Indian Press Council 2010 report entitled *Paid News: How Corruption of Media Undermines Democracy*⁵⁰ alleges that both media and politicians engaged in clandestinely disguising paid content as regular news coverage. This phenomenon, dubbed “paid news”, has been found by the Press Council to evade election spending limits and violate many applicable local laws, including tax and election regulation.⁵¹
- “Hidden advertising” in the media is reportedly a serious issue in **Latvia**, particularly troublesome in the Russian language publications, the European Journalism Centre found.⁵² Paid content is offered as professional journalistic content “against pay or other agreements, and not as a result of journalistic evaluation.”⁵³
- Advertising contracts offered by **Serbian** state bodies often require media outlets to broadcast/publish interviews with state officials or public relations materials on the work of state organs or public enterprises as news, the WAN-IFRA Soft Censorship report found.⁵⁴ These are not marked as paid content, and may mislead the public into believing that they are independent journalistic reporting.⁵⁵

Bribes and Payments

Journalists, editors and media outlets are often offered—and sometimes seek—direct payments or other compensation to shape or slant their reporting. It is a form of soft censorship often used in countries where journalists are poorly paid as a way to favour and reward positive coverage.

- In **Azerbaijan**, government-affiliated journalists are allegedly paid secret sums in addition to their formal monthly salaries.⁵⁶
- Many **Greek** journalists reportedly have two employers—their media outlet as well as the organization they cover. An opposition official alleged in June 2012 that between 500 and 600 Greek journalists are, or have been, “on the payroll of a government agency.”⁵⁷
- Undeclared “envelope payments” are a form of control employed by governments and politicians seeking positive coverage in **India**. In October 2011, the leader of India’s main opposition Bharatiya Janata Party was forced to address an alleged incidence of “cash for coverage” where journalists were reportedly handed envelopes containing cash at a press conference in the Satna region.⁵⁸
- In **Malaysia**, journalists reported they were offered bribes and kickbacks from politicians while reporting on the 2013 general election.⁵⁹
- Directly corrupt practices persist in **Mexico**, including offering typically poorly-paid journalists bribes—known colloquially as “*chayote*”—to influence their reporting, as well as other payments allegedly made to editors, owners, and publicists. Some media owners are active partners in a corrupt symbiosis that rewards propaganda, the WAN-IFRA soft censorship report found.⁶⁰
- Research in **Nigeria** shows that “brown envelope” journalism is pervasive and strongly affects media content.⁶¹
- In **Ukraine**, “*jeansa*” (money pocketed in blue jeans commonly worn by journalists, in exchange for positive media coverage) is widespread, a 2009 CIMA report found. Government and private companies reportedly do not simply buy advertising space, but pay for entire articles presented as news.⁶²

Licenses, Imports, and Audits

Several other techniques are used as tools of soft censorship, although the boundaries between these and hard censorship can be indistinct or overlapping. Onerous licensing regimes are one example. Restricting access to physical means of production is another. Inspections and tax audits might be used as harassment that imposes costs and inconvenience on targeted media outlets or individuals, or means to shutter independent or critical voices.

- In **Azerbaijan**, tactics employed to harass independent media include lengthy tax investigations and mysterious and costly “disappearances” of entire print runs, according to IREX.⁶³
- In **Ecuador**, the editor of *El Universo* newspaper has reportedly been subjected to an endless ‘tax audit’ exceeding two years, Article 19 reported.⁶⁴
- Revocation and granting of broadcast licenses in **Hungary** has appeared to be directly related to owners’ links with the parties in power.⁶⁵
- **Kazakhstan’s** government owns and controls all available printing presses in the country and uses this as leverage over independent publications. One newspaper, *Respublika*, photocopied editions when access to a printing press was denied in 2010.⁶⁶
- In **Mexico**, allocation of the broadcast spectrum is a distinct soft censorship mechanism, used particularly to restrict community broadcasting.⁶⁷
- In June 2010, **Indian** authorities halted newsprint shipments from India for Nepal’s Kantipur group newspapers for over a week in what Kantipur says was retaliation for reporting critical of Indian Government activities in Nepal.⁶⁸ In Nepal, the Kantipur Group has also been subject to what appears judicial harassment for critical coverage of court decisions.⁶⁹
- In **Turkey**, tax investigations and fines have been recently used to punish media outlets, according to several press freedom groups.^{70/71} In February 2009, one of the country’s largest groups, Dogan Media Group, was hit with a USD500 million fine, for alleged tax evasion and fraud. Critics argued that the fine was a politically motivated move to silence dissent with the governing party, after *Milliyet*, one of the country’s leading papers, reports on AKP corruption infuriated the government. The fine allegedly forced Dogan to sell *Milliyet* to another holding company with strong ties to the government.⁷² In 2014, the International Press Institute released a statement on a wiretapped phone call of an alleged conversation between Prime Minister Recep Tayyip Erdogan and former Justice Minister Sadullah Ergin on that case: “Allegations that the prime minister asked the then-justice minister to interfere in a legal proceeding, and that the justice minister promised to use his influence to pressure the judiciary to deliver a desired result, are nothing less than shocking.”⁷³
- Several **Venezuelan** newspapers, including *El Nacional*, were in 2013 and 2014 denied international currency to import paper. WAN-IFRA reported that *El Nacional* reduced its number of pages to preserve paper reserves, and several smaller publications were forced to shut down despite assistance from independent media in the region.⁷⁴

