

# MAPPING DIGITAL MEDIA: GUATEMALA



# Mapping Digital Media: Guatemala

**A REPORT BY THE OPEN SOCIETY FOUNDATIONS**

**WRITTEN BY**

Renata Avila (lead reporter)  
Alejandra Gutiérrez Valdizán (assistant reporter)

**EDITED BY**

Marius Dragomir and Mark Thompson (Open Society Media Program editors)  
Fernando Bermejo (regional editor)

**EDITORIAL COMMISSION**

Yuen-Ying Chan, Christian S. Nissen, Dušan Reljić,  
Russell Southwood, Damian Tambini

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**OPEN SOCIETY MEDIA PROGRAM TEAM**

Mejjinder Kaur, program assistant; Stewart Chisholm, associate director

**OPEN SOCIETY INFORMATION PROGRAM TEAM**

Vera Franz, senior program manager; Darius Cuplinskas, director

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# Mapping Digital Media

The values that underpin good journalism, the need of citizens for reliable and abundant information, and the importance of such information for a healthy society and a robust democracy: these are perennial, and provide compass-bearings for anyone trying to make sense of current changes across the media landscape.

The standards in the profession are in the process of being set. Most of the effects on journalism imposed by new technology are shaped in the most developed societies, but these changes are equally influencing the media in less developed societies.

The **Mapping Digital Media** project, which examines the changes in-depth, aims to build bridges between researchers and policymakers, activists, academics and standard-setters across the world. It also builds policy capacity in countries where this is less developed, encouraging stakeholders to participate in and influence change. At the same time, this research creates a knowledge base, laying foundations for advocacy work, building capacity and enhancing debate.

The Media Program of the Open Society Foundations has seen how changes and continuity affect the media in different places, redefining the way they can operate sustainably while staying true to values of pluralism and diversity, transparency and accountability, editorial independence, freedom of expression and information, public service, and high professional standards.

The Mapping Digital Media project assesses, in the light of these values, the global opportunities and risks that are created for media by the following developments:

- the switch-over from analog broadcasting to digital broadcasting;
- growth of new media platforms as sources of news;
- convergence of traditional broadcasting with telecommunications.

Covering 60 countries, the project examines how these changes affect the core democratic service that any media system should provide—news about political, economic and social affairs.

The **Mapping Digital Media** reports are produced by local researchers and partner organizations in each country. Cumulatively, these reports will provide a much-needed resource on the democratic role of digital media.

In addition to the country reports, the Open Society Media Program has commissioned research papers on a range of topics related to digital media. These papers are published as the **MDM Reference Series**.

# Mapping Digital Media: Guatemala

## Executive Summary

Guatemala is a relatively young democracy plagued by high levels of violent crime, corruption, and wealth inequality, with poverty concentrated in rural areas and among indigenous populations. It has one of the highest rates of illiteracy in the region, with a quarter of all adults unable to read. These problems are not likely to be solved by digital and social media any time soon. However, as new technologies of communication spread among a relatively youthful population, they are likely to play an increasing role in shaping citizenry and promoting social change.

The media ecology in Guatemala is still underdeveloped—over the last decade, more than a quarter of households got a television for the first time. As a result, most television households are equipped to receive digital television. However, the digital switch-over of terrestrial television—still the dominant platform—has barely commenced. In April 2013, the president announced a digital switch-over plan, but at the time of writing details are yet to be published. Given the poor infrastructure in rural areas, poorly developed urban centers, and the minimal commitment of public funds, the switch-off of analog television does not seem likely to happen any time soon. The problem is compounded by a lack of transparency, public consultation, and engagement of civil society.

For some, bureaucratic delays and obfuscations in the digital switch-over reflect the lobbying power of incumbent terrestrial broadcasters who are concerned to protect their dominant market positions. In November 2012, a legislative amendment was approved by Congress, allowing incumbents to renew their licenses for up to 20 years.

Television is by far the most widely consumed medium, although universal coverage is still limited in regions without access to electricity. The average household dedicates up to seven hours a day to television and the audience is highly concentrated, with the four leading television channels all owned by the Alba Vision group. Radio remains important in areas with no energy supply and low literacy rates, and as such it is still the only mass medium that is readily available throughout the country.

Personal computer (PC) take-up and internet access, on the other hand, remain limited to a privileged minority. Currently, only 16 percent of the population are online, with only 1 percent via broadband connections. Usage is concentrated among the middle class and urban youth. Efforts to close the digital gap are lacking: in 2010, the government rejected a policy proposal to extend aggressively the fiber optic cable infrastructure in rural areas where poverty is rampant and exclusion is worsening. There is, however, strong evidence of mobile leapfrogging as users increasingly access not only the internet but also television and radio services via their phones. Mobile broadband penetration surpassed fixed connections in 2011 as a result of heavy private sector investment in mobile infrastructure.

The largest newspapers have launched specialist versions of their output for mobile phone and tablet devices. But only two titles feature in the top 20 websites, and broadcasters have yet to establish a significant online presence. In terms of content, digitization has yet to produce a more diverse news offer, at least among mainstream media. In particular, there is virtually no representation of indigenous communities or languages in the mainstream media, which is particularly problematic since indigenous populations are among the least likely to use the internet and take advantage of digital media because of literacy and language barriers.

A broadcast license was recently assigned to the National Academy of Mayan Languages, but the academy was not given either the budget or the capacity to compete with mainstream media; moreover, it was saddled with a ban on advertising and commercial content. Despite these limitations, it produces educational and cultural programming and news that is not restricted to its target indigenous audience. Yet its sustainability hangs in the balance, and there are no requirements on the dominant broadcasters to cater for marginal or minority audiences.

Although the blogosphere remains very limited in terms of diversity, quantity, and reach, it has opened up a space for issues and topics that challenge the mainstream news agenda. The last five years have also seen an increase in local newspapers online, increasing the availability of news content and sources from remote areas that are almost excluded from the media map.

It is community media—especially community radio—that offer the best hope for challenging the dominant narrative of corporate media. Community and religious organisations are active in creating content in different languages, focused on local audiences. However, there is no system of state subsidy or support, and an exclusively market approach to licensing has resulted in regional oligopolies that have left several communities unrepresented in the licensed spectrum. As a result, much of Guatemala's vibrant community radio is pirate, under threat from expanding enforcement actions by the government. A Community Media Act was proposed in 2009 allowing a new sector of low-watt non-profit local licensing, but it is yet to be ratified.

Quality investigative reporting is rare, and is concentrated in print media. An emerging third sector has proved fragile and limited in reach, but is potentially a significant vehicle for public interest news. *Plaza Pública*, the leading digital newspaper, is a notable example in this respect, and during its third year of



existence it produced more investigative reports than any other newspaper in Guatemala. Although it only produces content online, dissemination is maximized by the use of creative commons licensing, enabling stories to be republished by a range of outlets. Economic and functional independence is central to the organisation's mode of operation.

At the same time, old vehicles for investigative journalism are dying. The most prominent traditional outlet was *Inforpress Centroamerica*, which produced weekly in-depth reports for subscribers across Central America between 1972 and 2010, when it closed due to lack of funding. But in contrast to many other countries, the press in Guatemala has not been significantly affected by the internet. The profits earned by the main dailies continue to be significant, as is the revenue of television and radio stations. There is also an emerging advertising market for local and hyperlocal digital media in rural areas.

Though they are still at the embryonic stages of digitization, Guatemalan journalists believe that digital technologies are making newsrooms more flexible, diverse (in terms of the range of skills employed and outputs produced), and autonomous. Digital tools of production are cited as the key drivers of progress in the day-to-day work of journalists. But social media play an increasingly significant role as vehicles of dissemination, enhancing the online presence of established news brands.

The work of investigative journalists has also been helped by a growing transparency culture that has developed in the wake of the Freedom of Information Law passed in 2008. Broad restrictions in the law enabling institutions to withhold information on public interest grounds have prompted conflicts between the government and transparency groups. In at least one notable recent case, however, the battle has been won by the latter, enabling journalists to expose a major corruption scandal involving social programs.

There is an emerging skills gap, particularly in data-mining and visualization. Journalism schools do not teach students how to code or even give them basic computer-assisted research skills. On the other hand, the culture of transparency and openness has brought a rise in threats, harassment, and even the murder of journalists, but the precarious financial situation of rural journalists forces them to take other jobs, and it is not yet clear if those murders were directly related to their work as journalists. The general failure to bring perpetrators to justice in these cases is likely to exacerbate the chilling effect of violence in general, and the lack of reliable investigation makes it harder to claim that those deaths are directly connected to journalism. In this light, it is perhaps not surprising that the mainstream media have consistently demonstrated a reluctance to conduct in-depth investigations or features around drug trafficking and other organized crime issues.

Adding to the self-censorship pressure on media outlets is the general concentration of capital in Guatemala, combined with the absence of public service media. This has erected insurmountable barriers to exposing corporate corruption through the mainstream media, not least because advertising from the business sector represents 75 percent of all news revenues. An increased tendency to offer printed and digital news outlets for free, financing them via advertising, may further compromise editorial independence.

In the continued absence of any press regulation or established professional standards, digitization also exacerbates a poor record of ethics among journalists. Bribery between sources and journalists is rife and there is little if any protection against privacy invasions, harm, and offense, or coverage that may prejudice legal trials. Digital tools of production have enabled more invasive journalistic practices and there is little if any legal restraint in respect of data protection. The relative ease of producing and disseminating audiovisual media has also increased the spread of harmful, hateful, and offensive content.

Part of the problem lies in a lack of professional journalistic training and constrictive labor conditions. According to a WikiLeaks release, a former U.S. ambassador described Guatemalan journalists as predominantly “young, poorly educated, poorly paid, and at the mercy of publishers with their own agendas.”

Another aspect of the problem is the fact that media markets are highly concentrated. Four out of five terrestrial television channels and 90 percent of television audiences are commanded by a single individual, Ángel González, who has given preferential airtime to favored candidates during election campaigns. The situation in print media is little different, with four out of five major national newspapers controlled by two families.

However, media ownership is experiencing a transition from national and family-owned, partisan media to international corporations buying local companies or establishing alliances with the local monopoly. While this has brought a degree of professionalization and made more equipment available to produce news, the quality and diversity of content has been largely neglected. Of particular concern is the absence of nationally produced content, which is not likely to change as a result of increased foreign ownership.

Amid the concentration of traditional media markets, social media remain the privilege of a small minority and, as such, they have done little to empower audiences and groups that are marginalized or excluded from mainstream media. Non-governmental organizations (NGOs) have been late adopters of digital platforms, and civil society activism tends to employ online strategies only as a supplement to traditional media campaigns, given the limited online reach among the population. There has been a strong emphasis on transparency. The efforts of Guatemala Visible, for instance, have fostered a greater culture of openness among public institutions and political figures, as well as closer scrutiny of elections by mainstream media. Digital media themselves played a key role in the coverage of the last presidential elections, which featured the first digitized presidential debate.

Beyond this, nascent online groups promote citizenship through education and campaigns around a range of public interest issues. Also, a growing number of indigenous digital activists promote their language and cultural traditions via online means. On the whole, however, digital civil society remains underdeveloped.

In terms of media policy, digitization has not altered Guatemala’s privatized communications model and there remains no political will to institute public service media. Direct subsidies to the media in recent years have been limited to training journalists in rural areas to make use of digital tools in the service of official propaganda. By far the most significant state aid to the media exists in the form of official advertising. An

attempt by the previous government to diversify the recipients of such funds (to include community and online media) was reversed by the current administration, which restored the concentrated television market as the prime beneficiary.

In terms of access, there have been initiatives by local governments to provide free wireless internet in public spaces. But there is little or no research data on the digital divide in Guatemala, and with no policy directed towards media literacy, the effectiveness of such initiatives is certainly limited.

Whilst spectrum allocation is on the surface relatively transparent and apolitical, authority is invested in the Superintendent's Office, an official appointed by the Executive. And while the Constitution and the law state that the public interest should be taken into account when allocating spectrum, an exclusively market-based approach has excluded non-profit community radio stations that are unable to compete with commercial operators in frequency auctions.

Most seriously, state interference in the media has increased through new indirect tactics to suppress information and dissent. There has been a growing number of cases in which the government has used criminal law to restrict freedom of expression. Such developments reflect the deteriorating governance and increasing violence in Guatemalan society, which digitization has done little if anything to hinder.

Against this backdrop, the legal and regulatory framework has been largely unresponsive to the challenges of digitization. Above all, there is a stark absence of legal provisions promoting digital broadcasting by indigenous communities, public media, or public interest groups, and no clear or effective policy aimed at curbing media concentration. With a view to filling this vacuum, this report puts forward a set of policy recommendations to improve transparency and accountability in digital media policy; to support and promote community and minority expression in the new media landscape; to institute public service media; to bridge the digital divide; and to improve the collection, monitoring, and analysis of media consumption data and trends.

# Context

Guatemala is a Central American state south of Mexico. It is a relatively young democracy plagued by high levels of violent crime, corruption and wealth inequality, with poverty concentrated in rural areas and among indigenous populations. It has one of the highest rates of illiteracy in the region, with a quarter of all adults unable to read.

Guatemalan society and media were gripped by the 2013 trial of the former army general and de facto president Efraín Ríos Montt, one of the most controversial domestic political figures, accused of genocide in different jurisdictions while he was head of the military regime in the early 1980s. This was the first time any former head of state has been tried in a domestic court for genocide and crimes against humanity. The guilty verdict upon Ríos Montt in May 2013, annulled later that month, provoked reactions worldwide.

According to the World Bank,<sup>1</sup> the wealthiest 10 percent of the country's population controls almost 50 percent of the country's wealth; the top 20 percent controls two thirds. At the bottom of the spectrum, 32 percent of the population lives on less than US\$2 a day, and 15.5 percent lives on less than US\$1 a day.

Guatemala's social development indicators, such as the infant mortality rate, are some of the worst in the region, and with little investment in education the country has one of the highest rates of illiteracy. Adult literacy is among the lowest in the region, with only 75.3 percent.<sup>2</sup> Among young people, up to 80 percent can read and write in Spanish, and illiteracy has fallen by more than 5 percentage points in the past five years.<sup>3</sup> With malnutrition of 51 percent in rural areas, more than half of the population lives in poverty. Most of the poor (72 percent) are located in rural areas and belong to indigenous ethnic groups in the Southwest and Northwest areas of the Guatemalan highlands.

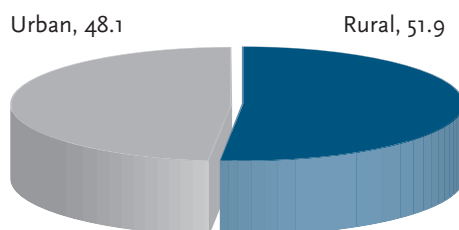
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1. World Bank, *Guatemala Poverty Assessment: Good performance at low levels*, Report No. 43920-GT, Poverty Reduction and Economic Management Unit, 2009.
  2. United Nations Development Programme (UNDP), *Guatemala. Country profile of human development indicators*, 26 November 2011, at <http://hdrstats.undp.org/en/countries/profiles/GTM.html> (accessed 16 March 2013).
  3. UNESCO, "Youth literacy," UIS Fact Sheet No. 3, UNESCO Institute of Statistics, 2011.

# Social Indicators

Population: 14.476 million

Number of households: 2.6 million<sup>4</sup>

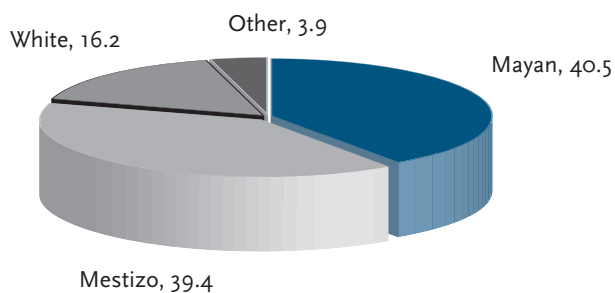
*Figure 1.*  
Rural–urban breakdown (% of total population), 2011



Source: World Bank, “World Development Indicators: Guatemala” (accessed 13 January 2013)<sup>5</sup>

Mayan and Mestizo peoples account together for almost 80 percent of all the inhabitants of the country.

*Figure 2.*  
Ethnic composition (% of total population), 2002



Source: Guatemalan National Institute of Statistics (*Instituto Nacional de Estadística de la república de Guatemala*, INE), Census 2002<sup>6</sup>

4. INE, *Encuesta Nacional de Condiciones de Vida* (National Survey of Living Conditions), Guatemala, 2006.

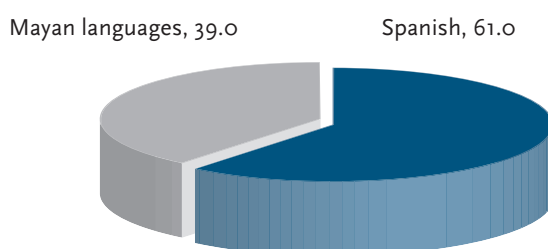
5. See <http://data.worldbank.org/country/guatemala> (accessed 20 January 2013).

6. See <http://www.ine.gob.gt/np> (accessed 12 January 2013).

Overall, Guatemala encompasses a broad cultural and linguistic diversity. Although Spanish is the country's official language, there are 23 Mayan languages<sup>7</sup> in Guatemala, most of them endangered. Guatemala has major indigenous groups whose languages have close to one million speakers: K'iche' has 890,596 speakers, Q'eqchi' has 716,101 speakers, Kaqchikel has 444,954 speakers, and Mam has 477,717 speakers. Other languages such as Itza and Xinca are only spoken by about 1,000 people and may soon disappear. It is important to note that, according to UNESCO,<sup>8</sup> 54.5 percent of the Mayan population is bilingual in a Mayan language and Spanish, while 43.6 percent is monolingual, only speaking a Mayan language.

Figure 3.

Linguistic composition (% of total population) 2002



Source: C. Moseley (ed.), *Atlas of the World's Languages in Danger*, 3rd edn, UNESCO Publishing, Paris (online version), 2010;<sup>9</sup> INE, Census 2002.

There is no official census of religious denominations in Guatemala, but the existing data show that it is an overwhelmingly Christian country. The Roman Catholic Episcopal Conference of Guatemala estimated that 65–70 percent of the population was Catholic in 2013.<sup>10</sup> Alianza Evangelica, the official umbrella organization for Protestant denominations, estimated that 35–40 percent of the population was Protestant the same year.<sup>11</sup> The largest Protestant group is the Full Gospel Church, followed by the Assemblies of God, the Central American Church, and the Prince of Peace Church. There are also a number of smaller independent evangelical groups.

7. Guatemalans speak 24 different languages: Achi', Akatek, Awakatek, Ch'orti', Chuj, Garifuna, Itzá, Jakalteq, K'iche', Kaqchikel, Mam, Mopán, Poqomam, Poqomchi', Q'anjob'al, Q'eqchi', Sakapultek, Sipakapense, Spanish, Tektitek, Tz'utujil, Uspantek, and Xinka.

8. C. Moseley (ed.), *Atlas of the World's Languages in Danger*, 3rd edn, UNESCO Publishing, Paris, 18 November 2011, at <http://www.unesco.org/culture/en/endangeredlanguages/atlas> (accessed 12 January 2013).

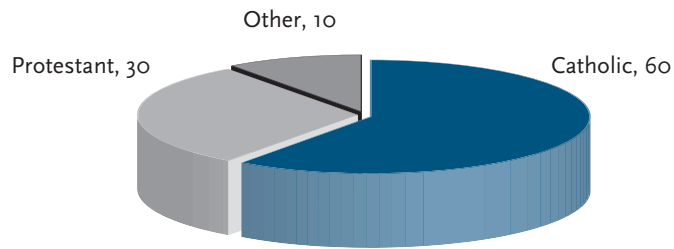
9. See <http://www.unesco.org/culture/en/endangeredlanguages/atlas> (accessed 18 November 2011).

10. Jose Luis Escobar, "Los numeros de la fe" (The numbers of Faith), *Prensa Libre*, 24 March 2013, at [http://www.prensalibre.com/revista\\_d/NUMEROS-FE\\_0\\_884311777.html](http://www.prensalibre.com/revista_d/NUMEROS-FE_0_884311777.html) (accessed 24 April 2013).

11. "Guatemala, el pais de Latinoamerica con mas evangelicos" (Guatemala is the country with the largest number of Evangelicals in Latin America), *Radios Cristianas*, at <http://www.radioscristianas.com/archives/33> (accessed 12 January 2013).

Figure 4.

Religious composition (% of total population), 2010



Source: U.S. Department of State, *July–December 2010: International Religious Freedom Report*, 13 September 2011<sup>12</sup>

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12. See [http://www.state.gov/g/drl/rls/irf/2010\\_5/168217.htm](http://www.state.gov/g/drl/rls/irf/2010_5/168217.htm) (accessed 16 March 2013).

# Economic Indicators

*Table 1.*  
Economic indicators, 2005–2013

	2005	2006	2007	2008	2009	2010	2011	2012 <sup>o</sup>	2013 <sup>f</sup>
GDP (current prices, US\$ billion)	27.21	30.23	34.11	39.13	37.73	41.34	46.90	50.29	53.18
GDP (current prices, US\$), per head	2,140	2,320	2,554	2,859	2,690	2,875	3,182	3,329	3,435
Gross National Income (GNI), (current US\$), per head	3,990	4,210	4,490	4,630	4,560	4,630	4,800	n/a	n/a
Unemployment (% of total labor force)	1.8	n/a	2.4	3.5	4.0*	n/a	n/a	n/a	n/a
Inflation (average annual rate, % against previous year)	8.5	5.7	8.7	9.4	-0.2	5.3	6.2	4.0	4.0

*Notes:* \* 56 percent of the population is sub-employed (underemployed or underpaid); o: outlook; f: forecast; n/a: not available

*Sources:* International Monetary Fund (IMF) for GDP and inflation; World Bank for GNI; and INE for unemployment data



# 1. Media Consumption: The Digital Factor

## 1.1 Digital Take-up

### 1.1.1 Digital Equipment

Over the past decade, access to television in Guatemala has increased dramatically. In the past five years, up to 27 percent of households got a television set for the first time. Both the population and the number of new young families are growing fast, especially in rural areas. New connections with Mexico are increasing the electricity coverage in remote areas near the Mexican border,<sup>13</sup> the area presenting the highest demographic and economic growth (of both legal and illegal activities).<sup>14</sup>

While there are no reliable data on the number of radio devices in Guatemala, radio remains an important medium in areas with no energy supply and low literacy rates, since it is the only mass medium readily available. As technology becomes more affordable, mobile phones are turning into more than just a communication tool for Guatemalans;<sup>15</sup> they are being used to access the internet, to receive news updates, to access banking services, to make money transfers, to make payments to service providers, and also to receive television and radio stations.<sup>16</sup>

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13. “Interconexión Eléctrica México-Guatemala” (Mexico-Guatemala Electricity Connection), Proyecto Mesoamérica (Mesoamerican Project), December 2012, at [http://www.proyectomesoamerica.org/joomla/index.php?option=com\\_content&view=article&id=172](http://www.proyectomesoamerica.org/joomla/index.php?option=com_content&view=article&id=172) (accessed 20 January 2013).

14. Comisión Nacional de Energía Eléctrica, *Índice de cobertura eléctrica 2010* (Index of electricity coverage), Guatemala, 2011. According to the National Index of Energy Service Provision, Alta Verapaz only had 34 percent coverage while Peten, the largest department in Guatemala, only had 51.4 percent. It is worth noting that the two regions with lowest access to electricity are those with highest level of drug-related criminality.

15. See, e.g., use of mobile SMS for health prevention and education: “TulaSalu: Telemedicine and Teleducation in indigenous Areas in Guatemala,” eSalud Publica y Equidad en America Latina, at <http://www.esacproject.net> (accessed 22 January 2013).

16. C. Tellez, *Tigo Money Launches in Central America*, Mobile Money for the Unbanked, 24 December 2011, at <http://mmublog.org/blog/tigo-money-launches-in-central-america> (accessed 22 January 2013).

The penetration of computers and internet access at home is low: almost half of the country cannot get broadband internet, and 4G service via mobile phones is not available everywhere.<sup>17</sup> In 2010, the government declined to implement an aggressive strategy to deploy optical fiber in prioritized rural regions where poverty is rampant and exclusion is worsening.<sup>18</sup>

Guatemala's Rural Telephony Development Fund (*Fondo para el Desarrollo de la Telefonía*, FONDETEL) has subsidized the construction of more than 5,500 public phone booths, benefiting about 1.49 million people. However, the project does not plan to go beyond public phones, neglecting the necessity of fiber optics in rural areas for the development of public infrastructure allowing the connection of public institutions, schools, and the government.

The growing trend in urban areas and among young middle-class adults is to go on the internet on mobile devices. But the lack of fixed broadband has negative repercussions for the provision of public services, access to interconnected databases, and competitive banking services.<sup>19</sup> In urban areas, especially in the capital, Guatemala City, the growing number of smart phones is changing the way people access information and news.<sup>20</sup> The newspapers with the highest circulation and internet traffic launched specialized versions of their news outlets to be accessed via mobile phones and tablets.<sup>21</sup> The mobile version of *Prensa Libre* allows users to read the newspaper from every operative system<sup>22</sup> while *el Periódico de Guatemala* has an app for the iPhone and iPad and also a mobile version for all systems, as well as SMS breaking news updates upon payment of a small fee.

