

MAPPING DIGITAL MEDIA: NICARAGUA



Mapping Digital Media: Nicaragua

A REPORT BY THE OPEN SOCIETY FOUNDATIONS

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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: Nicaragua

Executive Summary

The development of digital media in Nicaragua is progressing alongside a return to repressive media policies and a clamping down on independent journalism by both the state and big business. This has reversed many of the gains for pluralism and free speech achieved during the political transition to a more democratic system in the 1990s.

Progress has also been hampered by policy inaction and delay in respect of the digital transition in broadcasting and the rolling out of broadband infrastructure. With two-thirds of the population subsisting on less than US\$2 a day, and half the rural population living without access to electricity, the internet is still the preserve of a minority and the digital divide remains a significant barrier.

Consequently, radio is still the dominant medium used by more than 80 percent of the population, and newspapers are the only other medium with near-universal coverage (although circulation has more than halved since the 1980s).

While there are no formal plans or proposed schedules for the digital transition of broadcasting, much of the infrastructure is now in place. Most television channels have digitally upgraded their studio and production equipment and uplinks to broadcasting antennas. The larger part of the cable networks is also digital-ready and High Definition (HD) and On Demand services are now available.

There are limited data on internet usage and some discrepancy between the sources that do exist. Overall, it is estimated that around 20 percent of the population are regularly online, but broadband accounts for only 10–12 percent of internet subscriptions. Nevertheless, digital journalism is developing apace: new online entrants such as Confidential Digital and Conexiones have achieved some measure of popularity, specializing in investigative reports.

But print media have been comparatively more successful in generating traffic to their online editions. A significant proportion of this emanates from Nicaraguans living abroad, who enjoy better access to digital

services than their compatriots at home. Leading titles have developed their online presence with multimedia and interactive features along with real-time news updates.

In contrast, broadcasters have, for the most part, not yet exploited opportunities for translating their content onto internet platforms. There has been a general lack of investment in online services, with broadcasters focussing on dissemination and accessibility, rather than enhancing or developing new content.

Limitations in applying digital tools are a feature of professional journalism more generally and are not wholly the result of skills or resource deficits. A culture of independent journalism is lacking and this has limited the potential for digital media to enhance accountability. This lack is in turn largely attributable to repressive media policies that limit journalists' access to information and sources, and foster increasing self-censorship in the newsroom.

For instance, most ministries and public bodies under the previous administration were mandated to proactively disclose information about their budgets, programs, and policies on a regular basis as part of a general drive toward open government. This transparency was reversed after President Daniel Ortega returned to office in 2007. Without the consent of the Secretary for Communication and Coordination, who also happens to be Mr Ortega's wife, government agencies are prohibited from publishing any information beyond rudimentary documents concerning organization, laws, regulations, and so forth. Although a truly open government may never have existed in Nicaragua, the secretiveness of the Ortega administration has made it extremely difficult for journalists to obtain direct access to official sources, particularly if the journalists do not work for one of the government's favored media groups.

One of the most significant levers of government influence over the media is official advertising. Over the last five years, around 80 percent of these funds have been allocated in favor of Mr Ortega's own media interests or those allied to his administration.

In this environment, independent outlets have developed strategies to win advertising contracts from universities and NGOs. But media independence and journalistic autonomy are increasingly under threat from a consolidated alliance between political and big business elites. This has been compounded by intense concentration of media ownership both within and across sectors over recent years.

The majority of media interests are now owned by a few powerful families, among them that of Ortega and his wife, Rosario Murillo. Many of the first couple's interests were acquired through non-transparent means and in ways that obscure the extent and scope of their reach. For instance, the Ortega-Murillo group expanded in television partly through the purchase of airtime space on other channels. There are also cases of radio stations sold to new beneficiaries remaining under the names of their original owners.

Mr Ortega and Mrs Murillo now control a duopoly in television along with the Mexican González group, a consolidation that typifies the grip of the new alliance between politics and big business. At the cross-sector

level, the Enitel/Claro network now fully controls fixed-line telephony, 70 percent of the mobile market, 80 percent of the ISP market, and 80 percent of cable television.

Part of the problem is the relatively small size of the media market, which inhibits plurality and competition, combined with the fact that 60 percent of the population lives below the poverty line. But ultimately, the squeeze on independent media represents a failure of legal and constitutional checks on executive power, as well as on regulatory and policy frameworks.

This is most clearly the case in the broadcast licensing regime, which has been subject to intense politicization over recent years. Business groups connected to the president and the González group have enjoyed an unofficial fast track in license applications, and have been able to sidestep legal restrictions on foreign ownership, among other eligibility criteria. In contrast, the letter of the law tends to be invoked in the case of less favored applicants.

The decision-making process in respect of licensing is far from transparent and the converged media and telecoms regulator, TELCOR, is far from independent. A constitutional amendment in 2006 required 60 percent approval by the National Assembly for all top-level appointments in state agencies and departments. This provision has not been respected, and the president retains de facto power to appoint and remove TELCOR's executive president at his sole discretion.