Summaries of the First Four Soft Censorship Country Reports

Soft censorship is imposed by an array of formal and informal mechanisms. It manifests differently in various countries. The summaries below provide examples drawn directly from four reports produced in 2013-2014 by regional experts with the support of WAN-IFRA and the Center for International Media Assistance.



September 2013



December 2013



March 2014



June 2014

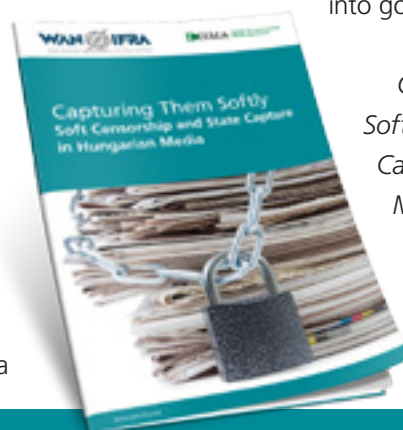
Hungary - *Capturing Them Softly: Soft Censorship and State Capture in the Hungarian Media*⁷⁵

Hungary's independent media today faces creeping strangulation. State capture of Hungarian media is unfolding slowly but surely, principally through the soft censorship of financial incentives and influence that affect media outlets' editorial content and economic viability. The process has accelerated under the current government, which uses state advertising to bolster friendly media outlets, mainly those owned by leading businessmen very close to the ruling party.

The Hungarian media market is substantially influenced by the state's role as a leading advertiser. Most governmental media assistance funds and other support are allocated on similarly biased bases at both national and local levels. Media outlets critical of government policies or supportive of opposition parties' policies are denied almost all state advertising and other support, threatening their economic viability and seriously distorting the commercial media

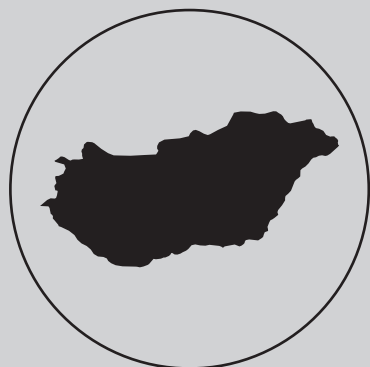
market. Analysis of government advertising campaigns demonstrates a pattern that cannot be rationalized on the basis of effectiveness in reaching target audiences.

Interviewees explained that market competition is distorted principally in two aspects. First is by the state's biased use of media advertising agencies close to the ruling party. Second, these agencies place most state advertising in right-wing media or media outlets directly or indirectly owned by businesspeople close to the current government. Public service media are also being subverted and transformed into government mouthpieces.



Capturing Them Softly: Soft Censorship and State Capture in the Hungarian Media, was produced in cooperation with Mérték Media Monitor.

Country profile



Hungary Country Data

2012

Population	9.94 million
Adult literacy rate	99%
Gross national income (GNI) per capita	USD 12,380
Urban/rural population	70 / 30%
Mobile subscription penetration (SIM cards)	124%
Internet access (households)	72%
Corruption perceptions score	55/100

Source: UN, World Bank, ITU, Transparency International

Malaysia - *Monopolizing the Nation: Soft Censorship in Malaysia*⁷⁶

Malaysia's media landscape is fettered by oppressive regulation and remains dominated by governmental ownership and control. Unknown quantities of taxpayer funds are funneled into media conglomerates owned by parties and supporters of the ruling *Barisan Nasional* (National Front), coalition.

Media critical of the government are harassed by various means of hard and soft censorship. Nearly all are denied print and broadcast licenses, and are permitted a typically tenuous online presence, where they must fight for limited digital advertising revenue. Opposition voices are largely locked out, particularly in English and the country's dominant indigenous language, *Bahasa Malaysia*. The nation's state news wire, *BERNAMA*, is under direct government control.