Table 2.  
Households owning equipment in Guatemala, 2005–2010

	2005		2006		2007		2008		2009		2010	
	No. of HH* ('000)	% of THH**	No. of HH ('000)	% of THH	No. of HH ('000)	% of THH	No. of HH ('000)	% of THH	No. of HH ('000)	% of THH	No. of HH ('000)	% of THH
TV set	1,930	65.9	2,071	68.6	2,173	70.0	2,450	77.0	2,271	84.9	3,126	93.5
Radio set	n/a	n/a	2,355	78.0	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
PC	246	8.4	323	10.7	422	13.6	472	14.8	490	15.0	528	15.8

Notes: \* HH: households owning the equipment; \*\* THH: total number of households; n/a: not available

Sources: Authors' and editors' calculations based on data from the International Telecommunication Union (ITU), 2011, and Pyramid Research Media Forecast for Guatemala, April 2011

17. Tigo, coverage of 3G services in Guatemala, map, at <http://www.tigo.com.gt/mundo-tigo/cobertura-3g> (accessed 12 January 2013). See also Claro, Coverage of Mobile Services Map, at [http://www.claro.com.gt/wps/portal/gt/pc/personas/movil/cobertura/alta-verapaz/lut/p/c5/04\\_SB8K8xLLM9MSSzPy8xBz9CP0os3hfn0AzJzdTEwP\\_MHcnA89QX29zx1DfAHNfA6B8JE55J1MzYnQb4ACOBgR0e-IHZSbl6pUn5-oZ6BmYmZoamhoZmRmampgamxly6vt55Oem6hfkhkZUOioqAgCsUIOW/dl3/d3/L2dBISEvZ0FBIS9nQSEh](http://www.claro.com.gt/wps/portal/gt/pc/personas/movil/cobertura/alta-verapaz/lut/p/c5/04_SB8K8xLLM9MSSzPy8xBz9CP0os3hfn0AzJzdTEwP_MHcnA89QX29zx1DfAHNfA6B8JE55J1MzYnQb4ACOBgR0e-IHZSbl6pUn5-oZ6BmYmZoamhoZmRmampgamxly6vt55Oem6hfkhkZUOioqAgCsUIOW/dl3/d3/L2dBISEvZ0FBIS9nQSEh) (accessed 22 January 2013).

18. After the World Bank granted a loan to Guatemala's Rural Telephony Development Fund (*Fondo para el Desarrollo de la Telefonía*, FONDETEL), the government decided not to execute the project and directed the funds to other projects.

19. Interview with the in-house lawyer of Navega.com, Javier Ruata, Guatemala, 10 July 2011.

20. P. Hurtado, "Del Frijolito al BlackBerry" (From Pea to BlackBerry), *el Periódico de Guatemala*, 10 April 2011, at <http://www.elperiodico.com.gt/es/20110410/domingo/193903> (accessed 1 November 2013). *Frijolito*, or pea, is the colloquial name of the cheapest model of mobile phones available with only basic functions such as calls and SMS.

21. *Prensa Libre*, mobile edition, at <http://mensajes.prensalibre.com> (accessed 27 January 2013).

22. *Prensa Libre*, new mobile version, at [http://www.prensalibre.com/noticias/Nueva-version-movil\\_0\\_902909711.html](http://www.prensalibre.com/noticias/Nueva-version-movil_0_902909711.html) (accessed 1 November 2013).

### 1.1.2 Platforms

There are limited public data available describing the platforms that carry news in Guatemala, and no systematic effort has been implemented to monitor and assess the devices Guatemalans are using to access news (especially noticeable is the lack of data regarding radio). However, such data are available from private companies investigating the digital market.

According to one such private company, Pyramid Research, only a small percentage of televisions were unable to switch to digital transmission in 2011. A large percentage bought their sets in the past decade, and as a result most are well equipped to receive digital signals. Only a tiny number of television homes are paying for additional services. The research showed that 135,000 households subscribed to pay-TV services such as HDTV, HD, IPTV, or TIVO that are provided by the main telecom service providers. However, there is a trend to offer digital television at affordable prices in urban areas. The monthly fee to access digital television now stands at less than US\$20.<sup>23</sup>

Cable television is important especially in rural areas. The cable television network is comprised of up to 74 different companies, providing services all over the country. The subscriber pays a small amount, an average monthly subscription of less than US\$8, to be connected to the service.<sup>24</sup> The content accessed via cable television is mostly international, with few national and local productions. Paid premium television services are still limited to a very exclusive top-end market in Guatemala. Cable companies are increasing the offer of double-play, providing both fixed broadband internet and television transmission, sharing the infrastructure and passing on to the user the costs of the equipment to connect—usually the user has to cover the costs of the modem and cables to connect to the internet.

Millicom, a telecommunication company, is now providing two different services under the Tigo brand: mobile banking and industrial security. For a small fee, it offers a service of domestic remittances (“Tigo Money”). It also offers a surveillance system to track employees and map all the transactions by mobile phones.<sup>25</sup> The other service offered for companies is “Tigo Zoom,” allowing the remote control of cameras to monitor activities in the workplace and track the labor force.<sup>26</sup>

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23. Prices from Claro TV Guatemala. Consulted via telephone call on 27 May 2013.

24. Based on data collected from 50 cable operators.

25. Tigo Tracking Work Force Service, at <http://www.tigo.com.gt/tigo-business/soluciones/tigo-sfm> (accessed 1 November 2013).

26. See <http://www.tigo.com.gt/tigo-business/soluciones/tigo-zoom> (accessed 1 November 2013).

Table 3.

Platforms for the main television reception and digital take-up, 2006–2010

	2006		2007		2008		2009		2010	
	No. of HH* ('000)	% of TVHH**	No. of HH ('000)	% of TVHH	No. of HH ('000)	% of TVHH	No. of HH ('000)	% of TVHH	No. of HH ('000)	% of TVHH
Terrestrial reception	1,026	34.0	1,086	35.0	1,145	36.0	1,206	37.0	1,269	38.0
– of which digital	915	30.3	965	31.1	1,024	32.2	1,085	33.3	1,149	34.4
Cable reception	148	4.9	179	5.7	217	6.8	246	7.5	298	8.9
– of which digital	118	3.9	141	4.5	167	5.2	180	5.5	208	6.2
Satellite reception	n/a	n/a	n/a	n/a	n/a	n/a	65	2.0	89	2.6
– of which digital	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
IPTV	n/a	n/a	n/a	n/a	n/a	n/a	30	0.9	30	0.9
Total	2,071	100.0	2,173	100.0	2,450	100.0	2,271	100.0	3,126	100.0

Notes: \* HH: households owning the equipment; \*\* THH: total number of households; n/a: not available

Sources: International Telecommunication Union (ITU), 2011; Pyramid Research Media Forecast for Guatemala, April 2011

By the end of 2012, Guatemala had 20 million mobile phones operating in the country; however, the market had stopped growing by November 2012.<sup>27</sup> After nearly two decades of steady expansion, in the first half of 2012 the cellular figures reported a downturn, according to a report by the Superintendency of Telecommunications (*Superintendencia de Telecomunicaciones de Guatemala*, SIT). From January to June 2012, two of the three mobile operators in the country totaled losses of more than one million users. In June 2012 the number of active lines was recorded at 19.8 million, 4.6 percent less than the 20.7 million recorded at the end of 2011. The decrease corresponds to an adjustment in the database of mobile phone users, as operators have discounted numbers that have not been used from four to six months.<sup>28</sup> In spite of this, by the end of 2012 the numbers were up again.

Tigo Guatemala (formerly Comcel) dominates the market, with 48 percent of mobile subscriptions, followed by the América Móvil-owned Claro (formerly Sercom) with 31 percent. Movistar, owned by Telefonica, which recently sold part of its Central American assets to a local investment group,<sup>29</sup> holds the remaining 21 percent. No market share has been attributed to the iDEN operator Intelfon, which offers services to business users in Guatemala City.<sup>30</sup>

27. SIT, “Crecimiento de la telefonía fija i móvil” (Growth of mobile and fixed lines), at [http://www.sit.gob.gt/files/1513/6864/9180/CRECIMIENTO\\_DE\\_LA\\_TELEFONA\\_FIJA\\_Y\\_MVIL.pdf](http://www.sit.gob.gt/files/1513/6864/9180/CRECIMIENTO_DE_LA_TELEFONA_FIJA_Y_MVIL.pdf) (accessed 12 September 2013).

28. A. Batres, “Se frena el auge de la telefonía móvil” (Mobile telephony slows after steady growth), *el Periódico de Guatemala*, at <http://www.elperiodico.com.gt/es/20121130/economia/221349> (accessed 30 November 2013).

29. “Telefonica sold to Multi Inversiones,” *eEconomista.es*, at <http://www.economista.es/empresas-finanzas/noticias/4788712/04/13/Telefonica-vende-un-40-de-sus-activos-en-Guatemala-El-Salvador-Nicaragua-y-Panama-por-500-millones.html> (accessed 13 April 2012).

30. SIT, *Superintendencia de Telecomunicaciones de Guatemala* (SIT) (Mobile and Fixed Lines Growing 2012), at [http://www.sit.gob.gt/files/1513/6864/9180/CRECIMIENTO\\_DE\\_LA\\_TELEFONA\\_FIJA\\_Y\\_MVIL.pdf](http://www.sit.gob.gt/files/1513/6864/9180/CRECIMIENTO_DE_LA_TELEFONA_FIJA_Y_MVIL.pdf) (accessed 12 September 2013).

Most mobile sets are equipped for 3.5G and 4G technologies. But while mobile telephones achieved a high penetration at incredible speed and the readiness of mobiles to receive digital signal is high, fixed broadband penetration is far behind, with little progress in the past five years.

Mobile broadband penetration in Guatemala surpassed fixed broadband penetration in 2011, as the result of heavy private sector investment in mobile infrastructure, in contrast with the modest and slow development of fixed broadband, which reaches a small percentage of the population, despite prices being among the lowest in the region.<sup>31</sup>

While there are some initiatives to increase connectivity by Guatemala’s National Secretariat for Science and Technology (*Consejo Nacional de Ciencia y Tecnología*, CONCYT), focussed on establishing networks among companies, cooperatives, and other institutions that already have computers or are in a position to acquire them, only a few pilot projects<sup>32</sup> that provide computers for teachers and media labs have been implemented, and only in a limited number of schools across the country. Efforts to close the digital gap are minimal, and regulation on this issue is yet to be drafted.

Table 4.

Internet penetration rate and mobile penetration rate by number of subscribers (% of total population), 2005–2010

	2005	2006	2007	2008	2009	2010
Internet	5.1	5.7	9.8	14.3	15.5	16.4
– of which broadband	3.9	3.5	4.0	4.1	7.0	10.3
Mobile telephony	35.4	55.0	89.0	109.1	118.2	125.5
– of which 3G	94.9	97.8	99.7	100.0	n/a	n/a

Note: n/a: not available

Sources: International Telecommunication Union (ITU), 2011; Pyramid Research (2011)

## 1.2 Media Preferences

### 1.2.1 Main Shifts in News Consumption

Unfortunately, no recent public data are available on Guatemalan audiences on a national scale. However, studies in urban areas show that city dwellers are increasing their media consumption and changing the patterns of consumption, dedicating more resources to their online activities.<sup>33</sup> Major events such as the

31. Inter-American Development Bank, “Bridging Gaps, Building Opportunity: Broadband as a Catalyst of Economic growth and Social Progress in Latin America and the Caribbean. A View from the Industry,” March 2012, at <http://www.iadb.org/en/publications/publication-detail,7101.html?id=46026> (accessed 29 April 2013).

32. Economic Commission for Latin America and the Caribbean (*Comisión Económica para América Latina y el Caribe*, CEPAL), *Las TIC para el crecimiento y la igualdad: renovando las estrategias de la sociedad de la información* (ICTs for growth and equality: renewing strategies of the information society), 2010.

33. IBOPE Media, *Media Book 2011*, Brazil, 2011, at [http://www.ibope.com.br/ibope\\_media/2011/mediabook/port](http://www.ibope.com.br/ibope_media/2011/mediabook/port) (accessed 24 December 2011) (hereafter, IBOPE Media, *Media Book 2011*).

World Cup and the elections modify and influence media consumption and market preferences. Most of the 10,000 respondents aged between 12 and 65 surveyed by IBOPE Media (2011) said that they have a television set in their household and own a mobile phone. The results of their 2012 survey reflect only a slight change in the numbers and trends.<sup>34</sup> Sport remains the most popular subject, and the population prefers to follow it on radio and free-to-air television, with the internet far behind.

While data on media consumers are very limited and untrustworthy, a survey conducted in 2011 just before the general election<sup>35</sup> among registered voters—using a sample of 1,200 citizens in 22 municipalities, 100 cities, and 202 villages in urban and rural areas—shed light on aspects that had not been explored before. This survey shows that traditional media prevail over new, digital media. The primary source for news accessed by Guatemalans is television (46 percent) followed by radio (28.1 percent), printed publications (16.2 percent), cable television (6.7 percent), and the internet (less than 3 percent). Most people (53 percent) watch the news on free-to-air television on a daily basis and 37.8 percent listen to daily news on radio, closely followed by 36 percent reading newspapers on a daily basis. Only 13 percent of respondents (adults registered to vote) use the internet on a daily basis, and only 2.1 percent are over 41 years of age, while most are younger than 25.

Only recently have some newspapers tried to tailor their products locally, producing local versions of the papers for the most important urban centers outside Guatemala City, but their efforts are still not focussed on digitized content.

Digital media consumption is increasing among the middle class and urban youth, and its growth is closely related to the increase of mobile services. The need to communicate with the millions of Guatemalan citizens living in the United States and neighboring countries has increased the use of computers and the growth of rural internet cafés run by young entrepreneurs.

### 1.2.2 Availability of a Diverse Range of News Sources

While the range of media offerings is increasing, as new platforms become available, this does not necessarily translate into openness and democracy. Emerging digital media seem to be just an extension of a concentrated system, reluctant to open to multiple voices, and always favoring politics and business, rather than the public interest. Community media and a few isolated media outlets express the opinions of different voices, but their outreach and circulation make them both ineffective and vulnerable. This is especially the case with community radio, which currently presents the most visible threat to the narrative of mainstream media when discussing environmental issues and indigenous rights, access to services, and social divides.

Newspapers are concentrated in a few hands and not focussed on the quality of reporting. Guatemala has half a dozen major daily Spanish language newspapers: *Al Dia*, *Nuestro Diario*, *Prensa Libre*, *elPeriódico de*

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34. IBOPE Media, *Media Book 2012*, Brazil, 2012, at [http://www4.ibope.com.br/ibope\\_media/2012/mediabook/pt/content/Media\\_book\\_2012\\_portugues\\_final.pdf](http://www4.ibope.com.br/ibope_media/2012/mediabook/pt/content/Media_book_2012_portugues_final.pdf) (accessed 24 December 2011).

35. Gauss pollster group, *Poll: Media, New Media and Elections*, Guatemala (2011), at [http://www.miradorelectoralguatemala.org/pdf/II\\_Encuesta\\_nacional.pdf](http://www.miradorelectoralguatemala.org/pdf/II_Encuesta_nacional.pdf) (accessed 27 January 2013).

*Guatemala, Siglo XXI*, and *Metro* (all morning publications), and *La Hora*, an afternoon paper. *Prensa Libre*, *el Periódico de Guatemala, Siglo XXI*, and *La Hora* were controlled by the Carpio and Marroquin families, who are also investing in free-to-air television and are board members of the newly launched *Contrapoder* and the relaunched *Cronica*.<sup>36</sup> *Metro* is owned by the most powerful radio group from the Archila family.

The few independent media outlets that have produced high-quality investigative reports challenging the status quo are either subsidized (such as Plaza Pública Guatemala, sponsored by a pool of international development agencies and hosted by the Jesuit Rafael Landívar University) or based on subscription fees (such as *Inforpress Centroamericana*, which is no longer published).

In 2012, two new investigative magazines started operations: *Contrapoder*<sup>37</sup> and *Cronica Guatemala*<sup>38</sup> base their business model on the printed edition, since the online magazine does not generate the necessary revenues to be a successful business model.

The problem with newspapers goes beyond ownership concentration, which, while huge, has not stopped new entrants such as *Metro Guatemala*, which is owned by the largest radio group, and *El Quetzalteco*. However, no indigenous person or group owns a printed newspaper, and there is no printed daily newspaper published in indigenous languages.

The television market is also highly concentrated, with a single group owning four of the free-to-air television channels, which have a combined audience share of 90 percent. Ángel González, a Mexican businessman, owns four of Guatemala's main broadcast television stations and at least 20 others throughout Latin America. He also owns 26 radio stations, the biggest cinema chain, and a major soccer club in Guatemala.<sup>39</sup> Mr González's power extends beyond merely being the dominant market player, for he has used these stations to play a major role in determining the outcome of elections by offering free advertising time to the political party of his preference.<sup>40</sup>

However, while the dominant players are taking advantage of the new technologies, the new, diverse media are still marginal and consumers have not drastically changed their news consumption habits; while they are testing new formats, they still rely on traditional formats to receive the news.

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36. See <http://www.cronica.com.gt> (accessed 24 December 2011).

37. See <http://www.contrapoder.com.gt> (accessed 1 November 2013).

38. At [www.cronica.com.gt](http://www.cronica.com.gt) (accessed 1 November 2013).

39. J.L. Flores, *Los fantasmas detrás de "El Fantasma": ¿Quién es Ángel González y cómo ha llegado a ser uno de los empresarios de la televisión más importantes de América Latina?* (The Phantoms behind The Phantom: Who is Ángel González and how has he become one of the most important television businessmen in Latin America?), Poder, 360 Grados, México, 2011.

40. T. Rosenberg, "The Monochromatic Media of Latin America," *New York Times*, 7 May 2001, at <http://www.nytimes.com/2001/05/07/opinion/editorial-observer-the-monochromatic-media-of-latin-america.html> (accessed 27 January 2013).



## 1.3 News Providers

### 1.3.1 Leading Sources of News

While no independent entity has published a study about audiences in Guatemala covering all media, surveys conducted in urban areas in Guatemala point to television as the leading medium as a source of news among adults and young people, followed by radio, which prevails in those areas without electricity. The printed press is only the third source citizens turn to for news.<sup>41</sup> Even if the audience is limited, the printed media still set the tone for the editorial line and the stories to be followed by broadcast news, and they are also the main source of investigative reports and analysis of the social and political processes in Guatemala. The leading newspapers are *Nuestro Diario*, *Prensa Libre*, and *Al Día*, followed by *Siglo 21*, as well as the regional newspaper *El Quetzalteco*, which are published on weekdays only.

A noteworthy though short-lived project was the *Voice of the Migrant*,<sup>42</sup> with online and print distribution by the daily evening newspaper *La Hora* that intended to explore the market of Guatemalan migrants in the United States and Canada. While the diaspora actively used the website, with interactive contents and the possibility to write their own posts, readers in rural Guatemala were reached via the distribution of the printed issues—since indigenous peoples in rural areas in Guatemala are among the least likely to use the internet, due to language barriers and the low levels of education. The printed copies were distributed at the banks where migrants' relatives went to cash the remittances sent from abroad.

### 1.3.2 Television News Programs

Guatemalans dedicate long hours to watching television. It is not only the most popular medium but also the one with the highest penetration and consumption in the country as a whole, even if it still does not reach regions without electricity. The average household spends up to seven hours a day in front of a television.<sup>43</sup> Most of the audience watches the four channels owned by Alba Vision group. According to a 2009 survey, *Telesiete* and its news program “*Noti7*” are the most trusted television sources among urban Guatemalans who participated in the survey.<sup>44</sup>

In its 2012 survey IBOPE Central America found that more Guatemalans are watching television, and are watching it for longer. Soap operas produced abroad are among the favorite programs. People watch soap operas in Guatemala, 39 percent in urban areas and 45 percent in rural areas.<sup>45</sup> Urban and rural Guatemalans

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41. The Intermedia Knowledge Center, “Audience Scapes: Profile Urban Guatemala,” at <http://www.audiencescapes.org/country-profiles/urban-guatemala/urban-guatemala/communication-profile-163> (accessed 27 January 2013).

42. “Voice of the Migrant,” *La Hora*, 10 December 2011, at <http://www.lavozdelmigrante.com> (accessed 12 January 2013).

43. IBOPE Central America, “2012 año de la TV: Repaso por los resultados de la TV Centroamericana” (Results of Central American Television in 2012), at <http://www2.ibopeco.com/blog/cifras/2012-ano-de-la-tv-repaso-por-los-resultados-de-la-tv-centroamericana> (accessed 20 September 2013).

44. AudienceScapes, “Television in Guatemala,” at <http://www.audiencescapes.org/country-profiles/urban-guatemala/media-outlet-matrix/television/television-245> (accessed 27 January 2013).

45. IBOPE Central America, “What people watch, what people want,” at <http://www2.ibopeco.com/blog/cifras/conoce-lo-que-ve-y-le-gusta-a-la-gente> (accessed 12 January 2012) (hereafter, IBOPE Central America, “What people watch, what people want”).



also watch international news programs. According to an AudienceScapes survey,<sup>46</sup> which only looked at urban audiences, the source of international news that Guatemalans trust the most is CNN in Spanish. Other leading television channels are TV Azteca, Televisa, and Fox Sports.

There is no continuous public or commercial monitoring of audiences in Guatemala.<sup>47</sup> According to another study by IBOPE on television audiences, the World Cup championship was the most popular program in 2010, followed by the UEFA Champions League and an international talent show, “*La Academia*” (The Academy). The same patterns are followed by radio, where sport also has the highest rankings.<sup>48</sup>

The National Television Channel broadcasts four different news bulletins, one in each channel. “*Noti7*” is the leading news bulletin, followed by “*Telediario*,” “*Telecentro 13*,” and “*Guatevisión*.”<sup>49</sup> Canal Antigua, a local television channel, also broadcasts a news bulletin and a controversial weekly investigative report which is more focussed on sensationalist reporting and interviews with socialites than on investigations.<sup>50</sup>

### 1.3.3 Impact of Digital Media on Good-quality News

Digital media have not substantially contributed to improving the quality of news, since television remains the most accessed news source, and too often digital media only reproduce offline content instead of creating new content. Most of the content Guatemalans watch and listen to is produced abroad and often designed for an international audience. According to the political analyst Edgar Gutiérrez, television content produced in Guatemala is largely biased and dependent on national advertising, and is controlled by Albavisión, the dominant media group that often uses its platforms to influence domestic political issues.<sup>51</sup> Guatemalan television production shows bias and racism while covering social demands and protests, distorts news about the political class, and serves the interests of the elite.<sup>52</sup>

The printed media still have the most influence on public opinion. In general, they rely on international news outlets to report world news. However, editorials tend to reflect the opinions of the newspaper owners, and while important global topics are reported the local debate on those is often silenced or very conservative<sup>53</sup> and politically biased.

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46. IBOPE Central America, “What people watch, what people want.”

47. Interview with Andres Zepeda and Enrique Naveda, media researchers, confirmed the absence of data providing information about readership and viewers of television. They confirmed that the only auditable media are the printed press, which only measures circulation via the private company Verified Audit.

48. IBOPE Media, *Media Book 2011* (accessed 30 October 2013).

49. Data gathered through the analysis of programming grids published in newspapers.

50. Canal Antigua, Programmes, at <http://www.canalantigua.com/programas> (accessed 27 January 2013).

51. Albavisión, *Company Profile*, 24 December 2011, at <http://www.albavision.tv> (accessed 28 December 2011).

52. Edgar Gutiérrez, *Los medios y la transición democrática en Centroamérica* (Media and transition to democracy in Central America), n.d., at <http://www.waccglobal.org/en/20022-impunity-and-the-media/685-Los-medios-y-la-transici.html> (accessed 23 April 2013).

53. S. Huhn, A. Oettler, and P. Peetz, *Exploding Crime? Topic Management in Central American Newspapers*, German Institute for Global and Area Studies, No. 33, November 2006.

An emerging model is independent digital journalism, produced either by independent journalists and think tanks or by new investigative journalism centers. Those models are not commercially viable: they tend to be subsidized by academic institutions with the assistance of international organizations. The digital investigative reports published by *Plaza Pública* are still very recent; their impact has not been studied.

One positive aspect of the transition to the digital format is that Guatemalans can now enjoy more varied content and affordable educational materials online, while the barriers to creating their own news outlets and to distributing news are also lower. Affordable access to computers in internet cafés<sup>54</sup> plays a central role in the access, production and distribution of digital content in Guatemala, with the added benefit of favoring a climate for rural companies to emerge and offer internet-related services, such as IP-based telephone booths, document scanning, and even the web development of local businesses.<sup>55</sup> Community and religious media are also contributing to the creation of content in different languages, focused on local audiences.

## 1.4 Assessments

While digitization has reduced production and distribution costs dramatically, allowing new players to enter the local and hyperlocal markets by producing news that no one produced before, the real winners of digitization are international content providers, which have found, with low entry barriers, a market to offer products for a globalized audience.

No study has yet measured systematically the effect on consumer choice—apart from isolated studies, which report that the internet is still far from achieving its full potential and remains the fourth source of news for Guatemalans.

The digital divide and literacy barriers, linked to poverty, remain an obstacle to a broader reach of the benefits of digitization, but the biggest obstacle is the basic infrastructure. The deployment of optical fiber and more electrification will increase the possibilities for inclusive, diverse media to emerge. Until this happens, radio will remain vital for marginalized areas with poor energy supply, and the opportunity to reach these areas by distributing news via mobile phones is still unexplored. There are few economic incentives for the media to develop local content.