In addition to these political problems, journalists face other kinds of obstacles to the development of digital news. These include dwindling resources for operational journalism, especially for long-form or investigative reporting; the increased burden of verification with respect to online sources, which has compromised the integrity of digital journalism; and generational divides within the newsroom with respect to digital skills and usage. Along with state interference, these have resulted in the near disappearance of genuine investigative journalism by traditional players—a gap that has been only partly offset by new online entrants.

Much of what remains of public interest journalism is supported by the university, international donors, and a grassroots culture of community and civil society activism. This is evident in the success of local radio initiatives run by feminist groups—such as the radio program “*La Bruja Mensajera*” (The Witch Messenger)—which have raised the profile of gender rights and helped reduce violence against women.

The additional voice given to citizens through digital media has helped to preserve and develop this grassroots civic culture. Alternative news providers emphasize topics such as human rights and environmental justice, and give voice to minorities and indigenous populations that tend to be under- or misrepresented in the mainstream media. And through partnerships with Central American and international media, alternative outlets have disseminated disclosures by WikiLeaks, despite government efforts at repression.

The opportunities for direct representation and expression of minority issues online have also helped build awareness and draw attention to topics unfiltered by the professional news media. The use of social media and the blogosphere by sexual minorities, for instance, is helping to normalize and draw attention to gay, lesbian,

and transgender rights. Feminist movements have also been effective at integrating social media into their campaigns. For example, the Women's Network Against Violence and the Autonomous Women's Movement not only have their own websites, but are also present on YouTube and Facebook.

However, after their collapse or disappearance during the 1980s, many civil society groups failed to re-establish themselves in the era of democratic reforms during the 1990s, and most non-governmental organizations (NGOs) remain severely under-resourced. In this context, Facebook has played an important role in reviving civil society activism. Environmental campaigns in particular have been effective at mobilizing support and direct action through dedicated Facebook groups. Likewise, media activism through social media channels has met with some degree of success. A campaign demanding higher standards from Channel 8 News, for instance, grew rapidly through Facebook and Twitter.

The political impact of social media—as well as counter-spin by political elites—has proved most intense during election periods. In the build-up to the 2011 elections, media and civil society groups concerned about electoral fraud established their own dedicated websites, almost all with facilities for users to report their observations about the electoral process. But such initiatives were hampered by concerted efforts on behalf of the government to hinder citizens from filming or photographing in polling stations, and to prevent opposition party observers from obtaining copies of official electoral documents. In breach of legal requirements, the electoral council did not publish the counts for each voting center and, as a result, the media were unable to compile evidence for more detailed reports of alleged voting fraud. The whole process was described by one NGO on the ground as “a decomposed cadaver, which could not be diagnosed.”

Intensive social media management strategies on behalf of the government also became apparent in the aftermath of the elections. They involved saturating virtual platforms with campaign messages in the final days before polling (when official campaigning is prohibited by law). Overall, the government's re-election appeared to result from a combination of repressive tactics and overwhelming resources directed at media management, including social media.

Against this backdrop, it is imperative that lawmakers take the initiative to end politicization in licensing, discretionary use of official advertising funds, and selective adherence to ownership and license restrictions. A new communications framework should also provide a clear and effective plan for digital switch-over, new guarantees for regulatory independence, and measures to ensure affordability and access to digital services. Journalists, for their part, need to confront the challenge of creating economically sustainable digital media platforms.

Context

Nicaragua is one of the five independent republics that emerged from colonial Spanish Central America. The others are Guatemala, Honduras, El Salvador, and Costa Rica. Belize, a former British colony, and Panama, which was part of Colombia, also belong geographically to Central America. Until the second half of the 20th century, the principal means of transportation between the Central American countries was by sea or river. This limited communication between these countries, such that despite their common colonial background, each state experienced a distinct ethnic, social, and political development during the 19th and 20th centuries. The last quarter of the 20th century saw efforts toward greater integration—in economic terms, at least.

Of the five independent republics, Nicaragua is the largest, with 129,494 km², yet with 5.7 million inhabitants its population is smaller than that of Guatemala, Honduras, or El Salvador.

Nicaragua is the least developed country in Central America and the second poorest in the Americas by Gross Domestic Product (GDP) per head, at close to US\$ 1,128 in 2011.¹ In socio-economic terms, Nicaragua displays great inequality: some 61.9 percent of its population still lives below the poverty line, and about 28 percent of the total population lives below essential subsistence levels.²

The official language is Spanish. However, the constitution recognizes three indigenous languages and a Creole-like English dialect for official use in certain communities on the Caribbean coast and in its hinterland.