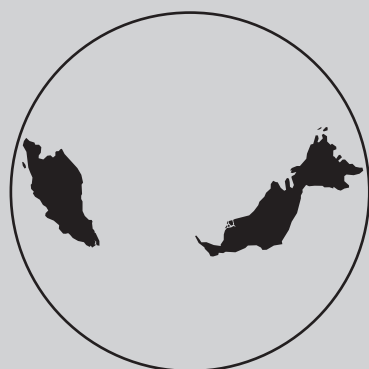
The legislative nexus of this concentration and control is the Printing Presses and Publications Act 1984 (PPPA). The current act

began as the 1948 Printing Ordinance, imposed by the British colonial government to control the press during an armed insurgency against British rule. The PPPA is the major legislative tool used to entrench government's political and economic control of Malaysian media.

Organisations not connected with or friendly towards the government have found it difficult to obtain a printing licence. Several applications by independent media outlets have been rejected, and three opposition parties



Country profile



Malaysia Country Data	2013
Population	29 million
Adult literacy rate	93%
Gross national income (GNI) per capita	USD 10,436
Urban/rural population	72 / 28%
Mobile subscription penetration (SIM cards)	143%
Internet access (households)	66%
Corruption perceptions score	50/100

Source: Malaysian Communication and Multimedia Commission, Transparency International, UN and World Bank

permitted to publish their own party newspapers may sell them only in certain locations and only to registered party members.

Research by the Malaysian Centre for Independent Journalism and the University of Nottingham found that coverage of the 2013 general election heavily favored the governing coalition.⁷⁷ In interviews, journalists spoke of being offered bribes and kickbacks by campaigning politicians.⁷⁸ Journalists also describe the practice known as “*wahyu*” (“divine revelations”), where they are instructed by editors or others to cover a story regardless of its newsworthiness, and report self-censorship by editors and by reporters as common.

The Multimedia Super Corridor Bill of Guarantees (BoG)⁷⁹ seventh point pledges “no internet censorship.” While this has never officially become law, and many websites

are blocked,⁸⁰ Malaysia’s small independent media continue to offer vibrant online political discussion, despite intermittent harassment.

Reform of oppressive media laws, enactment of robust freedom of information mechanisms at the national level, and the unbiased and transparent allocation of governmental advertising are essential components to Malaysia’s transition towards a free media and full democracy. Convincing the ruling *Barisan Nasional* to agree to reforms that will diminish its privilege and its hold on power, however, will surely be a daunting task.

Monopolizing the Nation: Soft Censorship in Malaysia, was written by Tessa Houghton, professor and director of the Centre for the Study of Communications and Culture, University of Nottingham Malaysia Campus.

Mexico - *Buying Compliance: Governmental Advertising and Soft Censorship in Mexico*⁸¹

Mexico’s media today face great difficulties. Physical attacks are all-too common,⁸² the shadow of state control has not fully faded, TV market concentration is extreme, and most media outlets have advanced little towards a democratic model to serve as an impartial watchdog on actions of government and other societal actors.

The impact of direct attacks on media practitioners is very powerful and clearly leads to widespread self-censorship. But more subtle forms of soft censorship also and perhaps more widely constrain media freedom in Mexico. Allocation of government advertising is the

most common tool to exert soft censorship and is an integral part of the country’s complicated media landscape.⁸³ Absent precise and clear rules, it is a means to influence or even a tool to blackmail media owners and journalists. Federal and local governments use official advertising to shape media outlets’ editorial line and push partisan agendas. Opaque and arbitrary allocation of official advertising constrains pluralism and a diversity of voices by selectively funding media outlets that support officials and their policies. Current legislation and regulation at the federal level does not guarantee a transparent allocation of

government advertising. There are only a few states with their own general guidelines for the distribution of advertising,⁸⁴ but none guarantee non-discriminatory allocation of resources.

Some media owners actively partner with politicians in a corrupt symbiosis that earns both power and profit. Many Mexican media outlets are addicted to public money, corrupting basic journalistic ethics. Reports praising or criticizing specific politicians are often offered primarily as leverage to negotiate more lucrative government advertising contracts.



Media concentration is an increasing challenge to media pluralism, especially in broadcasting. The growing economic clout of the two largest media businesses, Televisa and TV Azteca, has magnified their influence on the country's political life. These companies often skew nominally democratic debates towards their self-interest.

There are some reasons for hope in efforts in a few states and by some media outlets to instill new integrity in both official and journalistic practice—and in pledges, as yet unfulfilled, by Mexico's president and legislators to enact genuine change. The 2013 Constitutional Reform on Telecommunication has the potential to make a profound change in the Mexico's media landscape and generate greater pluralism and competitiveness.

Buying Compliance: Governmental Advertising and Soft Censorship in Mexico was produced in cooperation with the Mexico-based human rights organisation, Fundar Center for Analysis and Research, and the Mexico office of ARTICLE19.