Cheaper equipment has allowed most families access to at least one digital tool—most commonly a mobile phone—that may give access to digital content in the near future. Therefore, telecommunication companies will become the most powerful actors in content distribution, via mobile devices, as they already have agreements with regional content providers to offer news and entertainment for Spanish speakers.

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54. B. Dardon, “Cafés Internet como centros de desarrollo en Guatemala” (Internet Cafés as Development Nodes in Guatemala), at [http://www.prensalibre.com/economia/Cafes-internet-centros-desarrollo\\_0\\_444555550.html](http://www.prensalibre.com/economia/Cafes-internet-centros-desarrollo_0_444555550.html) (accessed 29 December 2011).

55. C. Benavente, “Kids Invade Internet Cafés in Guatemala,” at <http://www.elperiodico.com.gt/es/pais/12534> (accessed 1 November 2013).

## 2. Digital Media and Public or State-administered Broadcasters

### 2.1 Public Service and State Institutions

#### 2.1.1 Overview of Public Service Media; News and Current Affairs Output

Over the past decade, the state has increased its investment in the media that it controls. The president's Secretary of Communications implemented a National System of Public Information (*Sistema Nacional de Información Pública*, SNIP),<sup>56</sup> grouping a satellite public radio (TGW, The Voice of Guatemala), a news agency (Guatemalan News Agency, *Agencia Guatemalteca de Noticias*, AGN),<sup>57</sup> and a daily newspaper (*Diario de Centroamerica*), which also serves as national gazette.

The government of President Álvaro Colom (2008–2012) invested in new equipment and better training in AGN, and partnered with public news agencies from nine different countries. The agencies providing content and partnering with AGN are the Latin American Union of News Agencies (*Unión Latinoamericana de Agencias de Noticias*, ULAN),<sup>58</sup> comprising news agencies from Latin America and the Caribbean; Argentina's national news agency, Télam;<sup>59</sup> the Venezuelan News Agency (*Agencia Venezolana de Noticias*, AVN); the Brazil Communications Company (*Empresa Brasil de Comunicação*, EBC);<sup>60</sup> IP Paraguay;<sup>61</sup> the Mexican news agency Notimex; the Public News Agency of Ecuador and South America (*Agencia Pública de Noticias del Ecuador y Suramérica*, ANDES);<sup>62</sup> the Bolivian government news agency (*Agencia Boliviana de Información*, ABI);<sup>63</sup> and Cuba's Prensa Latina.<sup>64</sup> SNIP invested resources and forged alliances to build a real network of reporters and news outlets.

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56. Inforpress Centroamericana, "Sistema de Información Pública nace con debilidades" (Launch of a weak National System of Public Information), *Inforpress Centroamericana*, No. 1835.

57. See <http://www.agn.com.gt> (accessed 1 November 2013).

58. ULAN, 10 December 2011, at <http://agenciasulan.org/en> (accessed 1 November 2013).

59. Télam, 10 December 2011, at <http://english.telam.com.ar> (accessed 1 November 2013).

60. EBC, 10 December 2011, at <http://www.ebc.com.br> (accessed 1 November 2013).

61. IP Paraguay, 10 December 2011, at <http://www.ipparaguay.com.py/2011/ip/index.php#cuerpo> (accessed 1 November 2013).

62. ANDES, News Agency of Ecuador and South America, 10 December 2011, at <http://andes.info.ec> (accessed 1 November 2013).

63. ABI (Bolivian Agency of Information), 10 December 2011, at <http://www3.abi.bo> (accessed 1 November 2013).

64. Prensa Latina (Latin Press), 10 December 2011, at <http://www.plenglish.com> (accessed 1 November 2013).

While some of these alliances remained in place after President Otto Pérez Molina took office in early 2012, most SNIP reporters and personnel were fired, its budget was reduced and reallocated, and the *National Gazette* website was taken down, so that legal documents published in the *National Gazette* are only accessible upon payment of a monthly fee. The newly appointed Secretary of Communications declared that one of his main goals was to create a 24-hour radio station with national coverage.<sup>65</sup>

There is no national public television channel in Guatemala. Television is still the most concentrated media, with a powerful lobby blocking any attempt to democratize it and create non-commercial alternatives. There is virtually no legal provision ensuring that free-to-air television dedicates time to public programming.

While state funding to public media outlets is scarce and lacks institutional structure, the allocation of state advertising is incredibly important for the media in general and for public interest media in particular. When President Colom took office in 2008, the state radically varied the allocation of state money spent in communication campaigns. Previously, only the most powerful media groups were recipients of generous advertising accounts from the state; with the Colom administration, the allocation of public funds for official publicity benefited a more diverse pool of digital and printed media outlets.

When the government chose local radio stations, cable networks, independent publications, and hyperlocal publications over the dominant players in the market, it was accused of discriminatory advertising policy. The government invested as never before in online advertising in digital media and dedicated resources and specialized media outlets in indigenous languages to target different audiences, especially in rural areas where the most important newspapers do not circulate and radio is the most used media. However, once the government of Otto Pérez Molina took office in early 2012 the investment in media returned to the traditional channels, and was allocated mostly to television during the first 12 months of government.

In Guatemala there are different types of non-commercial, not-for-profit broadcasters filling the gap of the weak public media. Not-for-profit media include hundreds of community radio broadcasters and internet sites, mostly operated by churches or other religious groups. Religious media play an important role in influencing Guatemalan policies and decisions, and as a vehicle to communicate other issues of social relevance, in the absence of public service media. Evangelical Protestant stations and Catholic radio stations are the leading ones, and they manage a vast number of radio stations, websites, and YouTube channels and even three television channels in UHF. The Catholic Church has a large network of radio stations all over the country, and it is one of the most important actors offering public interest content, educating people in different areas such as healthcare, agriculture, and disaster prevention.

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65. L. Flores, "Francisco Cuevas: Lo único que va a quedar de la Secretaría es el nombre" (Francisco Cuevas: from the Secretary of Communications, only the name will remain), Sala de Redacción, December 2011, at <http://saladeredaccion.com/revista/2011/12/defender-la-libertad-de-expresion-dia-con-dia> (accessed 27 January 2013).

There are five non-commercial religious television channels producing local content in Guatemala. Most do not have national coverage, but are finding ways to increase coverage by distributing content via cable television and the internet. These are Channel 21, a Christian Pentecostal medium affiliated to the Trinity Broadcast Network and with strong links to El Shaddai Church, (led by the current head of the Ministry of Foreign Affairs, Harold Caballeros); the Guatemalan Christian Fraternity Church (*Fraternidad Cristiana de Guatemala*);<sup>66</sup> Casa de Dios Church; Channel 27, with an avowed mission to reconcile Guatemala with God;<sup>67</sup> and Channel 63, from the Catholic Church. The only two non-religious, non-commercial channels are TV Maya and TV USAC, the television channel owned by the University of San Carlos, a private Catholic university in Cebu City.<sup>68</sup>

A smaller number of news outlets are managed by NGOs and academic institutions, such as Radio Universidad, the radio of the National University in Guatemala, which has been on air for two decades, broadcasting only for audiences located in Guatemala City and neighboring areas. Its content can be considered public, educational media.

Another interesting block of actors comprises hyperlocal newspapers in rural areas. Most of these alternate local, national, and international content with news of direct interest to their communities. Almost every department (the administrative division of the 22 Guatemalan territories)<sup>69</sup> has a digital news portal, locally managed, locally owned and with local advertising, and they are indeed generous with the space they provide for community matters. Such outlets contribute to the variety of local news.

The president disposes of a series of frequency titles, and he has transferred the usufructuary rights for these frequencies to the National Academy of Mayan Languages, after the first expiration of their validity. The transfer is revocable if the Academy uses the frequencies for activities not stipulated in its mandate.<sup>70</sup> The Academy could not produce content with massive appeal or broadcast to the entire country, since the state assigned a limited budget for operating these frequencies,<sup>71</sup> and it permitted no alternative ways to increase revenues, such as advertising or commercial deals. Therefore, Channel 5 Maya TV,<sup>72</sup> whose purpose is to promote indigenous Mayan languages, was granted a frequency—but without the budget or the capacity to compete with mainstream media, and further hampered by a ban on advertising.<sup>73</sup> Despite these limitations,

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66. Guatemalan Fraternal Christians, at <http://frater.org> (accessed 29 December 2011).

67. Ministry of Christian Motivation, Channel 27, 29 December 2011, at <http://www.canal27.org> (accessed 13 October 2013).

68. Universidad de San Carlos de Guatemala, *Televisión de la Universidad de San Carlos de Guatemala* (Television of San Carlos de Guatemala University), at <http://www.tvusac.com> (accessed 13 October 2013).

69. The size of a department varies but the largest can have up to one million inhabitants.

70. Presidency of Guatemala, Executive Decree 30-2012, 13 January 2012.

71. The Academia de Lenguas Mayas de Guatemala (Academy of Mayan Languages of Guatemala) has a limited budget of less than US\$4 million for its entire operation. The Maya TV channel needs at least US\$6 million to start a proper operation.

72. Channel 5 “Maya TV” uses live broadcasting tools such as live Ustream due to the lack of funding to transmit in analog or digital formats on national TV, at <http://www.ustream.tv/channel/tv-maya> (accessed 10 October 2013).

73. Guatemalan government, “Presidente Álvaro Colom inaugura transmisión de canal 5 de televisión” (President Álvaro Colom launches transmissions of TV Channel 5), at [http://guatemala.gob.gt/noticia\\_busqueda.php?codigo=620&titulo2](http://guatemala.gob.gt/noticia_busqueda.php?codigo=620&titulo2) (accessed 12 October 2013).

the content produced by Maya TV is promising, with news, educational and cultural material, not restricted to indigenous audiences and promoting a more plural, inclusive society.

Similar frequencies were transferred by the president to the Congress, which has not started transmissions yet, only livestreaming of its sessions. Claro TV, a branch of Claro mobile, donated funds and sponsored the television channel of the Congress, to be transmitted by cable, but the content is limited to the public sessions of the Congress.<sup>74</sup>

### 2.1.2 Digitization and Services

Since the process of digitization of legacy media has barely started in Guatemala, existing public media services have not been affected by it. However, after the enactment in 2008 of the Access to Public Information Law, Decree No. 57-2008, the central and local governments must provide websites and open platforms to share content, exchange opinions, and interact with citizens. The law aims to guarantee the transparency of public administration and the right of all persons to request and have free access to public information. The law is based on the principle of maximum publicity (Article 3.1) and the obligation of transparency in public administration (Article 3.2). The law requires all public and private entities that receive public funds to respond to citizen requests for information on their operations and administration of resources. Also, they are obliged to update their websites on a monthly basis.

In general, the amount of digital services has increased over the past five years, with government offices using social networks and websites, and churches and NGOs actively using digital video tools to spread their ideas.

An example was “*Presidential Dispatch*,” a televised weekly dialogue between the head of state and citizens broadcast on up to 40 commercial local radio stations at a time, livestreamed on the internet, and shared in social and mobile networks. Citizens could call the president live, send text messages, call their local radio station or send a message via diverse social networks. However, the show ended with the arrival of the Molina administration, only to be revived recently. President Pérez Molina announced the program would be relaunched and rebranded under the name “*Hablemos con el Presidente*” (Let’s talk to the President) and be broadcast in the most-viewed free-to-air television channel, Canal 3, during prime time every Tuesday night. This decision breaks with the previous approach of increasing the robustness of local media. The president’s decision to broadcast his show on the monopoly network is telling.<sup>75</sup>

Local governments are also trying to enhance their connections with communities. Many local authorities host and produce shows for cable television. More government and public service agencies are using social networks and mobiles as information channels, which is leading to a more interactive, participatory process

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74. D. Ajin, “Sesiones de Congreso serán transmitidas en televisión por cable” (Congressional sessions will be transmitted via cable TV), *el Periódico de Guatemala*, Guatemala, 31 December 2011, at <http://www.elperiodico.com.gt/es/20110629/pais/197474> (accessed 10 January 2012).

75. “Presidente Pérez Molina presentó programa de diálogo sobre temas relevantes del país” (President Pérez Molina launches TV dialogue show on relevant issues in the country), Gobierno de Guatemala (Government of Guatemala), 4 June 2013, at <http://www.guatemala.gob.gt/index.php/2011-08-04-18-06-26/item/4035-presidente-p%C3%A9rez-molina-present%C3%B3-programa-de-di%C3%A1logo-sobre-temas-relevantes-del-pa%C3%ADs> (accessed 28 June 2013).

in general. As an example, during a storm and volcanic eruption in 2010 in Guatemala City, in a region with better connectivity, the authorities used SMS, Facebook, Twitter, and collaborative Google Maps to inform citizens about the location of shelters, the most affected areas, damage to the infrastructure, and updates on traffic restrictions and closed schools.<sup>76</sup>

An interesting case is the sophisticated use of social tools by Protestant churches. Casa de Dios<sup>77</sup> and its leader, Cash Luna, have special apps to share their activities and discourses for both iPhones<sup>78</sup> and Android-based<sup>79</sup> smartphones. With up to a million followers on Facebook,<sup>80</sup> their social media and communication strategies are as successful, if not more so, than those of any news outlet in Guatemala, with followers spread all over Latin America.

The Catholic Church is similarly effective: in addition to broadcasting a daily mass service on its television channel and its chain of radio stations, it maintains a vast presence on social networks and has made good use of websites to broadcast important events to the Catholic diaspora, such as Holy Week in Guatemala.<sup>81</sup>

### 2.1.3 Government Support

There is little or no support from the government to promote and fund community and public interest media outlets through legislation or financial support. The reform brought by the Telecommunications Law of 1996 left an empty space, a legal limbo, where the issue of Community Radio and Public Television was never discussed.

As a result, the costs of commoditizing the radio-electric spectrum fell disproportionately on Guatemala's indigenous population.<sup>82</sup> A system rewarding those who can pay the highest price distorted the freedom-of-speech ecosystem, creating media oligopolies and criminalizing any attempt to start a radio news outlet for community purposes. The lack of a legal framework regulating community media is the second most important problem that needs to be addressed. The current legal framework rewards those who can pay the highest price, and takes no account of social, geographical, or ethical circumstances.

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76. S. Miller, "Tropical Storm Agatha floods kill 150, cause giant sinkhole in Guatemala City," *Christian Science Monitor*, at <http://www.csmonitor.com/World/Americas/2010/0601/Tropical-Storm-Agatha-floods-kill-150-cause-giant-sinkhole-in-Guatemala-City> (accessed 31 December 2011).

77. Cash Luna Ministries, at <http://cashluna.org> (accessed 10 December 2011).

78. Special app for Cash Luna, Apple Store, at <http://itunes.apple.com/us/app/cash-luna/id355819757?mt=8> (accessed 10 December 2011).

79. Special app for Cash Luna, Android Market, Rawapps, at <http://www.rawapps.com/153277/cash-luna> (accessed 10 December 2011).

80. Preacher Cash Luna profile on Facebook, at <https://www.facebook.com/pastorcashluna> (accessed 10 December 2011).

81. Holy Week in Guatemala, at <http://www.semanasantaenlinea.com> (accessed 31 December 2011).

82. Victoria L. Henderson, "Sound As a Dollar? The Propertization of Spectrum Resources and Implications for Non-Profit Community Radio in Guatemala," thesis for MA degree, Queen's University Kingston, Ontario, Canada, 2008.



The few policies or government plans to address the issue have been largely ineffective. The problem of so-called pirate radio stations was addressed by the Executive branch,<sup>83</sup> but this solution was widely rejected by members of civil society as well as by the affected parties.<sup>84</sup>

In general, community radio is increasingly gaining importance for indigenous peoples and varies both in format and system of distribution. Pirate radio stations are filling essential gaps of the media landscape, where demand is not covered by commercial or state media; the content is focused on the community instead of on the individual, as well as the long tradition of deliberation within Maya community life in their local languages, helping community identification and the transmission of culture through language.<sup>85</sup> This illegal sector is often seen as a public service in rural Guatemala; however, for the business sector it is a threat, as community radios often interfere with their frequencies. The office of the Attorney General has a special unit to prosecute pirate radio stations, which is active in conducting raids, seizing of equipment, and bringing criminal charges against community radio broadcasters.

As the phenomenon continues to spread, the only solution offered by the authorities is to criminalize the radio stations. There are more than 270 community radio stations in Guatemala, broadcasting in 23 indigenous languages (in contrast, commercial media outlets all broadcast in Spanish). Most of these stations do not hold the rights to use frequencies—they simply occupy them—which leads to interference in the transmission of other signals. However, without the stations, citizens, especially indigenous peoples, would be deprived of a vital tool for communication. According to Alfonso Gumucio, some 80 community radio stations, mostly located in poor Mayan villages, have been declared “illegal.”<sup>86</sup>

A Community Media Act<sup>87</sup> submitted to the Guatemalan Congress in August 2009 limited the footprint of community radio on the municipal level to a radius of only 2.5 kilometers and to the FM band. The draft law, if enacted, would have allowed a low-watt radio frequency for non-profit community radio in each of the 333 municipalities in Guatemala. The Congressional Commission on Telecommunications has yet to make a pronouncement on the Act.

While online tools are helping the state and public service media to communicate with the majority of the population, including the young, they are not improving access to media by those living in extreme poverty (who cannot afford access) and by the elderly. There have been no studies on the digital divide in Guatemala, but evidence shows that media in general are innovating to create new digital tools assuming a level of readiness in users, while ignoring groups in society unprepared for the transition.

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83. Guatemalan government, Ministry of Communications, Administrative Decree 43-2007, at [http://sgp.gob.gt/PaginaWeb/PEsp/AG2007\\_Esp.htm](http://sgp.gob.gt/PaginaWeb/PEsp/AG2007_Esp.htm) (accessed 1 November 2013).

84. Hilda Mérida, “AMARC denuncia ante la CIDH al Gobierno de Berger” (AMARC denounces President Berger before the Interamerican Commission of Human Rights), 16 April 2007, at <http://www.albedrio.org/htm/noticias/ep160407.htm> (accessed 1 November 2013).

85. In most indigenous communities of Mayan origin, the decision-making process is based on consensus which involves all members of the community, including children; if consensus is not reached, a Council of Elders will decide the matter.

86. Alfonso Gumucio Dagon, *Media, freedom and poverty: a Latin American perspective*, World Association for Christian Communication, n.d., at <http://www.waccglobal.org/en/20042-citizenship-identity-media/503-Media-freedom-and-poverty-A-Latin-American-perspective.html> (accessed 1 November 2013).



But there are some exceptions, led by local governments providing free wireless internet in public spaces. The most relevant example is the Municipality of Pachalum,<sup>88</sup> where key areas of the town and information kiosks are connected to the internet so that people can access information in their own language. Pachalum won an award as an Ibero-American pioneer for digital cities in 2010—a distinction conferred by the Ibero-American Association of Research Centers and Telecommunications Companies (*Asociación Iberoamericana de Centros de Investigación y Empresas de Telecomunicaciones*, AHCIET). Antigua Guatemala<sup>89</sup> and Quetzaltenango<sup>90</sup> are the two other cities with large populations and active plans for achieving digital inclusion via public wireless spaces, while more local governments are improving their infrastructure to improve connectivity. This might be considered a first step in helping digital media develop through the provision of infrastructure that will enable citizens to read previously inaccessible information.

However, institutional support for journalists is very limited. The state organized some training for rural journalists on how to use digital tools, and the allocation of official propaganda in small news outlets helped to promote local websites—which aroused the anger of traditional media outlets.

While there are no public media, in the strictest sense, communities constantly give donations to increase the penetration of religious radio and news outlets. There are no programs to increase digital literacy or improve the access to broadband internet.

#### 2.1.4 Public Service Media and Digital Switch-over

As described above, the state media still enjoy a very limited influence and outreach in Guatemala, and the concept for digital switch-over is still vague. Nonetheless, the growing number of digital tools and the increase in internet access are helping citizens and institutions to create platforms with educational and other relevant content for the general public. Of special interest are the growing number of platforms connecting Guatemalan villages and their dispersed members.

The potential of the mobile market is still being explored by public service and state media. There are huge opportunities in the tools and services distributed via ordinary mobile phones, which are widely used even by families in extreme poverty.<sup>91</sup>

The privatization of spectrum hindered the development of public media and public mechanisms to reach citizens. If the authorities want to address the nation on a particular matter, they must pay for airtime on private media, at the market price.

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87. Iniciativa de Ley 4087, proposed Bill of Community Media Law, Guatemalan Congress, at <http://xobil-yol.blogspot.com/2010/09/iniciativa-4087-ley-de-medios-de.html> (accessed 1 November 2013). (The official website of Congress is inaccessible at the time of writing.)

88. Municipality of Pachalum, *Digital Pachalum*, at <http://municipalum.net/digital> (accessed 1 January 2012).

89. R. Giron, “La Antigua Guatemala Becomes the First Digital City in Central America,” at <http://antiguadailyphoto.com/2008/12/03/la-antigua-guatemala-becomes-the-first-digital-city-in-central-america/#.TwClWGB92gs> (accessed 1 January 2012).

90. A. Chaclan, “Instalan Internet gratuito en los parques de Xela” (Installing Free WiFi in Xela open spaces), at [http://www.prensalibre.com/noticias/Instalan-internet-gratuito-parques-Xela\\_0\\_619138128.html](http://www.prensalibre.com/noticias/Instalan-internet-gratuito-parques-Xela_0_619138128.html) (accessed 1 January 2012).

91. Foundation for Development (*Fundación Para El Desarrollo*, FUNDESA), *Inversión Social en Guatemala* (Social Investment in Guatemala), 2011, at [http://www.fundesa.org.gt/cms/content/files/publicaciones/GDN\\_-\\_Inversion\\_Social\\_en\\_Guatemala.pdf](http://www.fundesa.org.gt/cms/content/files/publicaciones/GDN_-_Inversion_Social_en_Guatemala.pdf) (accessed 1 November 2013).

## 2.2 Public Service Provision

### 2.2.1 Perception of Public Service Media

With virtually no public media controlled by independent, impartial authorities, and a weak system of state media, citizens are not aware of the role of the media as a public service.<sup>92</sup> In fact, the Constitutional Court ruled that the media are not a public service, rather an activity of public interest.<sup>93</sup>

Politicians in general defend and are proud of the Guatemalan privatized communication model, with few exceptions. They are largely unconcerned about the absence of public media in the country. They argue, for instance, that the privatization of the telecommunication company Guatel in the late 1990s gave a unique opportunity to grow and develop one of the biggest mobile networks in the region.

There is little to no awareness among politicians and in the private sector of the importance of public media and the damage its absence causes. Ronaldo Robles, the former communications secretary (spokesman) of President Colom, says that politicians from all parties block any attempt to create public service media. The idea prevailing among those in power, he says, is that any state subsidy should help the political party in power; therefore, there is limited support for funding any independent media able to criticize those in power and hold them accountable.<sup>94</sup>

In the local context, Mr Robles said, the issue goes beyond holding politicians to account: resources such as radio and television could be tools to educate the masses, to address urgent social issues, and build citizenship. Instead, they provide just entertainment and advertising. The message is always controlled by the powerful, and without the state to counterbalance this no bright future is in sight.

It is important to highlight the compromises accepted by the government when the Peace Accords were signed in 1995. The Agreement on Identity and Rights of Indigenous Peoples establishes that oppression and discrimination in Guatemala can only be eliminated if due recognition is given to all aspects of the identity and rights of indigenous peoples. Regarding mass media, the government committed itself to creating opportunities in the official media for the dissemination of expressions of indigenous culture and to promote a similar opening in the private media.

### 2.2.2 Public Service Provision in Commercial Media

The media, including broadcasting, printed press, free-to-air television, and any other form of dissemination of news are considered a service of public interest by Article 35 of the Constitution. They are not considered a public service but a service of public interest, and limitations on their activity are forbidden.

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92. UNDP, *Public Service Media and the Economy Agenda in Guatemala*, 2008.

93. Constitutional Court, Case No. 72-2004, *Challenge of the Constitutionality of captive media by executive order*, Guatemala, 2004.

94. Interview with Ronaldo Robles, presidential Secretary of Communications 2008–2011, Guatemala City, 9 December 2012.

While the Radio Communications Law of 1980 encourages news outlets to disseminate national culture and arts by the inclusion of local artists, there are no clear obligations for media. The Constitutional Court declared void a provision<sup>95</sup> that imposed the duty for any free-to-air television, cable television, or radio channel to dedicate 15–30 minutes a day to transmitting information from the government, which has very little to no control over the media on the airwaves. A ruling of the Constitutional Court forbids the state to interrupt any radio or television program to address the nation. If the state wants to address the nation, it must pay for airtime. The Constitutional Court aimed with this ruling to defend citizens' freedom to choose the information they wanted to receive via the media of their choice.

While the Public Order Law (Decree 7) states that the media are obliged to collaborate and communicate to the general public all the details of a state of emergency, the fines for not doing so are very low, between US\$12 and US\$ 120. During emergencies or events where the authorities need to inform the population about important matters, the media offer very limited space for the state to disseminate messages. Now that telecommunications companies have a more prominent role in distributing content, the state is paying the price of privatization: it is unable to send messages to citizens without paying a huge amount of money, even during emergencies.