The population has almost doubled over the past 30 years. Today it is a very young nation: the average age is 29 years, and those under 14 make up 31.7 percent of the total population. It is also better educated than it was three decades ago: despite all the persistent deficiencies of the educational system, the younger (and hence larger) the age group, the better educated it is. About 50 percent of the population older than 65 is

1. Data from International Telecommunication Union (ITU), International Monetary Fund (IMF), and World Bank, calculated by MDM editors.
2. United Nations Economic Commission for Latin America and the Caribbean (ECLAC), “Statistical Yearbook for Latin America and Caribbean, 2010,” at <http://www.eclac.cl/cgi-bin/getProd.asp?xml=/publicaciones/xml/7/42167/P42167.xml&xsl=/deype/tpl-i/p9f.xsl> (accessed 12 April 2013) (hereafter, ECLAC, “Statistical Yearbook 2010”).

illiterate, compared with only 10 percent of those aged 15–24. Each generation has a better education than its predecessor.

The population is concentrated in the Pacific Zone, which includes about 20 percent of the national territory, while 60 percent of the territory—the Caribbean coast and its hinterland—is very sparsely populated. Access to all types of infrastructure and services, including media, follows this pattern. For example, still only 50 percent of rural Nicaraguans have access to electricity or all-weather roads, which limits media exposure in these areas essentially to radio.

Taken out of the local context, the economic statistics offer a misleading picture of the relationship between the socio-economic situation and media consumption. Gross National Income (GNI) has no real significance unless the very unequal distribution of income is taken into account:³ while the richest 20 percent of the population earn 57.7 percent of the GNI, the poorest 20 percent earn only 3.6 percent. Similarly, the average national income might suggest that buying a daily newspaper at around 11 Nicaraguan Cordobas (NIO) (US\$ 0.50) or having internet access at home for around NIO 382 (US\$15) monthly would be within reach for the majority. Income distribution indicates, however, that this is not the case, given that more than two-thirds of the population has to live on less than US\$2 a day.

Likewise, without some additional context, unemployment figures lend themselves to misinterpretation. Anybody who receives any type of income by doing any sort of work for an average of at least three days a week is classified as employed. On this basis, the Central Bank of Nicaragua reported unemployment rates of 7.7 percent for 2009 and 7.8 percent for 2010.⁴ If this unemployment rate or the one reported by the IMF were accepted at face value, Nicaragua would have an unemployment rate below that of the European Union (EU) or the United States. A closer look reveals that the percentage of fully employed workers fell from 38.9 percent in 2009 to 32.6 percent in 2010, while underemployment, temporary employment, and informal-sector employment rose from 53.4 percent to 59.6 percent. Hence, in comparable terms, unemployment is far higher than in the EU or the United States.

3. ECLAC, “Statistical Yearbook 2010.”

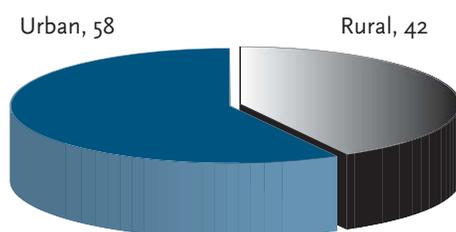
4. Central Bank of Nicaragua, “Statistical Yearbook 2010,” at http://www.bcn.gob.ni/publicaciones/periodicidad/anual/informe_anual/2010/informe_anual_2010.pdf, and “Statistical Yearbook 2011,” at http://www.bcn.gob.ni/publicaciones/periodicidad/anual/informe_anual/2011/informe_anual_2011.pdf (both accessed 12 April 2013).

Social Indicators⁵

Population: 5.95 million (2012)

Households: 1.057 million (2011)

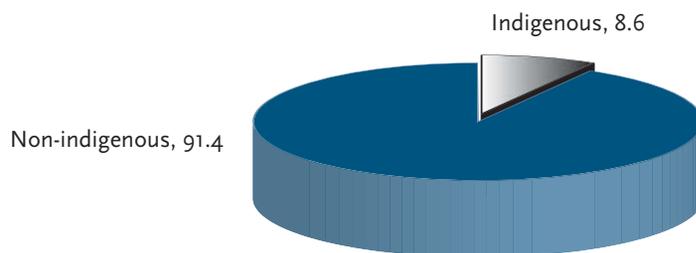
Figure 1.
Rural–urban breakdown (% of total population), 2011



Note: Nicaraguan statistics classify as urban settlements those with designed streets, access to water and electricity, and some minimal public and private services, such as a school, an emergency clinic, and some commerce

Source: Central Bank of Nicaragua, *Nicaragua in Figures*, 2011

Figure 2.
Ethnic composition (% of total population), 2005

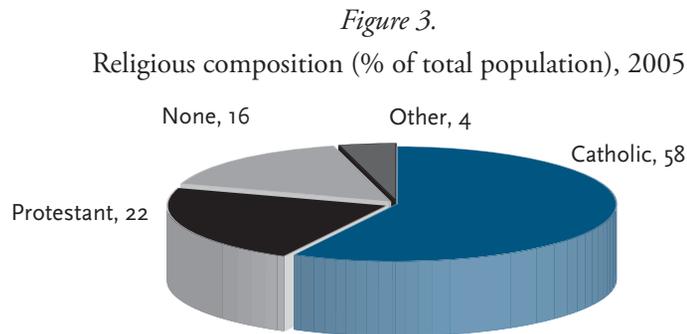


Note: There are still functional indigenous communities across the whole country, distinguishing themselves by social organization, culture, and oral history