Country profile



Mexico Country Data

2012

Population	120.8 million
Adult literacy rate	93,4%
Gross national income (GNI) per capita	USD 9,640
Urban/rural population	78 / 22%
Mobile subscription penetration (SIM cards)	87%
Internet access (households)	30%
Corruption perceptions score	34/100

Source: INEGI, Transparency International, UN and World Bank

Serbia - *Soft Censorship: Strangling Serbia's Media*⁸⁵

In Serbia, soft censorship is embodied in both law and practice that allows national and local authorities to deploy taxpayer funds to subsidize, award reporting contracts, and assign advertising to favored media outlets absent the transparency and accountability that is the bedrock of any democratic system. This insidious system denies Serbia's citizens their right to free and independent media that can report fairly and accurately on the activities of government, political parties and other institutions, and on other civic matters.

Despite an impressive panoply of legal and institutional guarantees for freedom of expression and media rights, Serbia's media and individual journalists are subject to serious restrictions. The country's media system has been undergoing legal and economic restructuring since 2003, but

inconsistent implementation of reforms has exacerbated the crisis in the entire media sector. Draft laws promoting fairness and transparency in any public funding for media outlets, ranging from subsidies

to service contracts to advertising, have been delayed and may be diluted or discarded.

Current media legislation is incomplete and often contradictory and outdated. Safeguards against monopolies and the framework for free competition are very weak. Media ownership is not transparent. The true owners of numerous media outlets are not known, including some with national coverage and significant influence on public opinion.⁸⁶

The legal standing of state media ownership is today ambiguous. State ownership is a remnant of the previous media system and an anomaly of the present one. The most visible form of state funding of media is direct subsidies. These are provided to public media enterprises and institutions as money transfers from the state budget. Most public funds that reach Serbia's media are distributed arbitrarily and in a non-transparent manner, without clear and measurable criteria, public procedures and controls. These funding methods are drastically undermining free competition in the media industry.

Soft Censorship: Strangling Serbia's Media, was produced in cooperation with the Balkan Investigative Reporting Network.



Country profile



Serbia Country Data

2012

Population	7.24 million
Adult literacy rate	98%
Gross national income (GNI) per capita	USD 5280
Urban/rural population	56 / 44%
Mobile subscription penetration (SIM cards)	128%
Internet access (households)	47.5%
Corruption perceptions score	39/100

Source: UN, World Bank, Transparency International, Statistical Office of Serbia

Conclusion

The myriad tactics of official soft censorship are increasingly pervasive and alarmingly effective means of media manipulation and control around the world. Governments are aware that soft censorship does not generate the international outcry evoked by killing journalists or shuttering publications. Techniques of soft censorship are far less visible and dramatic than blatant media repression that draws immediate and intense attention from press freedom and other human rights groups. Yet soft censorship can prove highly insidious for its relative subtlety; a public that is denied accurate and impartial information is unlikely to be aware—and properly wary—of its existence and its impact.

WAN-IFRA, the Center for International Media Assistance, and like-minded groups are committed to raising awareness of the

mechanisms of soft censorship, and advocating measures that can reduce its prevalence. It is no easy task. The economic pressures on journalists and publishers that soft censorship exploits are enormous. And officials are tempted, and too often become accustomed, to abusing governmental financial clout and regulatory powers to seek to shape media coverage.

This report's recommendations suggest a path forward that proponents of free and independent media can embrace, beginning with greater transparency and impartiality in all government payments and funding for media, be it for advertising, training, content, or straightforward subsidies. The four country case studies highlighted here—Hungary, Malaysia, Mexico, and Serbia—show that skilled investigation can reveal the prevalence and impact of soft censorship, and generate support to challenge it.

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The report list three principal categories of soft censorship:
 - **Abuse of public funds and monopolies.** These range from abusive allocation of government advertising or subsidies to arbitrary denial of access to state printing facilities to direct cash payments to reporters for dubious or undeclared services. These are doubly pernicious, as taxpayer money and public wealth is used and abused to promote partisan or personal interests.
 - **Abuse of regulatory and inspection powers.** These forms of interference operate under the color of law or market rules: broadcast licensing processes are manipulated to benefit political allies or silence independent voices; critical media find themselves subjected to a barrage of selective and draining fiscal, labor or other regulatory inspections; and sometimes, they are taken over by government cronies as legitimate owners are bullied into handing over control. Media owners with non-media businesses subject to regulatory regimes are often made to understand that their other businesses can only prosper if their media are friendly to the government of the day.

- **Extra-legal pressures.** At the most delinquent end of the spectrum, powerful officials and politicians use raw power and clearly illegal means to buy influence or muzzle dissent: they pressure private businesses to advertise or not advertise on certain media, interfere directly with editorial decision-making (so-called “telephone censorship”), or seek to bribe reporters and editors outright.
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