## 2.3 Assessments

Since the public media in Guatemala are few, weak, and lacking independence, and since the process of digitization of legacy media has not started yet, it seems necessary to pay attention in this context to those media that, though not strictly public, serve the public interest (community media) and to those forms of digitization that come from new media (rather than from the analog to digital transition).

While the creation of a State Information System during the Colon administration was a positive development towards building a strong public media sector, the way it was dismantled as soon as the opposition took office reflects the lack of long-term public policies in Guatemala. In addition, the privatization of the spectrum was a missed opportunity for the state to create a cheaper, nationwide system to communicate with citizens, inform them at crucial moments, implement public policies to educate them, or simply facilitate an environment wherein local, diverse, and multilingual content has a privileged status.

The gains the public media enjoyed thanks to digitization are the increased number of platforms and the greater variety of services, not only developed by classic public service media (run by churches and by academic institutions) but also by local entrepreneurs who want to offer the general public tools and content of public interest, relevant to the local context, in formats and languages they can understand. Another gain is the increased interest of local authorities in providing free wireless internet connections and the push towards more open access to information, triggered by the Law on Access to Public Information and facilitated by the internet.

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95. Article 32, Radio Communication Law (Law Decree 433 and its amendments) and Article 9, section K of the Law on Regulations of the Use and Acquisition of Signals via Satellite and their Distribution by Cable (Congressional Decree No. 41–92).

Nonetheless, the large section of the population that is monolingual in a non-Hispanic language (approximately a million people), the illiterate, and people with special needs still remain largely forgotten by both the state and the emerging platforms of public service media. That is why it is urgent to regulate and fund community radio. As stated by the Inter-American Commission of Human Rights back in 2003, community radios are positive because they foster the culture and history of communities, and they contribute to the promotion of a national culture, to social and economic development, and to the education of the different communities that compose Guatemalan society.<sup>96</sup> The proposal of a new Community Media Law is a significant step for the hundreds of radio stations demanding more inclusive regulation for their local media—but the fact that the bill is frozen in Congress gives little hope to those who want to challenge the current media structure.

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96. Organization of American States, *Justice and Social Inclusion, the challenges of democracy in Guatemala*, OEA/Ser.L/V/II.118 Doc. 5 rev. 1, at <http://www.cidh.org/countryrep/Guatemala2003eng/TOC.htm> (accessed 31 December 2011).

## 3. Digital Media and Society

### 3.1 User-Generated Content (UGC)

#### 3.1.1 UGC Overview

The most popular types of UGC in Guatemala are pictures and text posted on Facebook, followed by comments and exchanges in forums and social networks, and only in third place come more sophisticated forms of expression, such as videos and more structured websites and blogs.<sup>97</sup>

But UGC is still modest and limited to the 16 percent of the population with internet access. Broadband penetration is reduced and its speed is among the slowest in the world, for both uploading and downloading content.<sup>98</sup> A recent survey exploring internet users in Guatemala revealed that, among those with internet access, 36 percent access it from a cybercafé, 32 percent from home, and only 14 percent from work. The remaining 18 percent is represented by the growing number of people who use a mobile device to access the internet.<sup>99</sup> According to a recent survey among smartphone owners who access the internet, 45.4 percent have BlackBerrys, the leading smartphone in the country.<sup>100</sup> Low computer penetration in Guatemalan households contrasts with increasing penetration of telephone internet access.

Telecommunications companies offer competitive prices for smartphones and one day of internet service can cost as little as US\$ 0.50. There are also economic internet packs, allowing only access to Facebook and YouTube. In perspective, however, the prices might be considered very high given that the average salary is US\$ 300. While a large number of users have a Facebook account, and the use of chat and email is quite popular, text messages from mobile phones are certainly the most widespread way to communicate, and it takes place outside the internet, with affordable phones and at an affordable price.

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97. iLifebelt, *Estudio de las Redes Sociales en Centroamérica* (Study of Social Networks in Central America), March 2012, at <http://redes-sociales.ilifebelt.com/downloads/redes-sociales-centroamerica-2013.pdf> (accessed 1 November 2013).

98. According to the Download Index by Ookla, Guatemalan connectivity is at 146th place with a speed of 2.62 Mbps. See <http://www.netindex.com/download/allcountries/> (accessed 1 November 2013).

99. Portable Internet USBs are offered at an affordable price, US\$15 and the cost to surf per day is less than US\$0.50. See <http://www.tigo.com.gt/personas/internet-movil/planes-y-dispositivos/prepago/planes-internet-para-modem> (accessed 1 November 2013).

100. R. Sandoval, “El uso de Internet aumenta en el País” (Internet use on the rise in Guatemala), *Prensa Libre*, at [http://www.prensalibre.com/tecnologia/uso-internet-aumenta-pais\\_0\\_482951705.html](http://www.prensalibre.com/tecnologia/uso-internet-aumenta-pais_0_482951705.html) (accessed 1 November 2013).

According to Alexa.com,<sup>101</sup> as of May 2013 the most popular websites by number of unique visitors in Guatemala are:

1. Facebook
2. Google
3. Google Guatemala
4. Windows Live
5. YouTube
6. Yahoo!
7. MSN
8. Blogger.com
9. Wikipedia
10. Taringa

Some of these top sites are based on user-generated content (UGC): Guatemalan internet users constantly post comments and pictures on Facebook, check email, and share contents via Windows Live, Google, Yahoo!, and so on. Though Guatemalans comment and share videos, they are still not especially active uploaders of new content, due to a lack of equipment and very slow internet connection, with the lowest broadband penetration in the region.

Traditional forms of local media (newspapers, radio, and television) fail to rank among the top 10 most popular websites, according to Alexa.com. None of the national news websites occupy a spot in the top 10. *Prensa Libre*, the most popular local newspaper online by visitors and second most popular in print by circulation, is in 11th place. It is followed by *elPeriódico de Guatemala* in 19th place. National television news broadcasters fail to rank in any relevant position. It is worth noting that the mainstream media's news platforms constantly encourage the use of text messages to interact with their audience.<sup>102</sup>

Although *Prensa Libre* and *elPeriódico de Guatemala* are both established news media that recently incorporated into their services a digital newsroom providing multimedia content—*Prensa Libre* is the first newspaper with online news broadcasting, at least twice a day with live coverage during special events or breaking news. It is also important to consider the comments that readers post on these sites and how these posts generate comments when reposted on the readers' profile walls on Facebook. *elPeriódico de Guatemala* has around 600 daily comments. The newspaper usually publishes about 200 daily comments, while the rest are considered spam or do not comply with the editors' guidelines. The online version of *Prensa Libre*, with 45,000 unique

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101. Alexa.com does provide a ranking but not the number of unique users, at <http://www.alexa.com/topsites/countries/GT> (accessed 30 May 2013).

102. K. Andrade, *Mobile Phone Democracy*, at [http://harvard.academia.edu/JuneErlick/Papers/498775/ReVista\\_the\\_Harvard\\_Review\\_of\\_Latin\\_America\\_press\\_in\\_Latin\\_America](http://harvard.academia.edu/JuneErlick/Papers/498775/ReVista_the_Harvard_Review_of_Latin_America_press_in_Latin_America) (accessed 22 January 2012).

daily visits, does not keep a precise record of the comments they receive, but the editor estimates that there are about 200 comments per article.<sup>103</sup>

### 3.1.2 Social Networks

The most popular social networks in Guatemala are the following, according to surveys and data analyzed by iLifebelt in 2012 and 2013 (combined figures):

1. Facebook
2. Windows Live Profile
3. Twitter
4. Google+
5. Badoo
6. Sonico
7. YouTube
8. LinkedIn
9. Hi5
10. DeGuate

A study on Social Networks in Central America published in March 2012<sup>104</sup> stated that 36 percent of Guatemalan internet users use social networks, and 37 percent of those social networks users are aged 18 to 24. With a fast growth of new users, Guatemala ranks 62nd in the global list of countries using Facebook.<sup>105</sup> By March 2012, there were 1,740,720 Facebook users, meaning that 12 percent of the population has a Facebook account; 630,000 Guatemalans have a Windows Live profile, and fewer than 420,000 have a Twitter account.<sup>106</sup>

According to the research agency Pulso Consumidor, as quoted by iLifebelt, the average time a user spends on Facebook per month in Guatemala is 35 minutes, while the average Twitter user spends 20 minutes on the platform. A survey by the Association for Sociocultural Development, Organization, Services, and Studies (*Asociación para el Desarrollo, Organización, Servicios y Estudios Socioculturales*, DOSES), a non-governmental organization, revealed that education correlates positively with internet use in Guatemala. It also revealed that college students are more likely to use Facebook as their default entry to the internet and that Twitter was used by a highly educated minority.<sup>107</sup>

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103. Interviews conducted with online editors, January 2011.

104. iLifebelt, *Study of Social Networks in Central America*, March 2012, at <http://ilifebelt.com/redes-sociales-centroamerica> (accessed 27 January 2013).

105. Social Bakers, "Guatemala Facebook Statistics," 10 December 2011, at <http://www.socialbakers.com/countries/detail/guatemala> (accessed 17 November 2012).

106. A. Pérez, "El Potencial oculto de las redes sociales" (The hidden potential of social networks), *Diario de Centro América*, 29 July 2011.

107. G. Berganza, *II Encuesta Nacional de medios, nuevos medios y elecciones* (Second National Survey on media, new media, and elections), DOSES, Guatemala, 4 August 2011.

YouTube is the second most popular site among Guatemalan internet users. There is no verifiable data available about use patterns on YouTube, nor is there data to show what ratio of international audiovisuals Guatemalans watch in proportion to locally produced material. However, it is evident that YouTube hosts a large amount of independent and amateur locally produced films and videos. The business-oriented criteria held by the monopoly in control of free-to-air television, plus the narrow group of entrepreneurs in control of the theater and movie theater circuits, do not easily allow independent producers to show their works to the public. Therefore, YouTube stands as the natural alternative for many audiovisual artists and freelance filmmakers to promote and show their work.

YouTube has also become an archive for a great deal of the country's visual history. Since the introduction of television in Guatemala, a large number of audiovisual materials (news, interviews, reports, etc.) were systematically deleted. The audiovisual materials that have withstood the passage of time are, however, often difficult to access. In addition, much of the audiovisual material related to the recent civil war (1960–1996) belongs to international agencies or reporters that were allowed to film and report in conflict areas. The National Film Archive functions with a very limited budget. Therefore, YouTube not only serves as an archive for independent artists and producers, but is now also serving as an archive for Guatemala's visual history.

Blogs are not prominent in Guatemala, and the best UGC on them is usually a copy of content made available by mainstream media locally or abroad. But blogs and personal websites are of a diversity and variety that contrast with the uniformity of mainstream media, from websites dedicated to housewives,<sup>108</sup> to high-ranking officers blogging about their experience in the army.<sup>109</sup>

### 3.1.3 News in Social Media

The main blog directories in Guatemala register that there are approximately 900 blogs,<sup>110</sup> but this is not an exact number because some remain inactive and others are not registered in directories. Not all bloggers based in Guatemala are of Guatemalan origin or are blogging in Spanish. Several are expats blogging in their local languages, generally aid workers or retired people. Nevertheless, this number gives an idea of blog participation contrasted to the rest of the user population.

While most blogs are focused on personal content, during disasters or elections or other major public events they become real media outlets serving as a channel for communication from local sources<sup>111</sup> or for distributing information quickly—and often the information they provide is more complete than that produced by the mainstream media.<sup>112</sup> Blogs can compensate for the lack of local or controversial news in the

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108. The Housewife Wannabe Project, at [www.thehousewifewannabe.com](http://www.thehousewifewannabe.com) (accessed 1 November 2013).

109. Ismael Cifuentes, *Perspectiva Militar* (Military Perspective), at <http://perspectivamilitar.blogspot.com> (accessed 1 November 2013).

110. Directories of Guatemalan Blogs, Blogs de Guate, at <http://www.blogsdeguate.com> (accessed 10 December 2011), and Blogs Chapines, at <http://www.blogschapines.com> (accessed 11 December 2011).

111. See for example the use of social media in Huehuetenango during a security crisis early in 2012, at <http://globalvoicesonline.org/2012/05/08/guatemala-state-of-siege-due-to-hydroelectric-plant-conflict> (accessed 10 May 2012).

112. See for example the coverage of mining conflicts by James Rodriguez, at [www.mimundo.org](http://www.mimundo.org) (accessed 1 November 2013).



mainstream press, and can be a platform of expression in the absence of state infrastructure to promote the diffusion of research, arts, and literature.

As stated above, social network users often share links from other established digital media platforms. Luis Assardo,<sup>113</sup> the former online editor of the newspaper *elPeriódico de Guatemala*, and now Director of *Contrapoder* magazine, explains that Facebook is one of the main traffic sources for *Elperiodico.com.gt*, according to a monitoring of the links users posted, and also by counting the 10,000 users who belong to the newspaper's Facebook group.

Regarding national and local news sites, Miguel González Moraga,<sup>114</sup> the media observer, editor of the online magazine *Sala de Redacción* and co-director of *Centro Civitas*—the NGO specializing in journalism—recognizes that there are no available data on the number of online information sites. However, he affirms that there are many individual journalists and entrepreneurs creating information sites all over the country and generating content for small portions of the population. An example of this is *DeGuate*, positioned 17th in the *Alexa.com* ranking. It aggregates information from the established media, some UGC, and a dynamic sharing of information from political, cultural, and social events. Writers and other artists increasingly use it.

## 3.2 Digital Activism

### 3.2.1 Digital Platforms and Civil Society Activism

Second screen interaction had an early start in Guatemala when “*Latin American Idol*,” a talent television show, used mobile phones to interact with its audience and invited them to vote and participate online. In 2007 a local singer, Carlos Peña, won the contest, thanks to the support of Guatemalans. Supporters organized a massive campaign and people from all ages and economic backgrounds were encouraged by the media to send texts in support of the Guatemalan singer. Support continued for the artists who followed in Mr Peña's steps in similar shows.

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113. Interview with Luis Assardo, 11 February 2011, Guatemala City.

114. Interview with Miguel González Moraga, 12 April 2011, Guatemala City.

## Rodrigo Rosenberg

The case of Rodrigo Rosenberg, in 2009, remains the best example of the position of digital platforms regarding activism in Guatemala, its effects on mainstream media, the users involved, and the reactions by the authorities. In fact, the case that allows us to understand how UGC by an individual was powerful enough to have an impact on national and international media, mobilize citizens, change policies, and threaten the stability of the government, which was close to collapse.<sup>115</sup>

Mr Rosenberg, a prominent lawyer of the most powerful business elites was killed in one of the most exclusive areas of the country. It was a Sunday morning in a relatively quiet area. The International Commission Against Impunity in Guatemala (*Comisión Internacional contra la Impunidad en Guatemala*, CICIG), a hybrid model sponsored by the United Nations in an attempt to tackle illegal parallel networks in Guatemala and strengthen the judiciary,<sup>116</sup> arrived on the scene and started the investigation right after the murder. In parallel, during the funeral, copies of a CD were distributed among the people attending it. It contained a video, also posted on YouTube, a homemade statement by the murdered lawyer, recorded before his death, announcing that his killing was a murder by the President of the Republic, the Vice President, the first Lady, the President of Congress and prominent bankers.

The Social Democrat government in power, which had alliances with the leftist parties in the region, had entered a period of confrontation with the business elite and the media, especially after a reduction in state media advertising and government visits to left-wing Cuba and Venezuela. The video was the opportunity that a powerful business elite needed to demand that the President step down.<sup>117</sup>

Unlike any of the other 6,000 murders a year in Guatemala, the case made its way into national and international news and every front page covered it. The impact of the video was maximized, a public relations firm was hired and quickly launched a platform using mainstream media, social networks and Facebook groups, radio, and mailing lists to mobilize the middle and upper classes to ask the president to quit and demand justice for the murder of Mr Rosenberg. In contrast to their response to the constant demands for justice from genocide survivors or other victims, the coverage of the newspapers was total, and even international news outlets were constantly reporting about the case. The president appeared on national television to deny the charges and made it clear that the presumption of innocence and due process had to be respected.

Five days after the murder, when Guatemalans were being bombarded with all sorts of conspiracy theories, a Twitter user, Jean Anleu, started criticizing a national bank, whose director was mentioned in the video left by Rosenberg.<sup>118</sup> He invited all his followers to withdraw their money from that bank as a demonstration against the killers and the government. The office of the prosecutor acted quickly to

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115. D. Grann, "A murder foretold," *New Yorker*, 22 January 2012, at [http://www.newyorker.com/reporting/2011/04/04/110404fa\\_fact\\_grann](http://www.newyorker.com/reporting/2011/04/04/110404fa_fact_grann) (accessed 17 November 2012).

116. A. Hudson, CICIG in Guatemala, at <http://jicj.oxfordjournals.org/content/8/1/53.full.pdf?keytype=ref&ijkey=MQl9MfQ1lz3tQ87> (accessed 17 November 2012).

117. J. Franklin, "YouTube coup in a dirty war, 22 January 2012," *Age*, 3 February 2010, at <http://www.theage.com.au/technology/technology-news/youtube-coup-in-a-dirty-war-20100201-n7y6.html> (accessed 17 November 2012).

118. R. Avila, "'Financial Panic' and Online Censorship in Guatemala," 22 January 2012, at <http://opennet.net/blog/2009/05/%E2%80%9Cfinancial-panic%E2%80%9D-and-online-censorship-guatemala> (accessed 17 November 2012).

### Rodrigo Rosenberg (*continued*)

arrest him on charges of “inciting financial panic”<sup>119</sup> and a bail of US\$ 20,000 was requested. After an appeal by Twitter users, he collected almost twice the money he needed to post bail from the web community. He was later cleared of all charges by the Supreme Court of Justice. In the following weeks, a constant protest was organized online and offline. In parallel, a campaign in support of the president was launched. This was mainly offline; the demonstrators were peasants, most of them from indigenous groups. The support for the president using online platforms was largely underreported by the media and was certainly lower than those asking him to resign.<sup>120</sup>

The investigation eventually concluded that Mr Rosenberg had himself hired the hitmen that killed him, and the public officials were cleared. However, in spite of all the political drama, the case prepared a platform of emerging youth and citizen networks which in the aftermath of the political crisis consolidated their position as a “citizen voice” to demand changes in the judiciary. They obtained approval for laws increasing transparency in the judiciary, and radically changed the usual way to approve a policy in the country

Following the Rosenberg affair, organized civil society made other efforts to use social media, such as Guatemala Visible, which combined digital platforms with mainstream media to monitor and promote transparency and accountability in different processes requiring public scrutiny. The movement recorded every session that took place in the election process in 2011 and also published an on-site video of the process in livestream. Guatemala Visible also made sure that the established media were aware of their activism. Although the online impact was not great, their efforts did push public institutions to make their actions more transparent. They succeeded because they took the initiative in giving and receiving support from other organizations and institutions online, and invoking the participation of young law students. The result went a long way in influencing public opinion. One of the positive outcomes of Guatemala Visible was that the established media saw the need to give more importance to the elections. Many opinion columnists from newspapers and television anchors focused on the topic for weeks, something that was previously unheard of.

Civil society activists can be divided into two groups. The first comprises the traditional NGOs, who are late adopters of digital technologies, just starting to adapt digital tools to promote their causes and foster their ideals. This group includes the transitional activist groups (referring to the transition from armed conflict to peace and democracy), formed by those demanding justice since the signing of the Peace Accords, environmental activists, women activists, consumer activists, and indigenous groups. The second group is formed by emerging social entrepreneur groups which start with a digital centered platform at the heart of

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119. X. Jardin, “Guatemalan Twitter user arrested for inciting financial panic,” 22 January 2012, at <http://boingboing.net/2009/05/14/guatemala-tweeting.html> (accessed 17 November 2012).

120. M. Aguilar-Støen, “El drama político en Guatemala abre el conflicto entre clases” (Political drama in Guatemala opens the door to class conflict), at [http://www.norlarnet.uio.no/pdf/behind-the-news/spanske/armani\\_esta\\_presente-spansk.pdf](http://www.norlarnet.uio.no/pdf/behind-the-news/spanske/armani_esta_presente-spansk.pdf) (accessed 17 November 2012).

their initiatives and focus on promoting good citizenry, fighting corruption, and public education. In this group one can find emerging transparency groups demanding access to data and open government, social entrepreneurs who created platforms to educate people (sexual and health education), and also a growing number of indigenous digital activists who are promoting their language and rescuing their traditions via online means.

### 3.2.2 The Importance of Digital Mobilizations

Until very recently, social mobilizations that originated on the internet failed to attract large portions of the population—with the exception of the Rosenberg affair. Even now, traditional civil society groups continue to function in their traditional ways: small and fragmented, with specific topics (single issues) and narrow agendas. However, if we consider that 61 percent of Guatemalans are under 30 years old and that internet access is on the rise, an increase in digital activism can be expected.

The new administration, including the president and all the ministers, uses social networks actively,<sup>121</sup> though not necessarily wisely, as a recent incident showed, when the Ministry of Foreign Affairs responded with insults to citizens' inquiries.<sup>122</sup>

In the meantime, mainstream media are highly selective regarding the topics discussed by social media, blogs, and forums, rarely using citizen media or activist blogs as a primary source.

## 3.3 Assessments

Digitization has contributed modestly to the overall news offer as the process is only just starting to reach a larger audience. Practically any citizen in Guatemala has direct access to a mobile phone but there is no relevant news offer using the telephones as news carriers. In contrast, and while only 16 percent of Guatemalans have access to the internet, mainstream media and other independent content providers have developed multimedia platforms to inform citizens, with a limited high-end audience and the limiting effect of slow internet connections on the sharing of materials such as video interviews.

Before the internet era, and in the aftermath of a war, Guatemala had very limited space for alternative voices and very little exposure to international media. Also, intercultural, interclass spaces where dialogue could take place were rare. While the digital divide remains a huge obstacle and infrastructure is extremely poor, the internet is allowing new forms of citizen participation and interaction among those with digital access, especially the urban middle class. Divides in a highly unequal society are not solved by digital and social media; however, digital media open up new possibilities to share different realities and exchange ideas. It is

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121. "Otto Pérez Molina's government increases Twitter use," *Prensa Libre*, March 2012, at [http://www.prensalibre.com/noticias/politica/Gobierno-incrementa-uso-Twitter\\_0\\_656334475.html](http://www.prensalibre.com/noticias/politica/Gobierno-incrementa-uso-Twitter_0_656334475.html) (accessed 27 January 2013).

122. "Canciller Harold Caballeros se disculpa por comentarios" (Chancellor Harold Caballeros apologizes for comments), *Prensa Libre*, 9 October 2012, at [http://www.prensalibre.com/noticias/politica/Caballeros-disculpa-comentarios\\_0\\_788921281.html](http://www.prensalibre.com/noticias/politica/Caballeros-disculpa-comentarios_0_788921281.html) (accessed 10 October 2012).

important to remember that Guatemalan democracy is young, as is the population, so new technologies can play an important role in shaping its citizenry.

In fact, the Rosenberg case provides evidence of the fragility of both government and civil society, which are highly sensitive to certain events and their consequences.

Citizens are definitely taking the opportunities offered by new media as a tool to organize, communicate with others, and connect with similar people. While mainstream media still control most of the information consumed by the majority of the population, with the internet Guatemalans have access to a broader range of sources of information. However, access to new media and political activism via the internet accessed from a computer are still out of reach for up to 84 percent of citizens. The digital divide is so wide that one cannot yet assess the real impact that such platforms will have when rural, poor Guatemala is connected to the internet.

## 4. Digital Media and Journalism

### 4.1 Impact on Journalists and Newsrooms

#### 4.1.1 Journalists

The main changes the work of journalists has undergone in recent years are: the increasing need for different skills required of journalists, the arrival of foreign media to produce content locally—such as films, music videos, and soap operas—and the possibility for journalists to have their own digital platforms, which they control and use to publish whatever they want, as quickly as they want.

From the skills perspective, the new challenges posed by the digitization of newsrooms has resulted in the diversification of work teams, not only opening job opportunities to data experts, graphic designers, video editors, and social media managers, but also requiring a different set of skills and expertise, not necessarily provided by the workplace or by universities.

A survey among 20 Guatemalan citizen journalists in 2011, entitled *Media and Digital Media in Guatemala*, revealed some information on uses and changes that digital media bring to journalists.<sup>123</sup> All the journalists interviewed (from 10 different geographical areas and from six different media outlets) said digital tools are helping them with their work. They use basic tools such as computers, digital recorders, cameras, scanners, and mobile phones to improve their reporting.<sup>124</sup>

Claudia Cruz, the Latin America representative of Sourcefabric,<sup>125</sup> a company specializing in building open source newsrooms worldwide, explained that the new digital environment not only favors a flexible newsroom but also allows journalists and publishers to gain independence and autonomy, and to interact with their readers and viewers.

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123. *Media and Digital Media in Guatemala*, a survey, at <https://docs.google.com/spreadsheet/ccc?key=0Amjrb-EhpW-vdEx3d2Y1Y2hFbWp6UmVyb3lieE5MS2c> (accessed 1 November 2013). Twenty journalists, female and male, rural and urban, working with digital media responded to the survey. Results of interviews at <https://docs.google.com/spreadsheet/ccc?key=0Amjrb-EhpW-vdEx3d2Y1Y2hFbWp6UmVyb3lieE5MS2c> (accessed 1 November 2013).