Source: National Information and Development Institute (*Instituto Nacional de Información de Desarrollo*, INIDE), 2005 Census, Report VIII on Population and Report IV on Housing

5. Data from ITU, IMF, and the World Bank, calculated by MDM editors.

Spanish is the official language, spoken by 90 percent of the population. In 2005, 4.75 percent of the population spoke an indigenous language. This indicates that only some 55 percent of the indigenous population has retained knowledge of their own languages.⁶ The data in Figure 2 reflect people's self-perceptions, and not necessarily differences in language.



Source: INIDE, 2005 Census, Report VIII on Population

6. INIDE, 2005 Census, Report VIII on Population, at <http://www.inide.gob.ni/censo95/censo95poblacion.htm> and Report IV on Housing, at <http://www.inide.gob.ni/censo95/censo95vivienda.htm> (accessed 12 May 2013).

Economic Indicators

Table 1.
Economic indicators

	2005	2006	2007	2008	2009	2010	2011	2012	2013 ^f	2014 ^f
GDP (current prices, US\$ billion)	6,321	6,786	7,447	8,254	8,155	8,587	9,636	10,506	11,284	11,959
GDP (current prices, US\$), per head	1,139	1,220	1,329	1,454	1,418	1,449	1,606	1,733	1,841	1,931
Gross National Income (GNI), (current US\$), per head	2,940	3,070	3,310	3,480	3,380	3,510	3,740	3,960	n/a	n/a
Unemployment (% of total labor force)	5.5	5.1	5.9	6.0	8.1	7.8	5.9	5.9	6.1	6.1
Inflation (average annual rate, % against previous year)	9.6	9.1	11.1	19.8	3.7	5.7	8.0	7.2	7.6	7.1

Notes: ^f: forecast; n/a: not available

Sources: International Telecommunication Union (ITU), International Monetary Fund (IMF), World Bank

1. Media Consumption: The Digital Factor

1.1 Digital Take-up

1.1.1 Digital Equipment

The most common equipment is radio, used by more than 80 percent of the population. The majority owns a television set, but the penetration rate does not seem to be growing significantly. Only a small minority owns a home personal computer (PC).

Where grid electricity is available, a household is likely to have a television set. However, the grid is not the only source of power; hence, although some 43 percent of households still lack access to grid electricity, the percentage of television set ownership is much higher.⁷ Radio sets, by contrast, can be found almost anywhere, even in rural areas. Cable television is available in the urban parts of municipalities throughout the country, sometimes even where there is no terrestrial reception.

Table 2.
Households owning equipment, 2005–2012

	2005		2006		2007		2008		2009		2010		2011		2012	
	No. of HH ⁸	% of THH ⁹	No. of HH	% of THH												
TV set*	680,426	65.3	669,696	66.9	n/a	n/a	n/a	n/a	674,137	65.5	n/a	n/a	n/a	n/a	n/a	n/a
Radio set	674,174	64.7	540,000	54.0	n/a	n/a										
PC	39,596	3.8	63,300	6.3	71,573	7.1	67,228	6.6	69,700	6.7	85,027	8.1	95,130	9.0	n/a	10.1

Notes: * Only includes available data relating to terrestrial reception; n/a: not available

Source: Calculations by OSF editors, based on data from the ITU

7. IMF, “Nicaragua: Poverty Reduction Strategy Paper—Progress Report on National Human Development Plan as of 2010,” September 2011, at <http://www.imf.org/external/pubs/ft/scr/2011/cr11323.pdf> (accessed 12 May 2013).

8. Total number of households owning the equipment.

9. Percentage of total number of households in the country.

1.1.2 Platforms

There are no plans or proposed schedules for the digital transition of terrestrial broadcasting. There is little pressure to obtain a digital dividend, as only the lowest 40 of the approximately 140 available UHF channels (according to the National Frequency Plan) have been assigned. The telecommunications regulator, the Nicaraguan Institute for Telecommunications and Postal Services (*Instituto Nicaragüense de Telecomunicaciones y Correos*, TELCOR), a government agency created by presidential decree in 1982, has reassigned higher frequencies for other usage, on a case-by-case basis. Hence, the only digital media at present are online.

Nonetheless, part of the infrastructure for a general digital transition is in place. All channels, except the purely local cable television channels and one national channel, have upgraded their studio and production equipment and the uplinks to broadcasting antennas to full digital readiness. Most of the cable networks are digital-ready except for the set-top boxes, such that there is already an initial offering of digital HDTV and digital television on demand, which could easily be extended. Finally, old and new telecoms providers have begun to deploy WiMax and LTE (long-term evolution), aiming to cover 60 percent of the population by the end of 2014.