124. Interviews conducted in May 2012.

125. Interview with Claudia Cruz, Latin America representative, Sourcefabric, Guatemala City, 20 January 2012.

There is also an emerging trend of new media entrepreneurs and a growth in local television, radio, and online news—Guatemala does not have an association or media authority requiring professional training or any kind of registration to practice journalism. While it can be seen as problematic for some sectors (see the next section), it has also been an opportunity for anyone wanting to start their own media outlet in recent times. Content offer—especially local digital content—has increased almost as fast as its demand.

The arrival of professional television from a Mexican multinational, TV Azteca, which started local production in Guatemala, from news to investigative reports and other entertainment shows, has also brought changes to the work of journalists. TV Azteca started developing a local industry of contents, previously controlled by the Albavisión group.

#### 4.1.2 Ethics

The Association of Journalists of Guatemala only adopted an ethical code in 2000.<sup>126</sup> However, most of the journalists interviewed for this report either ignore its existence or simply do not apply it in their newsrooms.

Ethics is the most serious issue faced by media in Guatemala. In a revealing diplomatic cable published by WikiLeaks in 2011, U.S. Ambassador John R. Hamilton described in detail the institutionalized bribery inside journalism in Guatemala, saying that a bribe can influence the headlines for, placement of, and size of a story. Furthermore, he said that part of the ethical decay among Guatemalan journalists is due to the absence of an accreditation system by a professional organization (there are no professional standards, fees, fines, or self-policing). Hamilton described reporters as “young, poorly educated, poorly paid and at the mercy of publishers with their own agendas.” The cable characterized journalists in Guatemala as corrupt and incompetent.<sup>127</sup>

Evelyn Blanck, a media expert directing Centro Civitas,<sup>128</sup> and González Moraga, an editor at the DOSES media research organization, affirm that there is a huge ethical problem amongst the Guatemalan media and journalists: there is no self-regulation regarding the publication of violent images (in some media outlets), privacy rights, or protection of data in judicial cases, for example. These problems may easily be exacerbated by digitization. Explicit images and videos reporting violence have increased with the growth of multimedia content in the newsrooms. The absence of a data protection law increases the number of breaches of privacy by journalists revealing their sources.

Finally, according to the anthropologist and journalist Marcela Gereda,<sup>129</sup> digitization and social networks not only have increased the visibility of print journalists, but have also increased their public accountability,

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126. Association of Journalists of Guatemala, *Code Of Ethics of the Association of Journalists of Guatemala*, Guatemala City, 2000, at <http://www.rjionline.org/MAS-Codes-Guatemala-Declaration> (accessed 27 January 2013).

127. John Hamilton, “Extra, Extra! Letter From Guatemala: The Best News Money Can Buy Hamilton,” published by WikiLeaks, at <http://cablegate.search.net/cable.php?id=05GUATEMALA294&q=media> (accessed 27 January 2013).

128. Centro Civitas is an NGO specializing in freedom of expression and citizenship rights issues.

129. Interview with Marcela Gereda, a journalist with *el Periódico de Guatemala*, 20 December 2011, Guatemala City.

since readers can open a discussion about a topic being covered when its angle is strongly divergent from the general views of the connected population.<sup>130</sup>

## 4.2 Investigative Journalism

### 4.2.1 Opportunities

Some experts disagree that there is such thing as investigative journalism in Guatemala. Ms Blanck, of Centro Civitas, explains: “Some newspapers pretend to have a section dedicated to investigative journalism, or publish articles and roughly finished reports under this label, but all they do is publish leaks from institutions—information from whistle blowers in governmental institutions—and they just publish it without thoroughly verifying the information, without evaluating if it can damage some ongoing District Attorney office investigations or ongoing high impact trial cases led by the Ministry of Justice.” According to Ms Blanck, this “investigative journalism” is more detrimental than no investigative journalism at all, because its lack of ethics endangers too many people.

Despite this negative vision, digitization has helped investigative journalists to improve their work. With internet access they have the opportunity to verify sources, analyze complex databases, and stay updated on the current affairs of the world. But the advantages are more than simple access to the internet. As responses to the survey *Media and Digital Media in Guatemala*<sup>131</sup> show, the most used tools are computers, digital recorders, and cameras; the most used means or platforms to distribute their content are websites and social networking sites. Reporting of complex issues has decreased its costs and expanded its possibilities. Journalists agree that Facebook is the leading platform and their most valuable tool to make their news and articles visible among local networks, followed by Google+, mailing lists, and only in fourth place microblogging sites such as Twitter.

According to Juan Luis Font, the former director of *elPeriódico de Guatemala*, current director of *Contrapoder* Magazine and host of a local television show, social networks are the perfect complement to mainstream media: a tool to stimulate the work of journalists,<sup>132</sup> to test the importance of established topics, and discover new ones.

In addition, even though digitization makes available free global tools that can help journalists, techniques such as data-mining and info-graphics are yet to be developed in Guatemala. The gap between journalists and digital experts is huge. Journalism schools are not teaching how to code—let alone introducing basic computer skills.<sup>133</sup>

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130. E. Blank, “Power struggle replacing dialogue,” at <http://saladereleccion.com/revista/category/en-portada/page/12> (accessed 28 February 2013).

131. *Media and Digital Media in Guatemala* survey, at <https://docs.google.com/spreadsheets/ccc?key=0Amjrb-EhpW-vdEx3d2Y1Y2hFbWp6UmVy-b3lieE5MS2c> (accessed 27 January 2013).

132. Lecture presented at Esquipulas Foundation, 2011.

133. After reviewing all the curricula by journalism schools in Guatemala, we found that none dedicate even 10 percent of their courses to developing computer skills.



In spite of all this, the digital media survey found that a majority of the journalists think there have been significant efforts to improve investigative journalism. A positive step was the Access to Public Information Law passed in 2009. Some investigative journalism groups and transparency groups used it to assist their investigative work and to make massive social programs with hundreds of beneficiaries more accountable.<sup>134</sup> There have also been remarkable pieces of journalism aimed at monitoring Congress or at processing information<sup>135</sup> related to violence,<sup>136</sup> leading the way to more professional, fact-based investigative reporting.

According to this transparency law, the Government could “reserve” information (keep it confidential) if it could prove that publishing it would be harmful to the wellbeing of the public. Government institutions began abusing this right, using it to hide information that should be public. One example concerned the beneficiaries of the My Family Progress program, created to promote access to health and education by distributing monthly payments to mothers. Although the Access to Information law states that government institutions must publish lists of beneficiaries of social programs, the Ministry of Education—which was in charge of the program—withheld the information, arguing that revealing beneficiaries’ identities would put them at risk of falling victim to corrupt political practices. Thanks to the efforts of transparency groups, the Transparency Commission in Congress, and journalists, the data were released. However, it was released in a Portable Document Format (pdf) secured with a code that prevented journalists and researchers from analyzing the data. Eventually, with the help of computer scientists, they were able to extract the data and uncover a corruption scandal, revealing an alarming amount of duplication in the beneficiaries of social programs.

#### 4.2.2 Threats

Digitization provided the opportunity to publish any content online, on independent sites, without the approval of an editorial board, circumventing censorship and encouraging the denouncement of corruption. That is particularly important in rural areas, where the interest of mainstream media is low and it falls to local newspapers to investigate and inform about shady deals by the local authorities.

However, as a consequence, threats against rural journalists have increased significantly. Cable television journalist Oscar de León was threatened after a corruption probe in February 2011.<sup>137</sup> Another local cable television journalist, Yensi Roberto Ordoñez Galdámez, was murdered in mysterious circumstances in May 2011, following threats in relation to his work.<sup>138</sup> There have been other incidents where journalists were threatened after reporting on corruption by local authorities. Lucia Escobar, who is prominent on digital

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134. Anticorruption Legal Assistance Center (*Centro de Asistencia Legal Anticorrupción*, ALAC), *A Step forward for access to information in Guatemala*, 24 January 2011, at <http://blog.transparency.org/2010/08/20/a-step-forward-for-access-to-information-in-guatemala> (accessed 16 November 2012).

135. Plaza Pública Guatemala, “Maps and Data,” at <http://www.plazapublica.com.gt/content/mapas-y-datos> (accessed 27 January 2013).

136. C. Mendez, “7 Myths of violence in Guatemala,” at <https://t.co/CqWuIwVj> (accessed 28 January 2013).

137. See <http://cpj.org/2011/02/guatemalan-journalist-threatened-after-corruption.php> (accessed 12 March 2013).

138. Committee to Protect Journalists, “Provincial TV journalist found dead in Guatemala,” 24 January 2012, at <http://cpj.org/2011/05/provincial-tv-journalist-found-dead-in-guatemala.php> (accessed 16 November 2012).

networks (she leads a local digital radio station, Radio Ati), faced intimidation and harassment after writing a piece that raised questions about extrajudicial killings in the municipality of Panajachel. The report on her blog accused members of a local security committee of being behind the disappearance of a resident.<sup>139</sup> Gustavo Girón, Guatevisión's correspondent in the department of Sololá, also received a threatening phone call after reporting the arrests of the security committee members as suspects in the disappearance. According to the Committee to Protect Journalists (CPJ), an anonymous caller told him: "you are going to regret getting involved in this."<sup>140</sup>

Censorship and threats to journalists are common in Guatemala. There are no exact data about the number of cases, but the representative in Guatemala for the United Nations Office of the High Commissioner for Human Rights (OHCHR), Alberto Brunori, denounced in 2010 a total of 23 acts of aggression and threats against journalists.<sup>141</sup> According to Regina Pérez from the Guatemala Center for Informative Reports (*Centro de Reportes Informativos de Guatemala*, CERIGUA),<sup>142</sup> CERIGUA registered 24 reports of aggression with the Attorney General's Office (*Ministerio Público*); the district attorney in charge of the investigations said those against journalists all related to their work. The cases have not been solved, but some involved drug trafficking mafias and provincial politicians.

On 28 September 2010, Víctor Hugo Juárez, the director of the digital outlets Wanima News and Guatemala Empresarial (Business Guatemala), was murdered. On the same day, the house of Marvin del Cid, a member of *el Periódico de Guatemala's* research team, was broken into, and all his work-related objects (computer, notes, and documents) were stolen. Neither case has been solved; nor were the claims that the threats were directly related to their journalism ever confirmed.

Organized crime ratchets up the pressure on media to self-censor. Most outlets prefer not to do in-depth investigations about drug trafficking and other types of organized crime. One of the journalists surveyed, reporting from the hot spots where the drug lords are located, explained that they have been directly contacted by mafia goons and threatened by known violent organized crime groups such as "Los Zetas."

### 4.2.3 New Platforms

The most successful example of investigative journalism in a traditional format was carried out by *Inforpress Centroamericana*, which published weekly in-depth reports for its subscribers in Central America from 1972 until its closure in 2010.

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139. Committee to Protect Journalists, "Guatemalan journalist flees city after threats, harassment," 24 January 2012, at <http://cpj.org/2011/11/guatemalan-journalist-flees-city-after-threats-har.php> (accessed 16 November 2012).

140. See <http://cpj.org/2011/11/guatemalan-journalist-flees-city-after-threats-har.php> (accessed 12 March 2013).

141. Alberto Brunori, *Prensa Libre*, 20 November 2010.

142. Guatemala Center for Informative Reports (*Centro de Reportes Informativos sobre Guatemala*, CERIGUA), *Aggressions against the press 2010*, at <http://www.periodistas-es.org/reporteros/periodistas-en-guatemala-2010-cierra-con-mas-de-veinte-agresiones> (accessed 16 November 2012).

While investigative journalism via blogs and independent websites is not prominent, the internet offers a space for researchers, experts, retired and independent journalists to share content, and for emerging media actors still setting up platforms to share specialized content. James Rodríguez, a freelance photographer who covers social justice and environmental issues, shed light on the corrupt practices by the mining industries and Canadian corporations extracting minerals in the region.<sup>143</sup> A right-wing retired journalist, Jorge Palmieri, uses his blog as a platform for articles and interaction with readers after quarrelling with the newspaper he worked for.<sup>144</sup> *El Observador*, a highly specialized news outlet with limited distribution, published monthly, provides important information for those investigating corporate corruption.

Besides these specific cases, *Plaza Pública* is the best example in the country of an innovative investigative journalistic group using a digital platform.<sup>145</sup> It has released the WikiLeaks cables as exclusives, uncovered child labor on the property of the president of the Chamber of Agriculture, and investigated hunger. In its first year of existence *Plaza Pública* produced more investigative reports than any newspaper in Guatemala. It only publishes its content online, in Spanish, with special sections translated into English when funding is provided for that purpose. However, thanks to its use of Creative Commons licenses, its content is reproduced on different sites, legally. Its reports have reached the front page of a newspaper, *La Hora*, and also websites in Spain and elsewhere in Latin America. The secret of its success is its economic and functional independence. While sponsored and hosted by a Jesuit university, it maintains its editorial and financial independence, thanks to unconditional grants by the Open Society Foundations (OSF) and Hivos, and has created an alliance with its peers in El Salvador (*El Faro*), Nicaragua (*Confidencial*) and Colombia (*La Silla Vacía*).

*Plaza Pública*'s director, Martín Rodríguez Pellecer, says there is a market for in-depth journalism that “does not just narrate” but “questions.” He stresses that, despite the opinion of some businessmen and publishers “that people are stupid and do not want to read,” *Plaza Pública* operates on the assumption that “if our articles are good, people are going to find time to read them.”<sup>146</sup>

The past five years have changed the formats through which news is delivered to Guatemalans and increased the diversity of news producers, as the digital environment has allowed local actors to produce much needed local content in rural areas. There has been an increase in the number of local newspapers online, local radio stations, and in the amount of video production/distribution and photojournalism. There is more content available online, but television and radio newsrooms also enrich their journalistic work and user experience, amplifying and diversifying their content and outreach. The speed they report the news by using digital tools (recorders, cameras, mobile phones, and mobile internet services) has increased the availability of contents and news from and about hard-to-reach areas, and also the availability of regional and international content.

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143. J. Rodríguez blogs at MiMundo.org: see <http://www.mimundo-fotorreportajes.org> (accessed 16 November 2012).

144. Jorge Palmieri blogs at <http://jorgepalmieri.com> (accessed 16 November 2012).

145. H. Vinter, *On the cutting edge: digital investigative journalism in Latin America*, 23 January 2012, at [http://www.editorsweblog.org/analysis/2011/11/on\\_the\\_cutting\\_edge\\_digital\\_investigativ.php](http://www.editorsweblog.org/analysis/2011/11/on_the_cutting_edge_digital_investigativ.php) (accessed 16 November 2012).

146. H. Vinter, *On the cutting edge: digital investigative journalism in Latin America*, 23 January 2012, at [http://www.editorsweblog.org/analysis/2011/11/on\\_the\\_cutting\\_edge\\_digital\\_investigativ.php](http://www.editorsweblog.org/analysis/2011/11/on_the_cutting_edge_digital_investigativ.php) (accessed 16 November 2012).

#### 4.2.4 Dissemination and Impact

Digitization has increased the potential audience of mainstream media and improved the diversity of dissenting voices. Furthermore, now that the media dedicate resources to make content available in different formats, interactive content is a common feature of digital media, and special editions have been developed for smartphones, tablets, and other devices. Mobile phones are also playing a role in the distribution of content, as newspapers, television, and radio stations use them to interact with their audiences.

### 4.3 Social and Cultural Diversity

#### 4.3.1 Sensitive Issues

According to the journalists surveyed in *Media and Digital Media in Guatemala*,<sup>147</sup> the most sensitive topics on a societal level are racism and social discrimination, extractive (mining) industries, unions, social protest, drug-related violence, religion, homosexuality, reproductive health, the accountability of corporations, local authorities' corruption, and crimes involving the army and security forces, especially femicide and genocide.

#### 4.3.2 Coverage of Sensitive Issues

In terms of the lack of (or inappropriate) coverage, indigenous people are perhaps the most affected group, due to the lack of spaces to express their views and opinions. Even if they constitute the largest ethnic group in the country, indigenous people are ignored or distorted by media, due to prejudices and racism in Spanish-language media. According to Victoria Tubin, a linguist from Rafael Landívar University, specializing in sociology and ethnic conflict, “racism is intrinsic to the media, and it is still a taboo. Owners or media directors do not bother to analyze if they are racist or not.” Ms Tubin explains that racism is denied by the media, “the problem does not exist for them.”<sup>148</sup>

According to Ms Tubin's study, *Racismo en los medios* (Media and Racism), which monitored seven newspapers during 2009, 43 percent of the content related to indigenous people was under a quarter-page in size, and they were not even the subject of the news, only mentioned incidentally. The study showed the lack of information the media have on indigenous peoples (the different indigenous groups, their current problems and achievements) and how the media reduce the narrative to folklore. Furthermore, there is a common misunderstanding regarding “peasants” and “Mayans”—often considered as synonyms when they refer to different realities. Indigenous voices are practically omitted in most cases, and there are no evident efforts to look for indigenous voices as sources of information or opinion on national issues.

Indigenous peoples are correlated to poverty, underdevelopment, and confined to rural spaces. While newspapers afford a little space to opinion columns by indigenous peoples, and there is a vast network of indigenous radio journalists, indigenous peoples are not represented in television at all. In commercial

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147. Survey by researchers conducted on June 2012, at [https://docs.google.com/spreadsheets/ccc?key=0Amjrb-EhpW-vdEx3d2Y1Y2hFbWp6UmVy\\_b3lieE5MS2c#gid=0](https://docs.google.com/spreadsheets/ccc?key=0Amjrb-EhpW-vdEx3d2Y1Y2hFbWp6UmVy_b3lieE5MS2c#gid=0) (accessed 13 September 2013).

148. Interview with Victoria Tubin, director of the study *Racismo en los medios* (Media and Racism), 12 March 2011.

television none of the news programs is hosted by an indigenous person or is broadcast in indigenous languages, and very few works related to their history and folklore are produced.

Violence against women is poorly reported and the coverage of gender issues, including lesbian, gay, bisexual, transgender and transsexual (LGBT) issues, is reduced to health and motherhood issues. Digital content on contraception, abortion, and reproductive health is rarely locally produced, and it is often taboo to debate such topics, which are condemned by both the Protestant Evangelical Church and the Catholic Church. Information related to contraception and sexual education, while not regulated, cannot be openly provided as most Guatemalans are morally opposed to this. Explicit, extremely violent, or sexual content is not heavily regulated. To protect minors, there are rules restricting sexually explicit content in cinemas and during certain hours on television, but these are outdated and inapplicable to digital content or content distributed by mobiles.

A good example of selective reporting of complex issues by the media is malnutrition. While up to 51 percent of children under the age of five are chronically malnourished, the media only reports about this situation when it serves to distract from complex political issues. The famine alerts sending urgent calls for action are largely ignored and poorly reported by the media.<sup>149</sup>

Environmental issues and threats against environmental activists are rarely reported, while land conflicts are systematically reported in a way favorable to landowners: the media rarely ask for the opinions of other social actors. The same happens with mining conflicts: newspapers report only about the economic aspect of mine closure and the importance of foreign investment, ignoring health and environmental issues.<sup>150</sup>

Until recent times, transitional justice topics (such as the discussion of genocide against indigenous communities in Guatemala or the disappearance of hundreds of people during the armed conflict) were ignored, but the media are slowly starting to cover them. Nonetheless, just before the 2011 general election, the investigative journalist Louise Reynolds and veteran journalist Margarita Carrera were silenced by two media outlets when they reported about genocide and named the current president as one of the perpetrators of crimes against humanity.<sup>151</sup>

The media in general do not uncover corruption in companies owned by the country's oligarchs; and if they were to do so, the report would not be published. They also restrict their reporting about telecommunication companies, never name the most stolen brand of car, and will not expose the extreme labor conditions in rural areas. Juan Luis Font, former director of *el Periódico de Guatemala*, confirmed this in an interview,<sup>152</sup>

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149. See information about the Mesoamerican Food Security Early Warning System (MFEWS), an activity of USAID, at [www.mfews.net](http://www.mfews.net) (accessed 1 November 2013).

150. Interview with the journalist and researcher Andres Zepeda Herman, Guatemala City, November 2011.

151. Louise Reynolds, "Nos quieren silenciar" (They want to silence us), at [http://Louisamarinareynolds.blogspot.com/2011\\_09\\_01\\_archive.html](http://Louisamarinareynolds.blogspot.com/2011_09_01_archive.html) (accessed 27 January 2013).

152. A. Monroy, "Interview with Juan Luis Font, director of *el Periódico de Guatemala*," *Inforpress Centroamericana*, No. 1636, Guatemala.

saying that due to the concentration of capital in Guatemala, there are several things a newspaper cannot publish, from the name of a bank that was robbed, to a bad review of a product or service of an advertiser. Corporate corruption is off the agenda of most “investigative” journalists.

The “Guatemorfosis Censorship case” clearly illustrates how vulnerable media are to corporate censorship.<sup>153</sup> After the launch of a campaign sponsored by the soft drinks company Pepsi, called “Guatemorfosis” and led by the pop singer Ricardo Arjona, the weekly public opinion show “*Grupo Intergeneracional*” on Radio Nuevo Mundo criticized it heavily and questioned the intentions behind it. But Pepsi’s pressure on the radio station was heavier: after a phone call from a public relations agency, the show was suspended.<sup>154</sup> Blanck and Moraga criticize this, and think that it is evident that the major owners of the media are directly linked to clear economic interests—by partnerships and shareholding or by guaranteed advertising sales—and they are trying to preserve their own interests.<sup>155</sup>

Guatemala’s press and social media were shaken by the 2013 trial of the former army general and de facto president Efraín Ríos Montt, one of the most controversial domestic political figures, accused of genocide in different jurisdictions while he was head of the military regime in the early 1980s. This was the first time any former head of state has been tried in a domestic court for genocide and crimes against humanity. It was also the first genocide case in the world to livestream its hearings. The mainstream media and outlets run by volunteers and social organizations competed in professionalism and accuracy while reporting the case. It is fair to say that the latter prevailed, providing real time content and additional contextual links to studies and documents for a global audience, translating in real time key evidence presented to the court.

In social networks, both on a local and a global scale, the trial offered an opportunity for dialogue and discussion that could have only taken place in such a shared space, with the protection of anonymity. #juiciogenocidio, #RiosMontt, #micorazonesixil (my heart is Ixil), and #sihubogenocidio (yes it was genocide), were used worldwide in support of victims of genocide. Both those denying that genocide had taken place and those supporting the prosecution had the opportunity to hold public conversations until the guilty verdict was delivered and then overturned. The guilty verdict upon Ríos Montt in May 2013, annulled later that month, sparked demonstrations of solidarity worldwide and discussions across borders.<sup>156</sup>

Certain responses confirmed the direct links between mainstream media and those in power; for example, “The Farce of Genocide” was a paid campaign in a major Sunday newspaper by the newly created “Foundation Against Terrorism”—which resembles the communications published by anti-communist groups in

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153. Marcelo Ilbalzak Coj Sam, “¿Guatemorfosis o Guatemordaza?” (Guatemorphosis or Guategag?), at <http://www.plazapublica.com.gt/content/guatemorfosis-o-guatemordaza> (accessed 27 January 2013).

154. José Andrés Ochoa, “Bajo la sombra de la censura” (Under the shadow of censorship), *Plaza Pública*, 6 March 2012, at <http://plazapublica.com.gt/content/bajo-la-sombra-de-la-censura> (accessed 16 November 2012).

155. Interview in Guatemala City, 2010.

156. See <http://boingboing.net/2013/05/25/throughout-latin-america-prot.html> (accessed 26 May 2013).

157. Foundation Against Terrorism, “The Farce of Genocide in Guatemala,” at <http://www.scribd.com/doc/135840785/La-Farsa-Del-Genocidio-en-Guatemala5> (accessed 1 November 2013).



the 1980s;<sup>157</sup> and the anonymous “Faces of Infamy” online campaign against foreigners and “pseudo-Guatemalans”—including certain journalists, activists, and even the governments of Sweden, Norway, and the United States—who supposedly threatened to destroy Guatemala.<sup>158</sup> In an unprecedented action, the Guatemalan Ombudsman publicly summoned the Director of the Foundation Against Terrorism, Mr Ricardo Mendez Ruiz, and ordered him to open an investigation into hate speech.

Independent efforts such as Open Society Justice Initiative’s “Riosmontt-trial.org” blog and the coverage by the independent journalist Xení Jardín, who attended most of the trial and tweeted lived for a global audience, made it possible for the international media to understand the situation, as the local media were biased and received advertising from those who opposed the trial, including the most powerful industry group, the Coordinating Committee of Agricultural, Commercial, Industrial, and Financial Associations (*Comité Coordinador de Asociaciones Agrícolas, Comerciales, Industriales y Financieras*, CACIF), which issued a series of statements calling for the trial to be suspended.<sup>159</sup> Plaza Pública Guatemala, with special funding and a dedicated team, also covered each and every day of the trial.

After 30 years of struggling against official amnesia, Guatemalan urban youth mobilized and expressed solidarity with the genocide plaintiffs after meeting them on-screen and learning about their suffering directly: an example of how low-cost access to information and open justice can foster change.

Finally, another under-covered issue (though not necessarily a sensitive one) is that of the Diaspora. According to the Ministry of Foreign Affairs, 1.5 million Guatemalans live in the United States, 60 percent of whom are *indocumentados* (undocumented). This means that approximately 10 percent of the population of Guatemala consists of emigrants. The media do not produce content for or about the Diaspora.