Data about satellite reception, including digital reception, are not available. However, since no satellite provider includes Nicaraguan media in its offering, this segment is irrelevant for news produced in Nicaragua. Digital television and digital radio still do not exist, apart from experimental transmissions that are irrelevant for the purposes of this study. Claro is the only company that offers digital cable television. In order to use this service, users require a signal decoder or set-top box. This service was launched in 2010 in the Managua area only, with the potential to cover 66,000 households.¹⁰

Table 3.

Platforms for the main television reception and digital take-up, 2005–2010

	2005		2006		2007		2008		2009		2010	
	No. of HH ¹¹	% of TVHH ¹²	No. of HH	% of TVHH								
Terrestrial reception	680,426	65.3	669,696	66.9	n/a	n/a	n/a	n/a	674,137	65.5	n/a	n/a
– of which digital	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Cable reception	147,679	14.2	n/a	187,500	17.9							
– of which digital	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Satellite reception	n/a	n/a	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	n/a	n/a	n/a	n/a	n/a	n/a
Total	1,041,641	100.0	1,001,040	100.0	n/a	n/a	n/a	n/a	1,029,216	100.0	1,047,486	100.0
– of which digital	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Notes: “Total” figures calculated by MDM editors, based on existing figures for specific platforms; n/a: not available

Sources: Open Society Foundations; INIDE, 2005 Census; estimates from interviews

10. “Claro TV trae a Nicaragua la Televisión Digital” (Claro TV brings digital television to Nicaragua), *El Nuevo Diario*, July 2010, Nicaragua. See <http://impreso.elnuevodiario.com.ni/2010/07/05/empresas/127475> (accessed 3 August 2013).

11. Total number of households owning the equipment.

12. Percentage of total number of TV households in the country.

Usage data are not available for internet broadband or 3G mobile telephony, which are available in all urban centers of all municipalities and most parts of the Pacific and Central regions of Nicaragua. The internet, which in 1989 was only accessible as email at two institutions, had spread by 2006 to thousands of internet cafés, all public and private universities, most private secondary schools, almost all public institutions down to municipality level, and most larger businesses. There were also some 30,000 private household subscriptions that year.

While the last officially available internet statistics date back to 2006, the government of Daniel Ortega claims that there were some 648,000 internet connections in 2011, which would be 30 times the number when it took office, and that there is broadband access available in almost all municipalities.¹³

The minimum estimated number of internet subscriptions, when based on interviews with the principal operators, has increased considerably, reaching 18.5 percent of households and 579,000 internet users. This number is close to the 648,000 reported by the government. There may be another 250,000 users who routinely access the internet at public access points such as non-profit telecenters, for-profit cybercafés, and school labs.¹⁴

A national survey of internet access in September 2010 hinted at much higher numbers.¹⁵ Some 32 percent of the interviewees used the internet, starting with a high 40 percent in Managua and going down to 7 percent in the least connected areas. Additional information explains the difference: of those who use the internet, 59.7 percent had access from an internet café, only 24.3 percent from home, 12 percent from work, 2.5 percent from school, and 1.5 percent from elsewhere. One hour online at an internet café costs only slightly more than buying a daily newspaper.

Broadband coverage has also increased significantly since 2008, from a low starting point. Drawing on data from the ITU and local sources, we estimate that broadband penetration exceeded the 10 percent threshold in 2012, and stands at over 12 percent of the total internet subscriptions in the country.

Table 4.

Internet penetration rate (total internet subscriptions as % of the total population) and mobile penetration rate (total active SIM cards as % of total population), 2005–2012

	2005	2006	2007	2008	2009	2010	2011	2012
Internet	0.43	0.43	n/a	n/a	n/a	18.5 ¹⁶	n/a	n/a
– of which broadband	0.0	0.0	0.0	4.3	4.5	5.4	6.7	12.3
Mobile telephony	20.5	33.1	44.7	54.8	59.0	68.1	82.3	90.1

Note: n/a: not available

Source: Calculations by OSF editors based on data from the ITU, IMF, and World Bank (unless indicated otherwise)

13. Estimate based on data in the official online journal, *Boletín* (Newsletter), Nicaragua Triunfa, 23 July 2011.

14. Study of demand for internet access in major municipalities in Nicaragua, within the eNicaragua project of the Nicaraguan Internet Association (*Asociación Internet de Nicaragua*, AIN), conducted for the Nicaragua-Worldbank Telecommunications project, 2006.

15. M&R Consultants, “National Survey—SISMO Edition XXVI. Use of Internet,” Public Opinion Monitoring System (*Sistema Monitoreo de la Opinión Pública*, SISMO), September 2010, Managua. SISMO data are available to subscribers or for a fee.