### 4.3.3 Space for Public Expression

Attempts by indigenous peoples to create their own offline media are hindered by poverty, the complex process for acquiring radio spectrum titles, and the lack of effective business models. However, the digitization process offers the possibility for indigenous groups to have their own media, even if only a reduced percentage of them can afford digital equipment. An ecosystem of indigenous hyperlocal media is emerging, with almost every locality having at least one blog or website reporting constantly about current events, often in their local languages. The same is true for other communities (unions, environmental groups, and peasant movements) and groups protesting against mining. They find a platform to publish their press releases, share relevant documents, and write articles to inform local and global audiences.

Indigenous peoples have also incorporated their own designs, work methods, and glyphs in their journalism. The Cholsamaj Foundation (*Fundación Cholsamaj*), for example, has published digital and printed works

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158. See “The Guatemala Genocide Case: Using the Legal System to Defeat Justice,” Washington Office on Latin America (WOLA), 5 June 2013, at [http://www.wola.org/commentary/the\\_guatemala\\_genocide\\_case\\_using\\_the\\_legal\\_system\\_to\\_defeat\\_justice](http://www.wola.org/commentary/the_guatemala_genocide_case_using_the_legal_system_to_defeat_justice) (accessed 2 August 2013).

159. Mike Allison, “Guatemala: Rios Montt genocide trial ends with historic verdict,” Al Jazeera, 15 May 2013, at <http://www.aljazeera.com/indepth/opinion/2013/05/201351591259267287.html> (accessed 26 May 2013).

since 1996, under the motto “technology and Mayan culture are compatible.”<sup>160</sup> The Foundation trained a team of indigenous developers and graphic designers and mixed the traditional designs of Mayan handicrafts with the new digital technologies, creating websites and online publications with strong indigenous identities.

Digital media have enlarged the space for public expression by marginalized groups, with members, activists, and NGOs usually taking a leading role. For example, the first lesbian magazine, *Imagina*, was published in digital format only, and its quality is remarkable.<sup>161</sup>

Access to digital content also helps community radio and digital radio journalists to develop better content for marginalized communities. A similar phenomenon is happening with the Diaspora, where community and local news websites, blogs, and social networks supply the content missing in the mainstream media. Access to digital platforms is not, however, widespread among indigenous peoples, the most vulnerable group in Guatemala.

## 4.4 Political Diversity

### 4.4.1 Elections and Political Coverage

Mirador Electoral, a coalition of civil society groups that monitors elections, studied the use of media and social media during the 2011 general election campaign. Together with Transparency International’s local chapter, it launched Citizen Action, a collaborative platform for people to report electoral irregularities. Despite the considerable amounts spent on promotion, the final result was poor, with very few reports and little engagement from citizens—only 531 reports were sent, 10 percent of which were verified.<sup>162</sup>

The leading digital newspaper *Plaza Pública* set up a special coverage section with reports and independent analysis, publishing interesting articles and closely monitoring the electoral process through reporters around the country. There was also a boom of new initiatives to inform voters better and to increase awareness of the election. *Tenemos el poder* (We Have the Power) is a web platform aimed at increasing the awareness of young people and encouraging them to learn why their role in politics will be crucial for the country’s future.<sup>163</sup> *Pilas con tu voto* (Be Smart with your Vote) encouraged young people to inform themselves and get to the polls.<sup>164</sup> Other websites engaged in similar activities, such as *Ve por que* (See Why), *Se busca Presidente* (President Wanted),<sup>165</sup> *Política Stereo*<sup>166</sup> (Stereo Politics), and *Vozz Guatemala*, a youth-driven election project that empowered young Guatemalans with the information and training to be citizen reporters throughout the pre- and post-election periods.<sup>167</sup>

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160. Fundación Cholsamaj, *Editorial Cholsamaj*, at <http://www.cholsamaj.org/index-english.php> (accessed 16 November 2012).

161. *Imagina* magazine, at <http://revistaimagina.blogspot.com> (accessed 16 November 2012).

162. Mirador Electoral Ushahidi platform, results, at <http://www.miradorelectoralguatemala.org/ushahidi-new/reports> (accessed 28 January 2013).

163. *Tenemos el Poder* (We Have the Power), at <http://tenemoselpoder.com> (accessed 1 January 2013).

164. *Pilas con tu voto* (Be Smart with your Vote), at <https://twitter.com/yosoypilas> (accessed 1 January 2013).

165. See <http://web.archive.org/web/20110924135440/http://www.sebuscapresidente.org> (accessed 1 January 2013).

166. See <https://psgt.wordpress.com> (accessed 1 January 2013).

167. See <http://vozz.com.gt> (accessed 1 January 2013).



None of these platforms is regulated or monitored by the Supreme Electoral Tribunal. However, the use of mobile phones was banned in electoral centers during the 2011 general elections, and, for the first time, the tribunal imposed sanctions on political parties using digital media (a political party had begun campaigning through web advertisements before the official campaign started, a breach in electoral regulations).<sup>168</sup> However, the fine was only US\$ 125, which is dwarfed by the millions of dollars spent on campaigning.

#### 4.4.2 Digital Political Communications

Digital media had an enormous impact on political communication and the diversity of voices in political life before the 2011 general elections. They were used by the electoral authorities to communicate with the population, and also by civil society groups encouraging people to analyze the candidates, ask questions, and evaluate their promises. Every political party had a strong digital platform promoting its campaign, and several candidates hired social media experts to manage their support groups, produce viral videos, and make favorable postings on social networks. There was no disclosure of the amounts invested on this or the companies hired to do the work.

Facebook was the leading platform for promoting personal profiles and campaigning in general,<sup>169</sup> and politicians are starting to feel for the best way to use Twitter to communicate with citizens more directly—however, the number of Twitter users is still low. During the 2011 campaign, politicians used every social network via verified Twitter accounts and fan pages on Facebook. However, according to the political analyst Luis Fernando Mack, from the Central American Institute of Politics, the use of social media is still far from optimal since, due to the generation gap, neither politicians nor their advisors are digitally clued-up. The use of YouTube for political purposes is less widespread.<sup>170</sup>

The new pattern of communication facilitated the candidates' direct contact and constant dialogue with voters. During the first digital debate between presidential candidates, college students were able to ask questions directly, and there were mass sendings of text messages by candidates to voters asking for their votes. Candidates also distributed content by email lists.

The inclusion of social networks in political campaigning led to an increase in the amount of information available for the large number of connected youth who were voting for the first time. In consequence, they were more engaged, obtained better information about the candidates, and became better-informed voters, able to assess online the candidates' proposals and their messages. Also, there were a few platforms reporting on violence or irregularities during the elections, crowdsourced from citizens on a shared platform facilitated

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168. A. Amdres, "TSE impone multa por propaganda en Internet" (TSE imposed fine for online advertising), *el Periódico de Guatemala*, at <http://www.elperiodico.com.gt/es/20110326/pais/193101> (accessed 28 January 2013).

169. P. Hurtado, "En política, la TV aún aventaja a redes como Facebook o el e-mail" (In Politics, TV still preferred over social networks like Facebook and Email), *el Periódico de Guatemala*, 1 January 2012, at <http://www.elperiodico.com.gt/es/20110716/pais/198214> (accessed 16 November 2012).

170. L. Mack, *Reporte Político—Panorama Centroamericano* (Political Report—Central American Panorama), INCEP, at <http://incep.org/portfolio/reportes-politico-enero-abril-2012-2/> (accessed 1 November 2013).

by Mirador Electoral, but there was no follow-up by the authorities responsible for sanctioning electoral infractions.<sup>171</sup>

On the other hand, the campaign included strong attacks and hate speech against candidates online; increased smear campaigns against candidates, with baseless anonymous reports circulating; obscene language on different platforms; and abusive material posted on video-sharing platforms. However, no political party required anyone from the election authorities to monitor and police the content; they themselves asked directly for abusive material to be taken down, while more moderate citizens guided the debate away from insults to a more constructive dialogue. In any case, the digital debate was restricted to a small number of citizens, and there were no efforts to engage and include other groups.

New digital technologies gave an opportunity to voters to gather more information about their candidates, watch debates streamed online, and follow the activities of politicians. However, interest in politics is still extremely low among young voters and internet use is still very limited among older ones.

## 4.5 Assessments

While technological devices are largely available at affordable prices, the quality of content is determined by the human factor: most journalists are extremely poorly paid, and are embarrassingly unprofessional—in this sense, the training in universities and workplaces is far from optimal. Editors invest very few resources in training journalists or in their safety and security.

The media are also extremely vulnerable to corruption. Criminal networks exercise a strong influence in the media, and self-censorship is increasing. Digital media have not made a real difference to the quality of content, the ethics of journalists, or investigative journalism; however, certain entrepreneurs have started to move the media in the right direction.

Economic disparity and inequality harm media quality as much as institutional corruption does. A person with enough influence and money can pay to kill a story, influence the headline, placement and size of a story, or even suppress the names of companies and prominent individuals. While journalists agree in theory on the importance of ethics, at the end of the day editorial decisions are driven by financial considerations.

Reporting from remote villages has increased, as has the inclusion of less-advantaged political groups, which can use freely available platforms to promote their ideas and plans. Marginalized groups are using new technologies as a space to inform citizens, interact with other groups, and cover underreported news and issues. Digital platforms are especially relevant for LGBTTT groups and indigenous groups, as they are the main targets of violence and discrimination in the country.

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171. Renata Avila, "Guatemala: following the general election," Global Voices Online, 11 September 2011, at <http://globalvoicesonline.org/2011/09/11/guatemala-following-the-general-election> (accessed 16 November 2012).

The coverage of elections has improved, encouraging more debate and better-informed voting. Journalists had the opportunity to report the elections in real time, livestream, and diversify their sources. The electoral authority wisely applied electoral laws to both online and offline activities, adapting the legal framework to meet challenges wrought by rapid technological change.

While the greater flexibility to practice journalism is positive in terms of inclusion and diversity in a multicultural setting, it also makes sanctions against those violating ethical norms very difficult to enforce. Improving quality will depend on demand, the creation of a set of journalistic standards, and incentives for better reporting. The increasing number of college students may contribute to the growth of a more educated, more critical audience demanding better quality content. Digitization has encouraged marginalized groups to create their own media outlets, but its effect on investigative journalism has been modest, if not insignificant, with very limited use made of the Freedom of Information laws.

# 5. Digital Media and Technology

## 5.1 Broadcasting Spectrum

### 5.1.1 Spectrum Allocation Policy

According to Article 20 of the Constitution, the broadcasting spectrum is state property. Before the 1996 General Law on Telecommunications (*Ley General de Telecomunicaciones*),<sup>172</sup> private spectrum use was regulated by Law Decree 363, which used a licensing model similar to that of the U.S. Federal Communications Commission (FCC).<sup>173</sup> Spectrum was zoned, allotting blocks of bandwidth for particular uses patterned after the FCC's Table of Frequency Allocations. The blocks were divided into individual licenses, rules of operation were established, and licenses assigned to users. Foreign nationals were not allowed to apply.

Under the 1996 Law, broadcasting spectrum is auctioned and allocated by single licenses. The highest authority responsible for allocating spectrum is the Superintendency of Telecommunications (*Superintendencia de Telecomunicaciones de Guatemala*, SIT). Appointed by the Ministry of Communications, Infrastructure, and Housing, the Superintendent has the power to decide when an auction will take place and on which terms.

The exploitation of the regulated frequency bands is assigned through titles that represent the usufructuary right (*título de usufructo*, TUF). The TUF certificate stipulates the frequency band, hours of operation, maximum power transmitted, maximum power emitted at the border of adjacent frequencies, geographic territory, and duration (start and end dates).

The back of the sheet on which the certificate is printed contains spaces for endorsements, required whenever the instrument is transferred to a new owner. The usufructuary right of the frequency granted by the SIT for the exploitation of the regulated frequency bands can be totally or partly rented, and/or transferred. It can also be split and shared.

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172. General Law on Telecommunications, Decrees 94–96, Guatemala, 14 November 1996.

173. Legislative Decree No. 363.

For the adjudication of TUFs any interested person, individual, or corporation, national or foreign, or any state entity has to submit a request to the SIT detailing the bandwidth concerned. If there is no objection or interest from third parties, the SIT will grant the usufructuary right to the requested band directly, ordering its registration with the Telecommunications Registry. If there is opposition, the SIT has 10 days to resolve the situation. If the opposition is accepted, the public contest process will be concluded. On the other hand, if the objection is rejected and there are no other interested parties, the TUF will be given to the interested party, without further negotiation.

If there are other interested parties, an invitation to participate in a public auction of the requested band is issued. Requests by interested parties are not, however, a prerequisite for open calls and frequency auctions—the SIT can open the process at its discretion. The auction has as many rounds as the Superintendent wishes, and is supervised by an independent accounting firm. The principle ruling the auction is that the frequency band will always be awarded to the applicant who offers the highest price, and the term for bids is very limited, at 20 days. Offers must be submitted in a sealed envelope. No technical considerations are taken into account to grant the frequency.

After the auction, the granted titles of TUF may be leased, sold, subdivided, or consolidated for a limited period (15 years). The TUF may be used as equity for investment capital. The duration of the title can be extended for an additional 15 years by a simple request at no cost to the bearer. The SIT has to extend the term, unless it has evidence from a certified agency that the spectrum was not used in any way during the period when the owner exercised the usufructuary right. Regulation is limited to adjudicating disputes over interfering emissions and the set-aside of certain bands for state use.

While the law reserved a range of bands for the exclusive use of the state and its decentralized agencies, these cannot be transferred outside the governmental environment. No frequencies were granted to community or public media. When the law was enacted in 1996, there was a transitional provision requiring the president to propose a new Radio Communications Law, to make it fully congruent with the Telecommunications Law. To date, however, no reform has been proposed.

The regulatory agency, SIT, has issued more than 5,000 TUFs since 1996. There are more than 1,050 different owners of TUFs, and by the end of 2011 there were 794 titles issued for radio and television, mostly to a series of societies owned by the same group.<sup>174</sup> The auctions have generated more than US\$ 100 million in revenue. Seventy percent of these funds have been allocated by the state to subsidize rural telephone services; however, the program has been a failure, with less than 500,000 landlines in rural areas.<sup>175</sup>

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174. All television frequencies are concentrated in a group of companies: *TeleviSiete S.A.*, *Teleonce S.A.*, *Radio Television S.A.*, and *Teletrece S.A.* These companies belong to the *Albavisión* group, owned by Ángel González.

175. SIT, “Situación de la telefonía en Guatemala” (Situation of local landlines in Guatemala), findings for 2011, at <http://www.sit.gob.gt/index.php/gerencias-sit/gerencia-telefonía/estadísticas-de-operadores-de-red-local/situación-de-la-telefonía-en-guatemala> (accessed 1 November 2013).

There is no law regulating monopolistic or anticompetitive practices, and the current procedure regulating broadcasting spectrum has been detrimental to the most marginalized people, violating their right to freedom of expression. On 26 February 2010, the Central American Institute for the Study of Social Democracy (*Instituto Centroamericano de Estudios para la Democracia Social*, DEMOS)<sup>176</sup> filed a writ of unconstitutionality against the General Telecommunications Law, alleging that the law establishes an auction as the only mechanism for accessing radio and television frequencies, excluding other considerations. They argued that this harms the equality of opportunity of all actors in Guatemalan society with regard to their exercise of freedom of expression.

As a consequence, the Constitutional Court examined the issue of indigenous people, community radio, and discrimination.<sup>177</sup> The association Cultural Survival argued that Articles 1, 2, 61, and 62 of the Telecommunications Law are unconstitutional, since indigenous populations were suffering economic discrimination as a result of being unable to exercise their right to use the radio-electric spectrum due to poverty—a common characteristic of all indigenous communities.

While the Constitutional Court dismissed DEMOS's writ, it recognized that the legislation did not comply with Article 66 of the Constitution: "Guatemala is made up of various ethnic groups among which are native groups of Mayan descent. The State recognizes, respects, and promotes their form of life, customs, traditions, forms of social organization, the wearing of Indian dress by men and women, their languages, and dialects."<sup>178</sup> In its ruling, the Constitutional Court exhorted Congress to pass legislation regulating the access of indigenous communities to radio frequencies.

The court also encouraged the government to reform the existing Radio Communications Law, making frequencies available for indigenous projects, ensuring respect for the principle of non-discrimination vis-à-vis the media, and promoting the abolition of any provision in law that obstructs the right of indigenous peoples to own media for the development of their identity.

In practice, such provisions are not only ignored—there are proposed bills trying to shape the regulation in just the opposite direction. The first attempt to reform community radio took place in 2003, with the aim of urging the effective fulfillment of the Peace Agreements of "facilitating frequencies and assuring the observance of the principle of non-discrimination in the use and disposition of the communications media for the development" of the indigenous peoples. That attempt failed, and a second bill to reform community media was proposed in 2009,<sup>179</sup> only to be largely ignored by Congress. Decree 34–2012, Reforms to the Telecommunications Law, proposed by a multi-party coalition and approved behind closed doors during

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176. See <http://guatemalademos.org> (accessed 28 January 2013).

177. Constitutional Court of Guatemala (Corte de Constitucionalidad de Guatemala), File 4238-2011, 14 March 2011.

178. Guatemalan Constitution, Article 66: Protection of Ethnic Groups.

179. Guatemalan Congress, Bill 4087, Law of Community Media in Guatemala, at <http://200.12.63.122/Legislacion/iniciativa1.asp> (accessed 16 November 2012).

the last week of November 2012, extended the free-to-air television monopoly in Guatemala for up to 20 years.<sup>180</sup> It also extended all licenses, including those of telecommunication companies.<sup>181</sup>

The effect of the November reform was an even greater concentration of TUFs among a few rights-holders. The key problem is not the extra years granted to the licenses but the renewal system: those who are using the spectrum can renew the title by a written request without any further payment. They are the big winners of the reform—according to the updated chart of radio-electric spectrum use, only a limited segment has not been auctioned. This will benefit both the telecommunications companies and the Albavisión group.

While the reform provoked an outcry in the international community and at the United Nations, President Otto Pérez Molina was a strong supporter. The law was approved by a coalition of the emerging political party TODOS, the populist Renewed Democratic Liberty party (*Libertad Democrática Renovada*, LIDER), and all the right-wing political parties, including those that were in power over the past 20 years: the National Advancement Party (*Partido de Avanzada Nacional*, PAN), the Guatemalan Republican Front (*Frente Republicano Guatemalteco*, FRG), the Grand National Alliance (*Gran Alianza Nacional*, GANA), and the Patriot Party (*Partido Patriota*, PP).<sup>182</sup> The reform directly benefited Mario López, the most important shareholder of Tigo Guatemala, the company controlling Millicom's (Tigo) TUFs, as his frequencies will expire in 2015, and any company owning the shares could remove him as intermediary and control the frequencies by itself. While some observers speculated that the change had been promoted by the Albavisión group, others argued that it actually went against Albavisión's interests, and that the group had in fact lobbied for reforms that would have excluded the telecoms sector, because the latter would compete with free-to-air television.

The passing of this law sparked an outcry among indigenous communities and human rights bodies, including the UN Special Rapporteur on Freedom of Opinion and Expression, Reporters Without Borders, Cultural Survival, and other groups. For besides the benefits for those who already own the frequencies, the law also penalizes small radio stations, especially indigenous community radio stations.<sup>183</sup> Concern was also expressed by the Office of the United Nations High Commissioner for Human Rights in Guatemala (*Oficina del Alto Comisionado de las Naciones Unidas para los Derechos Humanos*, OACNUDH-Guatemala).<sup>184</sup>

### 5.1.2 Transparency

The procedure for granting TUFs is transparent, as it is open to everyone, even to foreigners. As explained earlier, the interested party applies to the SIT for the right to use a frequency band under the terms of a TUF.

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180. Congreso de la República de Guatemala, at [http://old.congreso.gob.gt/Legislacion/ver\\_decreto.asp?id=13330](http://old.congreso.gob.gt/Legislacion/ver_decreto.asp?id=13330) (accessed 16 November 2012).

181. Guatemalan Congress, Bill to Reform the Telecommunications Law 4404, at [http://200.12.63.122/Legislacion/ver\\_iniciativa.asp?id=4606](http://200.12.63.122/Legislacion/ver_iniciativa.asp?id=4606) (accessed 16 November 2012).

182. A. Pérez, "A reform that will benefit those who already enjoy the rights," Plaza Pública Guatemala, December 2012, at <http://www.plazapublica.com.gt/content/el-beneficio-es-para-todos-los-que-ya-tienen-sus-frecuencias> (accessed 16 November 2012).

183. IFEX, "Guatemalan law discriminates against indigenous community media," at [http://www.ifex.org/guatemala/2012/12/12/guatemala\\_esp\\_eng\\_fr](http://www.ifex.org/guatemala/2012/12/12/guatemala_esp_eng_fr) (accessed 16 March 2013).

184. OACNUDH-Guatemala, "El Sistema de las Naciones Unidas en Guatemala ante la reciente aprobación de las reformas a la Ley General de Telecomunicaciones, Decreto 94-96 del Congreso de la República" (The United Nations System in Guatemala before the recent adoption of amendments to the Telecommunications Act, Decree 94-96 of the Congress of the Republic), 25 November 2012, at <http://www.oacnudh.org/documentos/comunicados/Comunicado%20Ley%20Telecomunicaciones.pdf> (accessed 16 March 2013).

The application is then evaluated by the SIT, which accepts or rejects it, or deems it incomplete. The SIT is required to answer whether they accept or reject the application within three days. Grounds for rejection include technical interference, violation of international agreements to which Guatemala is a signatory, or an objection by an interested party.

If the application is accepted, a public notice is issued letting everyone know all the information about the requests. It is the starting point of the public process to auction rights, if there are more interested parties. It is also the moment where others can oppose the auctioning of such spectrum frequencies. Parties objecting to the decision can file formal complaints. Grounds for opposing the application are limited to technical interference and must be filed within five days of the public announcement of the spectrum auction. Complaints are resolved by the SIT, and other interested parties are allowed to file competing claims to requested spectrum rights. If no competing claims are filed, then the petitioner receives the rights without any payment. If competing claims are filed, the SIT must schedule an auction within 35 days of the close of the objection period.

There is also a public registry of all users of the radio spectrum, including government users, private holders of TUFs, and amateur radio operators. And while the process of granting a frequency is transparent and public, the decision on how and when to allocate frequencies remains in the dark. The terms and conditions of the bid are decided by the Superintendent, who is appointed by the Ministry, based on a discretionary selection, without any intervention of private or institutional actors. The SIT is empowered to respond to private claims for spectrum access (TUFs), and to adjudicate disputes over airwave rights. It may also engage in related activities, such as spectrum monitoring to supervise that the granted frequencies are in use.

The allocation of the regulated frequency bands is based on free-market principles: the highest bid wins. The reduced time to apply for a frequency and the requirement for every participant to guarantee the result of the auction with a deposit prevents those without resources or access to financial means from applying for a frequency. Furthermore, the system leaves no space for those who seek spectrum for community use, unless they are well-funded. And there is no financial support from the government for community radio.

### **5.1.3 Competition for Spectrum**

The process, via public auctions, of granting the use of spectrum to the highest bidder is problematic, and there is extremely limited participation, if any, from the civil society organizations. Furthermore, the recent reforms to the Telecommunications Law that simplified the renewal process and allowed TUF holders to enjoy the rights for 20 additional years<sup>185</sup> was detrimental to competition and also the income from TUF fees, as the beneficiaries will not pay any additional fee to use the spectrum for a longer period.

In Guatemala, civil society plays a small role in the lobby for better allocation and regulation of white spaces. The debate has centered in the need for more community frequencies to legalize the situation of pirate

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185. Cultural Survival, "UN urges inclusion of community radio in reform," at <http://www.culturalsurvival.org/news/guatemala-un-urges-inclusion-community-radio-new-reforms> (accessed 1 November 2013).



radios in the country, a situation that remains unresolved since proposed legislation suggesting a different distribution of the broadcasting spectrum is awaiting approval by the Guatemalan Congress, and is opposed by various economic and political groups. When the latest reform was approved, there was a local and international outcry condemning Congress for not even discussing the proposals of community media, but rather approving overnight the renewal of the frequencies, leaving the opportunity of a balanced reform behind and only addressing the interests of the telecommunications companies, radio stations, and television channels whose licenses were about to expire.<sup>186</sup>

There is a group of reserved bands for the government, but the General Telecommunications Law leaves the door open for the transformation of state bands into commercial bands upon the request of the SIT.

## 5.2 Digital Gatekeeping

### 5.2.1 Technical Standards

There was no public debate on the adoption of technical standards for platforms that carry news for the digital switch-over. While there were early public discussions in the government, especially with the president himself and the Minister of Foreign Affairs, on the standards to be adopted when the digital switch-over takes place, the decision of the Ministry of Telecommunications to opt for the Brazilian standard, via a Ministerial decree, came as a surprise. The administration of President Alvaro Colom Caballeros had been exploring the possibility of adopting the ISDB-T standard, with technical assistance from Japan,<sup>187</sup> following in the footsteps of Venezuela, Costa Rica, and Nicaragua. The Japanese standard was also being considered by the new administration of President Otto Pérez Molina. The Minister for Foreign Affairs, Harold Caballeros, discussed the adoption of Japanese ISDB-T standards for terrestrial digital television in March 2012 during an official visit to his counterpart in Japan. He said that Guatemala was leaning toward this standard, but that it would take time to make the final decision.<sup>188</sup>

However, the government did not hold a public consultation process with all the relevant stakeholders for the digital switch-over, and it refused to release public information requests for all the details on its plans. On 30 May 2013, without any prior announcement, Ministerial Decree 226-2013 signed by the Ministry of Communications, Infrastructure, and Housing, stipulated that Guatemala would adopt the ISDB-Tb standard for the digital switch-over, taking into account the geography and needs of Guatemala and that service providers shall gradually switch their transmissions to the new standard. The schedule will be announced in the future.<sup>189</sup>

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186. Tania Lara, "New telecommunications law takes effect in Guatemala restricting community radio," at <http://knightcenter.utexas.edu/blog/00-12308-new-telecommunications-law-takes-effect-guatemala-restricting-community-radio> (accessed 7 December 2012).