16. See <http://www.telcor.gob.ni>, and estimates from local ISPs collected by the reporter in 2011.

1.2 Media Preferences

1.2.1 Main Shifts in News Consumption

In 1989, the last year of the previous term in presidential office of the Sandinista National Liberation Front (*Frente Sandinista de Liberación Nacional*, FSLN), with Mr Ortega as president, there were just two television channels, both state-owned, with just one daily news show. Satellite reception (except for diplomats) was not allowed. There were two AM radio stations with national coverage, one state-owned, one owned by the FSLN. Most local AM stations were run by the state-owned Community Radio Corporation (*Corporación de Radiodifusión del Pueblo*, CORADEP). There were three newspapers, of which one was owned by the FSLN, another with close relations to the FSLN, and the third very critical of the government. The opposition newspaper was almost the only source of information unfavorable to the government and its party.

The official newspapers were part of the National Literacy Campaign.¹⁷ Although it was only a one-year campaign, the integral role of newspapers may explain the spectacular rise in newspaper circulations in the 1980s, which dropped again in the 1990s as radio and television became available. In the 1980s, their combined circulation was close to 200,000 per day; today, they hardly reach 90,000 copies.

Besides radio, newspapers were the only media with almost total national coverage, even if this coverage was sometimes a day or two late in coming. The combined daily circulation reached some 160,000 copies. There was pre-censorship in place, that is, the content of any news, before going on air or being printed, had to be approved by an office located in the Ministry of the Interior, now the Ministry of Governance, and part of its state security department. Providing unauthorized access to any document, plan, or report from any part of the public administration implied, if caught, imprisonment for all persons involved, both those who leaked the information and those who published it.

In 2006, one year before Mr Ortega took office again, there were five VHF channels with nationwide reception, each with at least three news and comment shows per day (morning, noon, and evening). Only one of these five channels was operated by the FSLN. Nicaragua had jumped from having no UHF channels to having 10, of which two were dedicated to news, comments, and opinions around the clock, similar to CNN. All larger towns had cable networks and satellite reception was not controlled. Based on local cable networks and spurred on by the extension of grid electricity, national television channels were accessible for about 80 percent of the population, compared with some 20 percent in 1989. Using only local cable networks, some 17 local television stations made their appearance, mostly dedicated to local news not covered by national media. There were 17 AM radio stations, six with national coverage, and about 211 FM stations, mostly local radio stations, compared with only two in 1989.

Only three stations had close ties to the FSLN. After the newspaper owned by the FSLN went out of print in 1998, the two remaining newspapers continued to be published, but with a drastically reduced combined

17. The National Literacy Campaign was a national education campaign in 1980 led by the Sandinista government and carried out by students to teach reading and writing to the illiterate population, which reduced illiteracy from over 50 percent of the population to 13 percent.

circulation of about 80,000 per day; the one closely related to FSLN adopted an independent position, opening its pages to all political views. For the first time ever, a tabloid newspaper called *Hoy* appeared, its content consisting mainly of news about crimes and accidents, show business, and sports. Strikingly, the highest 20 percent of households by income comprises some 200,000 households, but even in this group fewer than half read a printed newspaper daily.

Finally, under pressure from citizens and international cooperation agencies such as the Special Rapporteurship for Freedom of Expression of the Organization of American States, the United Nations Development Program, and the Carter Foundation, which had cooperation agreements with the Nicaraguan government, the National Assembly started to discuss a law regulating free access to public information. This law was finally approved in 2007, but as we will see in section 4, it was very poorly implemented by the state authorities.

By 2011, the television landscape had changed dramatically. Out of the 12 available VHF channels, the Ortega-Murillo group controlled four, in all cases with family members in charge of content and news programming. This situation has been replicated at Canal 6, the very recently reactivated government channel. Three other channels are controlled by the González Group, which had a business alliance with the Ortega-Murillo group (now formally dissolved), but with respect to news programming it remains friendly to the government. All these channels operate with recently renewed licenses.

The remaining four channels are assigned in pairs—principal station, repeater—to two television operators (Channel 12 and Channel 2), but only one of them holds a valid license (Channel 12). The other, Channel 2, operates under a temporary extension issued by the National Assembly as a bridge until the new telecoms law is approved. This operator eliminated all political opinion formats from its programming and reduced its national news services to factual, on-location reports without any background information.

The changes in the news offer in Nicaragua over the last 20 years have been mainly linked to the political and economic changes in the country. The expansion of the media in the 1990s would not have been possible without the political transition to a more democratic system and the opening up to the free market. The process from 2007 onwards was clearly shaped by Mr Ortega's rise to power, his strategy of buying media, the government's communication policy of "uncontaminated information,"¹⁸ and the economic crisis, when many media opted for less investment and more profitability (see section 4).

The impact of digitization on the diversity and quality of information has been limited to the advent of a few online outlets, such as Confidencial Digital and Conexiones, which specialize in investigative journalism and have acquired a certain popularity. In terms of consumption, the most popular content in television consists of news programs that give priority to violence on the streets, sexual violence, and car accidents, along with the ever popular soap operas, as well as foreign programming (cartoons, television series, movies, etc.).

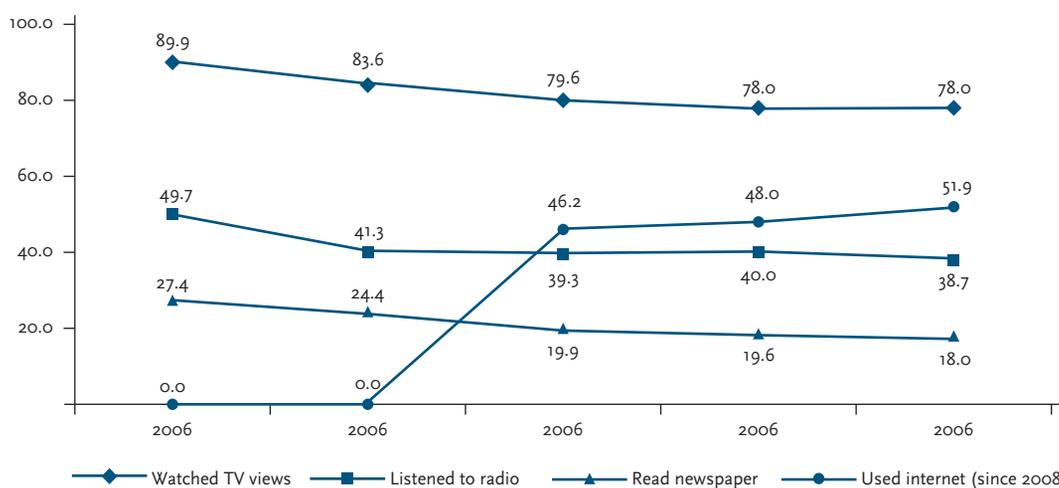
18. According to the "Estrategia de Comunicación del FSLN" (FSLN Communication Strategy), dating from 2006, and presumably authored by Rosario Murillo, Secretary of the Communication and Coordination Council, any information published by media outlets unfriendly to the FSLN is considered to be "contaminated" by the perspectives of their owners.

The most popular print media continue to be the two traditional newspapers, *El Nuevo Diario* and *La Prensa*. After the purchase of *El Nuevo Diario* by the Pro America Group, which has a large stake in a big Nicaraguan bank (Banpro), the editorial line has softened dramatically in its criticism of government policies. There is a lack of investigative journalism, while both papers have opted to enlarge their information offer through specific segments about health, women, business, etc. Both newspapers have dramatically reduced their circulations—partly due to the reduction of institutional subscriptions—but have experienced growth in their digital audiences, which are estimated to be double the readership of the print editions.¹⁹

As stated earlier, the transition to digital broadcasting is not even being planned. The only digital platform is the internet. Therefore, the only technological changes will be those linked to internet use. Comparative panel studies do not exist, yet even with respect to the internet it appears that the main change is the migration of younger generations to digital media in comparison with older people. Emigration has also had an impact in this regard: more than 50 percent of the visitors to the online versions of *El Nuevo Diario* and *La Prensa* appear to be located outside Nicaragua, mainly in the United States and Costa Rica, which host about 280,000 and 560,000 Nicaraguan immigrants, respectively (see sections 4 and 6).

Only the umbrella Nicaraguan Organization of Advertising Agencies (*Organización Nicaragüense de Agencias de Publicidad*, ONAP) conducts comparative panel surveys on demand and usage analysis.²⁰ But because the subject is advertising, these surveys are limited to developed urban areas. While excluding about 50 percent of the population, these surveys still give some idea about changing media preferences.

Figure 4.
Usage of media the day before (% of survey samples), 2006–2010



Source: Nicaraguan Organization of Advertising Agencies (*Organización Nicaragüense de Agencias de Publicidad*, ONAP), 2010

19. Based on interviews with staff at both newspapers.

20. All references to ONAP in this report are based on an extract of their data, which ONAP provided for this project. They do not normally publish their survey findings.

The panel studies showed that all traditional media had lost their importance,²¹ while the internet established itself right from the beginning of its inclusion in the questionnaires as the second-most important medium.

In 2010, young people aged 15–34, representing 37 percent of the total population, were far better educated than previously. While 60 percent of this age group 25 years ago would have been incapable of reading a newspaper due to illiteracy, in 2010, 51 percent of this age group had at least some secondary or higher education, and only 11 percent had no formal education at all. Their first and hence primary contact with written news was the internet and not classical print media, which apparently were unable to extend their reach to these potential new readers who were not familiar with newspapers. In the capital city of Managua, 63 percent and 68 percent of the age groups 13–17 and 18–24, respectively, used the internet. Only 54 percent, 43 percent, and 29 percent in the age groups 25–34, 35–44, and 45–65 used the internet, respectively. But all groups showed almost equal attention to print media, from 50 percent of the 45–65 age group (the lowest), to 58 percent of the 24–35 age group, the highest (see section 3).²²

There has been no study on the migration from old-style television to IPTV, yet in general the only available low bandwidths—especially in shared-access settings such as internet cafés, school and university labs, and business offices with their sometimes quite restrictive usage rules—still do not permit this sort of transition.¹

1.2.2 Availability of a Diverse Range of News Sources

In general terms, the internet has made news content more accessible. Beyond the presence of the traditional media there are now at least four daily, internet-only newsletters, a large number of blogs, and a vibrant Facebook universe with news-related groups or pages (see section 3.1). Online sources such as Jornadanet, Confidencial Digital, La Brújula, Informe Pastran, Carta Bodán, and Bolsa de Noticias are among those that produce relevant information, and some of them even carry out independent investigations.