187. Ministry of Foreign Affairs, Guatemala, *Concluye visita de trabajo del Presidente Colom a Japón* (Conclusions on the work visit of President Colom to Japan), at <http://www.minex.gob.gt/noticias/Noticia.aspx?id=568> (accessed 16 November 2012).

188. Government of Japan, "Japan-Guatemala Foreign Ministers' Meeting," at [http://www.mofa.go.jp/announce/announce/2012/5/0523\\_01.html](http://www.mofa.go.jp/announce/announce/2012/5/0523_01.html) (accessed 1 March 2012).

189. Government of Guatemala, General Secretary of the Presidency, Decree 226-2013, at <http://sgp.gob.gt/soft/publico/descargararchivo.php?id=6267&nombearchivo=uploads/2013/05/31/626267iRx5x2FEq7p3AP78aadQJ5YvtjhGL7Q6.pdf> (accessed 1 June 2013).

## 5.2.2 Gatekeepers

Digital broadcasting via satellite dishes in Guatemala is only accessible to a limited number of homes in Guatemala and there are no problems yet related to gatekeepers in digital broadcasting.

## 5.2.3 Transmission Networks

There has been no interference by transmission network operators in the distribution and use of the spectrum.

# 5.3 Telecommunications

## 5.3.1 Telecoms and News

Cable television services have been provided in Guatemala since the early 1980s. However, it was only a decade after their arrival that Congress enacted legislation and regulations for their providers, with the approval of Decree 41–92, Law Regulating the Use and Reception of Signals via Satellite and Cable Distribution Services (*Ley Reguladora del Uso y Captación de Señales Vía Satélite y del Servicio de Distribución por Cable*). The Ministry of Telecommunications, Infrastructure, and Housing regulates and controls the activities of cable television distributors, but the municipalities where they operate also have jurisdiction over their activities and infrastructure. The Association of Cable Operators in Guatemala comprises up to 80 medium-sized enterprises providing their services across the country. These companies are especially successful in isolated rural areas, producing local shows and attracting local advertising. Even the government is starting to take advantage of such local networks to distribute state information.

Cable television companies are expanding their markets and becoming Internet Service Providers (ISPs), directly competing with telecommunications companies. The latter are buying up small companies to provide cable and internet services but many cable owners are refusing to sell, not because of the profits they are making but because of the political influence and power that come with cable distribution of news and propaganda.<sup>190</sup>

The telecoms market in Guatemala is a flourishing one. The Telecommunications Law imposes obligations on mobile operators to protect interoperability and free market practices. The industry is so successful that currently there are more mobile phones than inhabitants in the country, and prices are affordable—a new prepaid mobile line and SIM card cost less than US\$4, and if they come with a mobile device the price is US\$12.<sup>191</sup>

According to SIT, by the end of 2012, there were 992,625 mobile telephones with post-paid services and 16,652,525 pre-paid telephones in Guatemala. The number of 20,787,080 active telephones in the first

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190. Interview with Ronaldo Robles, presidential Secretary of Communications 2008–2011, Guatemala City, 9 December 2012.

191. Guatemala is one of the cheapest countries in the world for hiring a mobile phone, with prices lower than US\$0.2 a day.

semester of 2013 represented an increase of up to 7 percent.<sup>192</sup> Comcel is the market leader in terms of the number of subscribers, followed by Telgua and Telefonica. All three provide satellite and digital television services in “service packages,” including broadband internet, HD digital television, landline service, and mobile services for households in urban areas.

While cable networks are producing original local content and news, and distributing them in their areas of influence, mobile telephones are still not used to receiving and reproducing content produced for other platforms. Small print media outlets and specialized content producers are in a very weak position when developing business models to distribute content using mobile networks. Mobile operators are not interested in partnerships, and the costs of producing and distributing content via mobile networks exceed the benefits. The strongest print media group, Casa Editorial Prensa Libre, is partnering mobile operators to distribute news via mobile alerts in exchange for advertising in printed media—mobile operators are the most important buyers of advertising in local media. The newspaper *el Periódico de Guatemala* took the innovative step of distributing sports news via the mobile networks during the 2010 World Cup, but the model did not succeed. Emisoras Unidas—the media group that comprises 44 radio stations, three free-to-air television channels, seven websites, and the first freely distributed daily tabloid—is expanding its offer to include a paid service to receive updates on mobile phones.

### 5.3.2 Pressure of Telecoms on News Providers

It may be the case that mobile operators have negotiated with media operators to distribute their content in a cheaper or more efficient way; if so, these agreements have not been made public. There is no evidence or documentation proving pressure from telecoms operators on media, just vague allusions to such practices in interviews with journalists.

## 5.4 Assessments

On the surface, spectrum allocation appears to be a transparent and apolitical process, with minimal state interference. However, it is clear that the SIT, whose head is appointed by the president, wields complete authority with absolute discretionary powers. Even though the Constitution and the law state that the public interest should be taken into account when allocating spectrum, this is not the case, since licenses are granted through a bidding process that only takes into account financial elements—the highest bidder gets the license.

While the Telecommunications Law of 1996 has promoted considerable growth in the telecommunications system in Guatemala, it has not narrowed the cultural and economic divide in the population. Indeed, the new spectrum on the market increased competition and reduced the price of mobile services, but it has limited the ability of non-profit community radio stations to exercise their rights, by auctioning off TUFs at

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192. Numbers provided by SIT, at [http://www.sit.gob.gt/files/1513/6864/9180/CRECIMIENTO\\_DE\\_LA\\_TELEFONA\\_FIJA\\_Y\\_MVIL.pdf](http://www.sit.gob.gt/files/1513/6864/9180/CRECIMIENTO_DE_LA_TELEFONA_FIJA_Y_MVIL.pdf) (accessed 10 November 2013).

prices that are beyond the reach of small and poor radio stations. Broadcasting rights are mostly owned by commercial operators. While the regulatory scheme maximizes a limited resource and promotes transparency, reducing the risk of corruption or state interference when granting the rights, it affects those who cannot afford the prices, especially rural, indigenous communities.

The media is considered a public interest service under the Constitution. The activity of the communication media is of public interest, but no court or administrative ruling has developed the interpretation and implications of “public interest.” The Telecommunications Law left it to the free market and highest bidder to allocate the radio-electric spectrum, under the direction of a political authority. The goal of the SIT for 2012 was to auction even more of the radio-electric spectrum, but it did not implement in parallel any plan to help bridge the financial divide and allow community radios or small and medium-sized enterprises (SMEs) to bid for the frequencies.

Furthermore, the 2012 reform to the Telecommunications Law, besides being opaque and questionable in its approval process, produced no benefit at all for the public, and no economic benefit for the state. Granting a privilege to the current rights-holders of a highly concentrated industry may lead to an unprecedented concentration of the radio-electric spectrum, which will harm media diversity and pluralism, and hinder the development of a healthy, competitive telecommunications market in Guatemala open to the opportunities the digital switch-over brings.

## 6. Digital Business

### 6.1 Ownership

#### 6.1.1 Legal Developments in Media Ownership

There have been no significant changes in the regulation of media ownership in recent years. The legal environment regarding ceilings or limits on ownership concentration and cross-ownership is relaxed. In fact, any TUF rights-holder is free to change the usage of the frequency at any given time (see section 5). Ownership of news outlets is heavily concentrated in the hands of a few actors with similar political views, alliances, and interests whose commercial viability depends entirely on the good will of a right-wing business elite with a similar, rigid ideological outlook. Since advertising from the business sector represents 75 percent of the news outlets' total revenues, Guatemalan media cannot afford to lose advertising without endangering their economic viability. This situation, together with generally poor education, might explain the lack of watchdogs and media reporting around corporate corruption. As a result, there is a general lack of investigative journalism and an unwillingness to tackle tax evasion and corruption by important businessmen and corporations (see section 4).<sup>193</sup>

While monopolies are prohibited under Article 130 of the Constitution, this rule seems to be ignored due to the lack of a legal frame to enforce it. (Article 30 says the state shall restrict the operations of companies that absorb or tend to absorb, to the detriment of the nation's economy, the output of one or more industrial fields or of a single commercial or agricultural activity.) Also, Article 13 of the Radio Communications Law states that the Ministry of Communications, Infrastructure, and Housing shall be charged with preventing abuses in the granting of concessions for the commercial exploitation of radio and television stations, and it shall regulate the use of repeaters and link systems, in order to restrict the operations of those companies that tend to absorb this activity to the detriment of the state and of third parties.

The real landscape of media ownership in Guatemala is highly concentrated. In Guatemala, most media are controlled by family groups, either Guatemalans or Mexicans, who belong to a business elite with a narrow agenda oriented toward protecting their economic and political interests. This leaves little space for a diverse and well-resourced media environment in a country with a high level of inequality and no philanthropic

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193. A. Monroy, interview with Juan Luis Font, the director of *elPeriódico de Guatemala*, *Inforpress Centroamericana*, No. 1636, 2005.

tradition. The concentration of different media outlets in the hands of a few owners reinforces their bias through various platforms, including print media, radio, television, social networks, and even advertising in cinemas or on billboards.

Guatemala's legal provisions against monopolies are out of date and never enforced.<sup>194</sup> A Competition Law has been pending in the Congress since 2004,<sup>195</sup> but little effort is being made to pass legislation that might promote competitive markets, especially in critical areas such as access to the media. In spite of general provisions in the Telecommunications Law proscribing monopolies and anticompetitive practices, in compliance with World Trade Organization (WTO) standards,<sup>196</sup> there are no mechanisms to enforce it, nor are there any precedents of complaints before any Guatemalan court. Consumer protection policy in Guatemala is weak.

The obstacles impeding media plurality and diversity lie in production and distribution. Most of the programs and music broadcast by Guatemalan media are not national. Free-to-air television channels reproduce and distribute content from Colombia, Mexico, Brazil, and the United States. Only a few segments in free-to-air television, radio, and cable television are dedicated to culture, education, and national matters beyond daily news. In this context, the mergers between national companies and transnational corporations will accentuate the lack of investment in quality content in Guatemala and undermine content pluralism and diversity in the transition to digital media.

### 6.1.2 New Entrants in the News Market

There are two kinds of entrants in the news market: big corporations competing in the Latin American media market and local actors—local newspapers that proliferate in the digital environment and cover regions and topics that were usually unreported by the printed press and by television.

Of the big regional groups entering the local market, Televisa, the Mexican duopolistic corporation, entered the Guatemalan market after buying 70 percent of the news organization Latitud TV in 2008.<sup>197</sup> It is currently transmitting in UHF. However, Latitud has so far had little or no impact on the market: it produces little Guatemalan content and its audience share is low. At present, some 95 percent<sup>198</sup> of the money spent on advertising on free-to-air television goes to Albavisión, which owns the four channels in VHF and is the property of Ángel González. In the free-to-air television market, there is no challenge to the monopoly of the Albavisión group.

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194. *Código de Comercio* (Commercial Code), Decree 2-70, Articles 361, 362, 363, 364, 365, 366, and 367; *Código Penal* (Criminal Code), Decree 17-73, Articles 340, 341, and 343; and *Ley de Protección al Consumidor y Usuario* (Consumer Protection Law).

195. *Iniciativa de Ley para la protección de la competencia* (Bill to Protect Competition).

196. *Ley General de Telecomunicaciones* (General Telecommunications Law), Congressional Decree 94-96 reformed by Decrees 115-97, 47-2002, 82-2002, and 11-2006.

197. M. Posada García, "Tv Azteca entra a Guatemala y Televisa se alía con Telefónica" (TV Azteca enters Guatemalan market, Televisa and Telefonica alliance), *La Jornada*, Mexico, 2008.

198. G. Mastrini and M. Beccera, *Los monopolios de la verdad. Descifrando la estructura y concentración de los medios en Centroamérica y República Dominicana* (Truth Monopolized: Deciphering the Structure and Concentration of Media in Central America and the Dominican Republic), Prometeo Libros, Buenos Aires, 2009.

Publinews, owned by Metro International, the international newspaper group, has been shaking up the print media market. It started in February 2011 with 84,000 free copies of its newspaper distributed in Guatemala's most populated areas.<sup>199</sup> Publinews entered into a joint venture and franchise agreement in Guatemala with Emisoras Unidas, a leading media group in Guatemala with a strong presence in radio. In 2010, Emisoras Unidas also bought Canal Antigua, a television channel in UHF with low-quality national productions, including daily news, focused on an urban, middle-class audience.

Radio stations and cable television networks are locally owned in rural areas, and cable companies are often controlled by important political local actors, as is the case with controversial presidential candidate Manuel Baldizón, who has been described as “the Berlusconi of north Guatemala.”<sup>200</sup>

In fact, not a single newspaper is distributed nationally: the three papers with the largest circulations are distributed in the capital city and main towns, omitting isolated areas because of the high costs involved and the lack of distribution infrastructure. However, the ownership structure of the newspaper market is also rapidly changing. While newspapers used to be concentrated in two families, ownership is now distributed among different investors.

Until recently in Guatemala, all newspapers were influenced in some way by a member of the Carpio-Marroquín family. *La Hora* was established by Clemente Marroquín Rojas. The president of *Siglo XXI* was Juan Carlos Marroquín Godoy and its director general was Luis Eduardo Marroquín Godoy, until the newspaper was sold to the politician Gustavo Alejos in partnership with the Cooperatives Movement. The editorial director of *Prensa Libre* was Gonzalo Marroquín, but he sold his shares and is starting an opinion magazine. *Nuestro Diario*, the most widely read newspaper, is published by the Prensa Libre Corporation. José Rubén Zamora, grandson of Clemente Marroquín, is the president of *el Periódico de Guatemala* but his director, Juan Luis Font, is leaving the newspaper to start an opinion magazine called *Contrapoder*,<sup>201</sup> while the Marroquín brothers are relaunching a digital magazine, *Cronica*.

Apart from this, Guatevisión, the only Guatemalan cable channel, belongs to part of the *Prensa Libre* capital, mainly that of Mario Antonio Sandoval, its vice-president. Back in 2004 the newspaper family group Marroquín bought a cable channel, Guatevisión. Seven years after it started broadcasting, the group acquired a UHF frequency, channel 25, and now it is broadcasting on free-to-air television to the entire country. The media group that owns the channel says that the Guatevisión news bulletin is the news outlet that grew the most during this period of time.

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199. Metro International, “Metro International Launches ‘Publinews’ in Guatemala,” Press Release, 2011.

200. L. Sas, “Manuel Baldizón, el Berlusconi de Petén” (Manuel Baldizón, the Berlusconi of north Guatemala), *Plaza Pública* [n.d.], at <http://www.plazapublica.com.gt/content/baldizon-el-berlusconi-de-peten> (accessed 12 October 2013).

201. *Contrapoder* magazine, at <http://contrapoder.newscoop.pro>.

## 6.1.3 Ownership Consolidation

### 6.1.4 Telecoms Business and the Media

The telecoms industry's most significant business involvement in the media is in connection with the increased options in digital television services, where Claro, the largest company providing landlines, offers triple-play packs of telephone, mobile phone, and digital television. It is very unlikely that other competitors will be able to rival Claro in the introduction of pay-per-view and digital television services, as only Claro has the infrastructure and a solid client base to provide such services.

A representative of one mobile operator said that telecoms focused on mobile services will probably increase their content production and distribution in the coming years. Barriers to work in joint ventures with mobile service providers and with ISPs are high for SMEs, so that only big actors can play according to their own tacit rules.<sup>202</sup>

### 6.1.5 Transparency of Media Ownership

Media ownership in Guatemala is opaque. All media outlets in Guatemala, with the exception of community radios, are organized as stock corporations (*Sociedades Anónimas*) based on beneficial ownership, which does not reveal the ultimate owner of the respective business.<sup>203</sup> Anonymity is strongly protected, and it is virtually impossible to know who really owns the media in Guatemala, even with a judicial order, since stocks can be registered under the name of a “figurehead.” Moreover, big media groups organized as stock corporations are usually owned by an offshore holding, a scheme aimed at avoiding taxes and hiding the identity of the owners.

## 6.2 Media Funding

### 6.2.1 Public and Private Funding

There is no data available on how much the private sector spends on advertising. As far as government spending on media advertising is concerned, the budget shows that US\$7.8 million was allocated in 2008, rising to US\$ 11.5 million in 2009. By 2010, one year before the election, this figure rose to US\$ 18.3 million, falling to US\$ 14.2 million in the election year itself. After the change of government, the annual figure was US\$ 10.5 million.<sup>204</sup> As the numbers show, the government has a very limited budget to invest in media and most of it has to be spent on free-to-air television.<sup>205</sup>

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202. Interview with Gabriel Delgado Ayau, Guatemala City, October 2011.

203. Ministry of Economy, *Commercial Registry*. Information provided by electronic search, updated on 1 March 2011.

204. Ministry of Finance, SICOIN (*Sistema de Contabilidad Integrada*, Integrated Accounting System), System of Public Expenditures, reports 2008–2012.

205. Since 2006, the General Budget Law provides that US\$6 million from a tiny budget of US\$11 million for government advertising goes to free-to-air television.



According to Ronaldo Robles, a former presidential communications secretary, in rural Guatemala politicians are buying local radio stations and cable television companies. Purchasing local media is more a political than a financial investment: it is cheaper to buy local media than to place advertising in the national media. In the free-to-air television monopoly, the owner, Ángel González, doles out free advertising time to various presidential candidates but reserves the best slots and most time for his favorite candidate.

### 6.2.2 Other Sources of Funding

As hyperlocal media increase readership in rural areas, more small enterprises are buying online advertising to promote their local products and services. Furthermore, other large-scale businesses interested in capturing the attention of Guatemalan émigrés to capitalize on their remittances and associated banking services are advertising in local media outlets, often in indigenous languages. Even the government has dedicated part of the budget to advertising in local media—cable television and digital newspapers.

International aid agencies are decreasing the amount of financial aid to the media and focusing aid on other areas, prioritizing access to basic health, primary education, and the reduction of chronic malnutrition. Some news outlets are subsidized either by universities (for example, Radio Universidad and Plaza Pública) or by international grants (for example, CERIGUA and Plaza Pública).<sup>206</sup> The only weekly with high-quality investigative journalism, published in English and Spanish, *Inforpress Centroamericana*, closed down in January 2011 due to lack of funds.

## 6.3 Media Business Models

### 6.3.1 Changes in Media Business Models

Bucking the global trend, the printed press in Guatemala has not been significantly affected by the introduction of the internet. The profits earned by the main dailies continue to be relevant, and so is the revenue made by both television and radio stations.

No innovative form of financing media is being explored in the country, as the digital environment is still limited and the media still function well using old schemes. Newspapers remain unaffected by online news consumption and are in fact benefiting from the advertising they sell online while their investment in digital platforms is still very low. Digitization has favored the emergence of small media outlets and small companies operating in specific geographic areas producing and distributing local news (see section 6.2.2). At the same time, advertising campaigns are increasing their use of digital media to reach the connected population, diversifying the allocation and distribution of funds and increasing the opportunity for sustainable models of journalism.

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206. CERIGUA, at <http://cerigua.org/la1520>; Radio Universidad de San Carlos de Guatemala, at <http://radiou.usac.edu.gt>; Plaza Pública Guatemala, at [www.plazapublica.com.gt](http://www.plazapublica.com.gt) (accessed 28 January 2013).

## 6.4 Assessments

Digitization has not affected dominant positions in the media market thus far. While Guatemala has one of the most liberal telecommunications laws in the world, a lack of investment, poorly developed markets, and a very small middle class limit the possibilities of digital media development. Pay-per-view services and digital television subscriptions are only provided to the urban and wealthy areas that can afford them.

Rules governing the transparency of ownership have not improved in the past five years, but the transfer of media ownership from national hands to international corporations have made available information about those mergers and the distribution of their shares.

In the past decade, Guatemala has changed its media ownership schemes and many companies are now owned and controlled by foreign capital. While there is more professionalization and more equipment available for the production of news outlets, the quality and diversity of news and content have been largely neglected. Of particular concern is the absence of nationally produced content. A large percentage of the population is monolingual, but only radio stations dedicate time and resources to produce content in indigenous languages. As a result, that section of the population is excluded from most media.

Media is still affordable for the average Guatemalan, and there is an increased tendency to offer printed and digital news outlets for free, financing them via advertising. The pay-per-view market is still emerging, and is offered only in selected urban areas in Guatemala City. There are emerging business models involving digital media and the Diaspora in the United States. There is also an emerging market of local and hyperlocal digital media in rural areas. The use of mobile phones as part of a business model is still very limited.

# 7. Policies, Laws, and Regulators

## 7.1 Policies and Laws

### 7.1.1 Digital Switch-over of Terrestrial Transmission

#### 7.1.1.1 Access and Affordability

There are no legal provisions on the digital switch-over yet, and as a result any subsidy or cash transfer related to the process is not on the agenda. There are no coordinated efforts or clear steps from the public and private sectors to prepare for a digital switch-over.<sup>207</sup> President Otto Pérez Molina announced in April 2013 that SIT had proposed a digital switch-over plan but it has not been published. The SIT website does not even include basic information about the change.<sup>208</sup> However, it was reported that the relevant sectors will be consulted about the standard to adopt. Private companies are already providing digital services, such as satellite television and digital radio services, and they are subsidizing their urban, middle-class consumers.<sup>209</sup> But while old devices are not problematic and most television sets are ready to receive a digital signal, few homes can afford the pay services of digital television.

Limited coverage of telecommunications infrastructure in rural areas, low wages, poorly developed urban centers outside Guatemala City, and a limited public sector budget will probably widen the digital divide. Equality and social justice might be a problem during the digital switch-over process, a collateral effect of a highly concentrated media ownership and the failure to tackle it, an easily corruptible Congress, and a civil society lacking awareness of the potential gains of popular participation in the digital switch-over. Civil society is not organized to push for a more inclusive procedure, as was evident during the obscure process to approve recent reforms regarding spectrum licenses.

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207. Interview with Ronaldo Robles, presidential Secretary of Communications 2008–2011, Guatemala City, December 2010.

208. “SIT presenta a Gabinete propuesta para cambiar señal de televisión” (SIT proposes to cabinet plan for digital switch-over), *Prensa Libre*, April 2013, at [http://www.prensalibre.com/noticias/justicia/SIT-presenta-Gabinete-propuesta-television\\_0\\_901709991.html](http://www.prensalibre.com/noticias/justicia/SIT-presenta-Gabinete-propuesta-television_0_901709991.html) (accessed 20 May 2013).

209. The telecommunications giant Claro is offering a quadruple pack (internet, landline, mobile phone, television), offering digital television and pay-per-view services. The devices are included in the price, the company absorbs 60 percent of the original cost. See [www.claro.com.gt/news](http://www.claro.com.gt/news) (accessed 1 November 2013).

### 7.1.1.2 Subsidies for Equipment

There are no public subsidies and no plans to grant subsidies to make digital television accessible and available for the poor. Furthermore, there are no precedents for subsidies on reception equipment by the public sector. The only ICT subsidy, FONDETEL, aims to increase telephony access in rural areas, but market forces were more effective than subsidies in this regard. Now all rural areas are connected by mobile phones and rural users are acquiring smartphones and mobile USB modems, allowing them to connect to the internet.

### 7.1.1.3 Legal Provisions on Public Interest

The Guatemalan Constitution of 1985 dedicates a chapter to the freedom of expression and the role of media in the state. Article 35 states that “the expression of thought through any mass medium without censorship or prior permission is free. This constitutional right cannot be restrained by law or any governmental provision.”<sup>210</sup> Furthermore, it adds that the activity of the media is of public interest and in no case may the latter be expropriated. The authorization, limitation, or cancellation of concessions granted by the state to persons cannot be used as elements of pressure or duress to limit the exercise of the freedom of expression.

While information and the activity of the media in Guatemala is not a public service, it is considered an activity of public interest, as was ruled by the Constitutional Court in 2004 after the National Chamber of Broadcasters challenged a regulation which attempted to restrict, intervene in, and expropriate the media.<sup>211</sup> The Court ruled that the only limitations to media activity in the country should be the Constitution and international treaties on human rights.

Despite this general framework, and even though the plan for the digital switch-over is yet to be made, neither its design nor its implementation is likely to serve the public interest. In fact, the lack of a specific plan to undertake the digital switch-over is a way to delay the change that might break the existing monopoly in the free-to-air television sector. To this end, in February 2011 a group of congressmen presented a new proposal to modify two articles of the Telecommunications Law that will allow the free-to-air television monopoly to renew its licenses for up to 20 years, a proposal that was hastily approved by Congress in November 2012.<sup>212</sup>

### 7.1.1.4 Public Consultation

There is no precedent regarding consultation over media policy in Guatemala. However, the Telecommunications Law provides that any project to change legislation must be public and open to discussion and suggestions by the people at least one month before its implementation. Civil society is not sufficiently organized, and while there are mechanisms to ensure participation in local and national decisions from every sector of

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210. Guatemalan Constitution, Article 35, Freedom of Expression, at <http://www.constitutionnet.org/vl/political-constitution-republic-guatemala> (accessed 30 December 2011).

211. Guatemalan Constitutional Court, Case Number 1997-2003, *Decision on the constitutionality of Decree 700-2003 challenged by the National Chamber of Broadcasters in Guatemala*, 2004.

212. Guatemalan Congress, Initiative 4348 to modify the Telecommunications Law 2011.

the population, these are not yet fully operative, and the civil society counterbalance and representation provided by the Urban and Rural Development Council Law<sup>213</sup> is limited.

## 7.1.2 The Internet

### 7.1.2.1 Regulation of News on the Internet

Internet access and penetration in Guatemala is low, so the internet is not the most important means to distribute news, and all ISPs are private sector providers. There is very little regulation of the internet and no specific requirements regulating the content distributed online. There is no specific regulation regarding news distribution on the internet and mobile platforms but some rules might apply depending on the nature of the content distributed online. Only general rules, such as laws on consumer protection, copyright, and the protection of minors from explicit content, and general laws on freedom of expression, apply to content distributed online or via mobile platforms.

### 7.1.2.2 Legal Liability for Internet Content

There is no regulation of the ISPs' liability in Guatemala. However, the providers must collaborate with the office of the prosecutor in the surveillance of content by users, upon request, and without a warrant issued by a judge.<sup>214</sup>

The Law on Copyright and Related Rights (Decree No. 33–98, last modified by Decree No. 56–2000) protects the rights of the authors of literary and artistic work, of interpreting or executing artists, producers of phonograms, and radio transmission institutions, with overprotective standards that cover more rights than those mandated by the WTO trade-related aspects of intellectual property rights standards. The reform in 2000 recognized a copyright owner's exclusive right to "make available" their works and phonograms to the public for on-demand access, substantially expanded the number of infringing acts, and created new crimes that penalized the circumvention of copy-protection technologies and the removal or alteration of rights management information. The Law on Copyright and Related Rights is considered of "public interest" and falls into the category of "public order" laws. The exceptions and limitations regime is very narrow, making more difficult the exercise of rights such as access to knowledge and creative expression in the digital environment. Increased penalties and a Special Office of the Prosecutor dedicated to copyright infringements can increase the number of prosecutions of users and creators.

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213. Guatemalan Congress, Urban and Rural Development Council Law (Decree No. 11-2002) and its regulations (Governmental Accord No. 461-2002), 2002 N.A. The Development Council System is a public investment and planning system established in Guatemala in 1987 and reformed in 2002 by the Urban and Rural Development Council Law. The reformed system offers one of the most progressive uses of citizen participation in public administration, planning, and investment in all of Latin America. It does so in two ways. First, the Development Council System creates a central role for citizen participation in the planning, resource investment, and financial oversight of public development projects. Second, the theory of the Development Council System is that by sharing community needs and desired solutions with their central and municipal governments, community development councils support improved human development policies, better public planning, and a greater flow of public, private, and international resources to those communities with the most urgent needs.

214. CICIG, "Interinstitutional Agreement between the Ministry of the Interior, the Public Prosecutor's Office, and CICIG to establish and implement the wiretapping system," 2010, at <http://cicig.org/uploads/kristen/Convenios/Convenio%20Intercepciones%20Telefonicas%20MG-MP-CICIG.pdf> (accessed 17 November 2012).

## 7.2 Regulators

### 7.2.1 Changes in Content Regulation

There have not been changes to content regulators over the past five years: the bodies regulate both analog and digital content. The General Direction of Arts has the mandate to regulate public shows. It is the body that regulates and monitors the morality and ethical content of messages transmitted by any media.<sup>215</sup> Cable television operations are regulated by the Unit of Control and Supervision of Cable, under the jurisdiction of the Ministry of Communications, Infrastructure, and Housing. Content regulation is unusual in Guatemala. It consists only of classification of content broadcasters import from distributors.

### 7.2.2 Regulatory Independence

There is no autonomous entity regulating the digital environment in Guatemala. Infrastructure regulators, such as the Ministry of Communications, Infrastructure, and Housing, and content regulators, such as the Ministry of Culture, are nominated and can be removed by the president at any time. ISPs are private entities subject to very little scrutiny of their filtering procedures. They can easily implement technologies blocking or filtering the internet and people will not even notice it. There is no authority supervising them.

### 7.2.3 Digital Licensing

The licensing of digital television stations has not started yet in the country. Newspapers and news outlets do not need a license to operate, and requiring a license will be against the Guatemalan Constitution.

### 7.2.4 Role of Self-regulatory Mechanisms

There are few self-regulatory mechanisms, most of them circumscribed to the urban or academic spheres. Ethics codes are rare, but the most important newspapers and opinion columnists get together often to discuss how they will address a topic or whether they should publish something about it at all. The leading newspaper *Prensa Libre* recently established a “Readers Council” for its printed and digital editions.<sup>216</sup> New digital publications and magazines, such as *Contrapoder*, are testing similar mechanisms, but it is too early to analyze their impact.

## 7.3 Government Interference

### 7.3.1 The Market

While there are no cases reported of state authorities trying to distort the media market, the discretionary power the Superintendent holds to license the radio-electric spectrum could distort the market. In any case, state interference in the market seems to be derived from market interference in governmental affairs. For instance, the recent reform of the Telecommunications Law approved overnight by the Guatemalan Congress

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215. Ministry of Culture and Sports, Executive Decree No. 27-2008, “Reglamento Orgánico interno del Ministerio de Cultura y Deportes, 2008,” Article 11, No. 7.

216. The *Prensa Libre* Readers Council is a complaint mechanism for readers who can comment on both the quality and the accuracy of the newspaper, its contents and views.

seems to respond to pressure from telecommunications companies, and radio and television groups. The absence of a clearly competitive market and lack of transparency of money in politics might be important factors in explaining this situation. The end result is that pressure comes from the private sector and the state fails in its duty to protect the public interest.

Similarly, journalists say that censorship and threats come from economic interest groups which put pressure on the owners of media companies, who in turn pass the pressure on to the editorial departments.<sup>217</sup> One journalist explained: “In my case, I do not feel like I suffer from direct forms of censorship. But, in some senses, even when the newspaper does not want to cover my travel expenses for me to do specific research or to write specific notes, knowing the salaries we make, it is easy to consider it an indirect way to constrain you economically, and more often, to censor your work.”

One journalist is more open about it when he states that “the pressure comes from the commercial area of the media,” a sentiment echoed by another journalist who says: “Most of the time, censorship comes down from a direct line, mostly from the financial and editorial directors.” Other journalists explain that their pressure comes from political sectors, and so they assume forms of self-censorship. One says, “the media outlet for which I work does not guarantee our safety, so I prefer not to publish topics that can be risky.”

### 7.3.2 The Regulator

There is no digital regulator in Guatemala.

### 7.3.3 Other Forms of Interference

In recent months, numerous local news shows distributed by cable networks have been shut down because of threats from the authorities, especially in rural areas. A news outlet was forced to close operations in Chiquimula,<sup>218</sup> while six television channels in Suchitepequez were forced to close because of pressure from the city’s mayor.<sup>219</sup> Both locations are well-known hot spots for narcotics-related violence. Violence against journalists reporting the war on drugs has increased in 2013. Two journalists from Jutiapa, one of the areas where drug-related violence is rampant, were recently murdered, but it was unclear whether their murder was connected with their journalistic work.<sup>220</sup>

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217. The digital media survey we conducted among local journalists in Guatemala also asked about censorship. It was a multiple option question that included a text box for opinions. They answered about the classification of censorship: from the state or political parties, 25 percent; from those with economic interests, 32 percent; from drug trafficking/organized crime, 30 percent; from other sources, 14 percent.

218. CERIGUA, “Empresa de cable cierra espacio noticioso en Chiquimula” (Cable company shuts down news outlet in Chiquimula), at [http://www.cerigua.org/1520/index.php?option=com\\_content&view=article&id=8204:empresa-de-cable-cierra-espacio-noticioso-en-chiquimula&catid=48:libertad-de-expresion&Itemid=10&utm\\_term=cerigua,+prensa,+periodistas,+libertad,+expresi%C3%B3n,+DD.HH.+Guatemala,+agencia,&utm\\_source=twitterfeed&utm\\_medium=twitter](http://www.cerigua.org/1520/index.php?option=com_content&view=article&id=8204:empresa-de-cable-cierra-espacio-noticioso-en-chiquimula&catid=48:libertad-de-expresion&Itemid=10&utm_term=cerigua,+prensa,+periodistas,+libertad,+expresi%C3%B3n,+DD.HH.+Guatemala,+agencia,&utm_source=twitterfeed&utm_medium=twitter) (accessed 16 November 2012).

219. CERIGUA, “Cierran canales de televisión en Suchitepéquez presuntamente por presiones del alcalde” (Cable channel shut down due to presumed pressures from mayor of the city), at [http://cerigua.org/1520/index.php?option=com\\_content&view=article&id=8183:cierran-canales-de-television-en-suchitepequez-presuntamente-por-presiones-del-alcalde-&catid=48:libertad-de-expresion&Itemid=10](http://cerigua.org/1520/index.php?option=com_content&view=article&id=8183:cierran-canales-de-television-en-suchitepequez-presuntamente-por-presiones-del-alcalde-&catid=48:libertad-de-expresion&Itemid=10) (accessed 16 November 2012).

220. UNESCO, “Director-General calls for investigation into murder of Guatemalan journalist Luis Alberto Lemus,” 16 April 2013, at [http://www.unesco.org/new/en/media-services/single-view/news/director\\_general\\_calls\\_for\\_investigation\\_into\\_murder\\_of\\_guatemalan\\_journalist\\_luis\\_alberto\\_lemus](http://www.unesco.org/new/en/media-services/single-view/news/director_general_calls_for_investigation_into_murder_of_guatemalan_journalist_luis_alberto_lemus) (accessed 12 September 2013).

## 7.4 Assessments

The policy framework in Guatemala is not at all responsive to the challenges of digitization. While there are mechanisms to ensure a transparent licensing process, there are no guarantees for free and independent news production and dissemination that could ever compete against big players in the market. The lack of a protective legal and regulatory framework affects the quality and diversity of the delivered news. Participation mechanisms are not working properly and there are few chances for minorities to get a place in mainstream media.

Interference by the state authorities has increased over the past five years, and new tactics are being used to suppress dissent and information. An alarming number of cases reflect the use of the criminal law to restrict freedom of expression, and highly restrictive media regulations have been put before the Congress. Examples of interference included the pressure by a prosecutor to reveal a source,<sup>221</sup> and the fact that two community radio stations and six local television channels have been shut down. However, this cannot be attributed to the digitization process. Rather, it is the result of the deterioration of governance and the increase in violence. According to the “Map of Threats against Journalists in Guatemala,” the increased interference comes when reporters scrutinize local authorities and corruption, but the threats vary depending on the region.<sup>222</sup>

Both public consultation over new media technologies and consultation in the analog context have been very limited, as is the impact of civil society in shaping policies and promoting reform of the judicial system. However, a public consultation for the digital switch-over might be obligatory both because of Article 173 of the Constitution, which states that there must be consultation via democratic processes over political decisions with a special impact on the country, and because of the International Labour Organization (ILO) Convention 169, which provides in Article 6 that indigenous peoples shall be consulted about legislative or administrative measures that may affect them directly.<sup>223</sup>

There are no policies or legal provisions directly or indirectly related to pluralism and diversity in digital broadcasting. There are efforts to decriminalize and legalize community radio, but these efforts are oriented more toward access to frequencies than toward diversity and improvement of content by the inclusion of diverse voices.

It is the absence of certain policies and legal provisions, rather than those that already exist, that is causing the media to fail in the representation of all languages, cultures, and actors in society. There are no provisions promoting digital broadcasting by indigenous communities, public media, or public interest groups, no financial instruments available to intervene in the market, and no clear anti-monopoly provisions intending to stop media concentration.

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221. T. Lara, “Guatemalan prosecutors ask reporter to reveal source of leaked prison report,” at <https://knightcenter.utexas.edu/blog/00-13311-guatemalan-prosecutors-ask-reporter-reveal-source-leaked-prison-report> (accessed 12 September 2013).

222. CERIGUA, “Map of Threats against Journalists in Guatemala,” at <http://cerigua.info/servicios/maps> (accessed 30 October 2013).

223. International Labour Organization, *Convention concerning Indigenous and Tribal Peoples in Independent Countries*, at <https://www.ilo.org/ilolex/english/convdisp1.htm> (accessed 20 January 2013).



## 8. Conclusions

### 8.1 Media Today

Over the past five years, access to digital technologies in Guatemala has increased, especially access to mobile phones, which has brought new opportunities and changed the dynamics of communication in rural areas, even in homes without electricity. In areas where electricity became available for the first time, consumption patterns changed with the arrival of television. However, the development of basic infrastructure for access to the internet is still at a very early stage, with only 16 percent internet penetration, only 1 percent broadband penetration, and one of the lowest internet penetration rates in schools of the region.

The Telecommunications Law of 1996 was a success in several respects: access to spectrum (via property-like TUFs) became available on demand, permitting the entry of new telecoms competitors and resulting in some of the lowest prices in the region as well as extending signal coverage across the country. Service providers enjoyed an unprecedented set of freedoms: prices are not regulated by government, while providers are free to use the technology of their choice and are able to operate where they choose. The only requirement imposed on providers was to facilitate interconnection to limit potentially anticompetitive behavior.

On the downside, and because the process was based on a purely free-market logic, the reform led to a market concentration that might be considered a *de facto* oligopoly, especially in the television sector. Spectrum allocation does not take account of the needs of all members of society, and it leaves no space for public interest.

As the first TUFs were about to expire, the Congress of Guatemala hurriedly passed a bill in a closed-door session reforming the Telecommunications Law to extend the current commercial radio licenses for another 20 years, benefiting both the television monopoly, the dominant radio actors, and the three current mobile communications providers, to the disadvantage of any competitors. Licensees may renew the title as long as they want without further payment. Once a frequency is granted, it will be virtually impossible to bid for it again. The reforms pose a threat to future competition and leaves, without any limits, the frequencies in the hands of a small groups.

Several of the media and telecommunications owners are either foreign individuals or groups with strong influence on politics and the law-making process. Under the current campaign funding laws, which do not

enforce transparency of donations or put limits on expenses, the support of media conglomerates is key to winning any election process, which in turn makes it extremely complicated to break media concentration.

Community radio stations exist in a legal limbo, unprotected by law. Most serve monolingual indigenous communities, a demand that the wider market fails to serve in all formats, making radio of utmost importance for marginalized communities. There is no political will to address the problem of community radio, or to pass regulations that would guarantee access for indigenous peoples to radio frequencies. On the contrary, the creation of a Special Prosecution Office dedicated to pursuing cases against “pirate radios,” and the rise of raids on and equipment seizures from community radio stations are a message in the opposite direction. There are no public funds allocated to address the needs of indigenous populations for the production and dissemination of public interest content.

Media preferences remain the same, and online outlets have not significantly changed audiences’ and consumers’ habits. News providers are consolidating multimedia groups comprising television, printed press, and radio—and are even acquiring cable distributors, which were once decentralized and diverse. While no significant commercial actor has entered the market, two new outlets—*Cronica* and *Contrapoder*—seem to be playing a role in shaping public opinion.

There is an emerging model of not-for-profit investigative journalism that is subsidized and relies on digital platforms to publish its output. However, its impact is still limited, dependent on commercial platforms to distribute their content for a broader audience without access to the internet.

The attempt to create a nationwide System of Public Information failed after the new administration took office, making visible the lack of long-term policies and strategies for state-administered broadcasters to achieve their mission to serve the public interest. Digitization has not changed in a relevant manner the provision of services, and the lack of a fiber optic infrastructure hinders the possibility of the public administration moving forward on electronic government plans.

Social media remain the privilege of the few. While they have been used to influence mainstream media and public policies to some extent—as some events have proved over the last five years—they were enjoyed by the same educated, emerging middle class that already held influence before the arrival of social media. No digital project is prominent enough to foster changes.

Social networks serve as dialogue tools but also replicate the racism and prejudices of a highly divided society. Journalism was in bad shape before, and has not improved in recent years. Universities are failing to equip future journalists with the skills and tools they need to face the challenges and take the opportunities the digitization process offers. And journalists are facing new challenges, especially rural journalists, who face the emergent threat of the drug cartels and organized crime, even if these groups have not proved such a menace as they have in, say, Mexico. Moreover, journalists and publishers lack ethics codes or self-regulatory bodies to police the quality and behavior of media.

Digitization has opened a window for groups to express themselves and publish their content and versions of the news. This has been especially important for grassroots social organizations, indigenous groups, and the LGBTTT communities. There are no relevant plans to bridge the digital gap and connect the disconnected majority.

The increased access to digital technologies, especially mobile phones, was a result of the Telecommunications Law of 1996, and was accelerated by globally low prices of hardware and equipment, which made affordable digital technologies that did not require special skills or literacy to use. However, the same process failed for the internet, due to the lack of infrastructure, limited digital literacy, and higher hardware costs. Mobiles remain an unexplored territory for the distribution of news and public interest information.

## 8.2 Media Tomorrow

With new infrastructure increasing the access to broadband among rural Guatemalans, the possibilities for innovation and entrepreneurship will foster changes in different areas, from banking to public services, as more institutions come to rely on digital technologies to complete their tasks.

As the SIT starts the preparation for a potential digital switch-over, more spectrum auctions will take place over the next five years. While the government approved a decree without any consultation process, deciding the standard to be adopted for the digital switch-over, it is not definitive and it could be challenged by civil society. It will depend on the government whether the design and implementation of the digital switch-over will take place with transparency, inclusiveness, and multi-stakeholder dialogue as principles, or behind closed doors. The recent 20-year extension granted to existing licenses in a closed-doors session of Congress, and the administrative delays in public information access requests after the announcement without any prior consultation of a digital switch-over plan earlier in 2013, do not allow much optimism in this regard.

Civic and social activism will probably increase as more citizens have access to smartphones, and activism dynamics will undergo a radical transformation as social networks host more diverse dialogues from a broader audience. However, that might also increase hate speech and other forms of aggression, the publication and distribution of questionable content, and issues of anonymity, which might force the authorities to regulate the content and police the internet, unless a self-regulating solution is implemented before the problems arise.

There are no plans, resources, or political will to create a public service media in the near future. Without a competition law, the barrier for a new powerful actor to enter the market of free-to-air television is too high, and while the other dominant news outlets—comprising radio and the printed press—are improving their digital platforms, unless a faster plan to increase connectivity to the internet takes place, there are few incentives to change the business model to a digital one.

A different future will depend on a different decision-making process that is transparent and has genuine multi-stakeholder participation from the private sector, the indigenous communities, civil society, and the government. Otherwise, digitization will be yet another process leading to exclusion and divisions.

# List of Abbreviations, Figures, Tables, and Companies

## Acronyms and Abbreviations

ABI	Bolivian News Agency ( <i>Agencia Boliviana de Información</i> )
AGN	Guatemalan News Agency ( <i>Agencia Guatemalteca de Noticias</i> )
AHCIET	Ibero-American Association of Research Centers and Telecommunications Companies ( <i>Asociación Iberoamericana de Centros de Investigación y Empresas de Telecomunicaciones</i> )
ALAC	Anticorruption Legal Assistance Center ( <i>Centro de Asistencia Legal Anticorrupción</i> )
ANDES	Public News Agency of Ecuador and South America ( <i>Agencia Pública de Noticias del Ecuador y Suramérica</i> )
AVN	Venezuelan News Agency ( <i>Agencia Venezolana de Noticias</i> )
CACIF	Coordinating Committee of Agricultural, Commercial, Industrial, and Financial Associations ( <i>Comité Coordinador de Asociaciones Agrícolas, Comerciales, Industriales y Financieras</i> )
CEPAL	Economic Commission for Latin America and the Caribbean ( <i>Comisión Económica para América Latina y el Caribe</i> )
CERIGUA	Center for Informative Reports of Guatemala ( <i>Centro de Reportes Informativos de Guatemala</i> )
CICIG	International Commission Against Impunity in Guatemala ( <i>Comisión Internacional contra la Impunidad en Guatemala</i> )
CONCYT	National Secretariat for Science and Technology ( <i>Consejo Nacional de Ciencia y Tecnología</i> )
CPJ	Committee to Protect Journalists
DEMOS	Central American Institute for the Study of Social Democracy ( <i>Instituto Centroamericano de Estudios para la Democracia Social</i> )
DOSES	Association for Sociocultural Development, Organization, Services, and Studies ( <i>Asociación para el Desarrollo, Organización, Servicios y Estudios Socioculturales</i> )

EBC	Brazil Communications Company ( <i>Empresa Brasil de Comunicação</i> )
FCC	Federal Communications Commission
FONDETEL	Rural Telephony Development Fund ( <i>Fondo para el Desarrollo de la Telefonía</i> )
FRG	Guatemalan Republican Front ( <i>Frente Republicano Guatemalteco</i> )
FUNDESA	Foundation for Development ( <i>Fundación Para El Desarrollo</i> )
GANAN	Grand National Alliance ( <i>Gran Alianza Nacional</i> )
GDP	Gross domestic product
GNI	Gross national income
HD	High definition
HDTV	High definition television
ICT	Information communication technology
ILO	International Labour Organization
IMF	International Monetary Fund
INCEP	Central American Institute of Political Studies ( <i>Instituto Centroamericano de Estudios Políticos</i> )
INE	Guatemalan National Institute of Statistics ( <i>Instituto Nacional de Estadística de la república de Guatemala</i> )
IPTV	Internet protocol television
ISP	Internet service provider
ITU	International Telecommunication Union
LGBT	Lesbian, gay, bisexual, transgender, and transsexual
LIDER	Renewed Democratic Liberty party ( <i>Libertad Democrática Renovada</i> )
MFEWS	Mesoamerican Food Security Early Warning System
NGO	Non-governmental organization
OACNUDH-Guatemala	Office of the United Nations High Commissioner for Human Rights in Guatemala ( <i>Oficina del Alto Comisionado de las Naciones Unidas para los Derechos Humanos</i> )
OHCHR	United Nations Office of the High Commissioner for Human Rights
PAN	National Advancement Party ( <i>Partido de Avanzada Nacional</i> )
PC	Personal computer
PP	Patriot Party ( <i>Partido Patriota</i> )
SIT	Superintendency of Telecommunications ( <i>Superintendencia de Telecomunicaciones de Guatemala</i> )

SME	Small or medium-sized enterprise
SMS	Short message service
SNIP	National System of Public Information ( <i>Sistema Nacional de Información Pública</i> )
TGW	The Voice of Guatemala
TUF	Usufructuary right ( <i>título de usufructo</i> )
UHF	Ultra high frequency
ULAN	Latin American Union of News Agencies ( <i>Unión Latinoamericana de Agencias de Noticias</i> )
UNDP	United Nations Development Programme
UNESCO	United Nations Educational, Scientific, and Cultural Organization
USAID	U.S. Agency for International Development
VHF	Very high frequency
WTO	World Trade Organization

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## Companies

Albavisión group  
America Movil  
AudienceScapes  
Casa Editorial Prensa Libre  
Claro  
El Quetzalteco  
Emisoras Unidas  
GUATEL  
Intelfon  
Metro Guatemala  
Metro International  
Millicom  
Movistar  
Multi Inversiones  
Sourcefabric  
Telefonica

Tigo Guatemala  
Verified Audit  
NoyanTapan  
Orange Armenia  
PanArmenian Media Group Holding  
Press Attache  
Press Stand  
Radio Hay  
Russian Comedy Club Production  
Semur&Co.  
Shant TV  
Shark  
Starcom Media West Armenia  
Ucom  
VivaCell-MTS  
Yerkir Media

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**Mapping Digital Media** is a project of the **Open Society Media Program** and the **Open Society Information Program**.

## Open Society Media Program

The Media Program works globally to support independent and professional media as crucial players for informing citizens and allowing for their democratic participation in debate. The program provides operational and developmental support to independent media outlets and networks around the world, proposes engaging media policies, and engages in efforts towards improving media laws and creating an enabling legal environment for good, brave and enterprising journalism to flourish. In order to promote transparency and accountability, and tackle issues of organized crime and corruption the Program also fosters quality investigative journalism.

## Open Society Information Program

The Open Society Information Program works to increase public access to knowledge, facilitate civil society communication, and protect civil liberties and the freedom to communicate in the digital environment. The Program pays particular attention to the information needs of disadvantaged groups and people in less developed parts of the world. The Program also uses new tools and techniques to empower civil society groups in their various international, national, and local efforts to promote open society.

## Open Society Foundations

The Open Society Foundations work to build vibrant and tolerant democracies whose governments are accountable to their citizens. Working with local communities in more than 70 countries, the Open Society Foundations support justice and human rights, freedom of expression, and access to public health and education.

For more information:

Open Society Media Program  
Open Society Foundations

7th Floor Millbank Tower, 21–24 Millbank  
London SW1P 4QP, United Kingdom

[mappingdigitalmedia@osf-eu.org](mailto:mappingdigitalmedia@osf-eu.org)  
[www.mappingdigitalmedia.org](http://www.mappingdigitalmedia.org)  
[www.soros.org/initiatives/media](http://www.soros.org/initiatives/media)

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