Fulfilling an intention outlined in a strategic paper that was leaked in 2006,²³ President Ortega and the FSLN have over the past five years reversed much of the progress made between 1990 and 2007 regarding the available diversity of news and opinions, and access to public information. Obviously, it is impossible to return completely to 1989, still less to return Nicaragua to its former isolation with respect to access to information. But the more this group succeeds in controlling or at least conditioning classical news media, the more the internet gains in importance—even more so as it appears to be the platform of choice for Nicaraguan young people.

21. Please note that “Read newspaper” refers to the print edition only and does not include readers using the internet to read newspapers.

22. M&R Consultants, “Media Consumption patterns in Managua,” Managua, July 2010.

23. “Estrategia de Comunicación del FSLN” (FSLN Communication Strategy), presumably authored by Rosario Murillo, Secretary of the Communication and Coordination Council, 2006.

1.3 News Providers

1.3.1 Leading Sources of News

1.3.1.1 Television

There have been no audience surveys that would allow the comparison of the popularity of news sources across media boundaries (print media, radio, television, internet) and register any changes. All media with national reach have a clear bias in their coverage of news about local events or events at the municipality level toward the capital Managua, which in general receives two-thirds of available space while the rest is mentioned but not covered by the remaining one-third, even though Managua represents less than 30 percent of the total population.²⁴ This imbalance clearly contributes to the sustained existence of many purely local, very small radio and cable television stations, dedicated to local news and local advertising.

None of the television channels has its own television production facilities, beyond one or two studios for presentations and similar purposes, nor are there television or movie production facilities. Hence, all television content other than news, on-the-spot reports and the like is imported. Six out of 10 operational national VHF channels, namely Channels 2, 4, 8, 10, 12, and 13, offer newscasts three times a day, in the morning, at noon, and in the evening. Two of them, Channels 2 and 8, even offer two types of newscasts, a serious one and a commercial one, while Channel 10 offers only a commercial one. There are two all-news UHF channels, Channels 15 and 23. Finally, there is a UHF channel, Channel 14, with news three times a day. Its complementary programming features national cultural events of all types and news about the national economy. Channel 14 is sponsored by the Pellas Group, a family group that owns a conglomerate of different enterprises and which is the biggest economic group in Nicaragua (for additional information, see section 6.1.1).

The reach of all UHF channels is limited to Managua and its surroundings, and outside the metropolitan area these channels have to pay for being included in the cable networks. Similar to radio stations, television stations rent space to independent news and opinion programs, which migrate from channel to channel. Such is the case for the program “*Esta Semana*” (This Week) and “*Esta Noche*” (Tonight), with one hour each Sunday and 30 minutes from Monday to Friday. It started in Channel 2, migrated to Channel 8, and was forced for political reasons to migrate back to Channel 12, which has a more open editorial policy and owners who have a more critical—though not confrontational—position with respect to the government. However, Channel 13 has much less coverage than, for example, Channel 2.

When looking at viewer surveys such as those provided by ONAP, we can see that viewers prefer those channels with more commercial programming (soap operas, cartoons, foreign programs) or news content about violent events. In 2006, three VHF channels, Channels 2, 8, and 10, and the other cable channels had a share of about 96.6 percent, while all other channels had a 3.4 percent share. Despite all the effort by

24. See Guillermo Rothsuh and Adrián Uarte, “Los corresponsales—Una Mirada al país” (Local correspondents—a look at the country), 2009, Estudios CINCO, Managua, at <http://www.cinco.org.ni/archive/165.pdf> (accessed 3 August 2013).

the Ortega-Murillo group to acquire channels, in 2011 only Channel 8—bought by this group in 2010—improved its share to 9.6 percent, while the other two—Channel 13 and Channel 4 (operated by this group since 1991)—were below 1 percent.

Channel 10 has been the most popular channel throughout the past five years. It is a commercial channel that features *telenovelas* (soap operas), sitcoms, and similar productions from the last 30 years, mostly Spanish. During the 1980s, these programs were not accessible in Nicaragua, so that a soap opera produced, say, in 1985 still might be new to audiences. Channel 10 offers a commercial news program, “*Acción 10*” (Action 10), dedicated to events such as accidents and criminal cases.

Cable television includes four UHF channels based in Nicaragua, among 80 others, yet their share is statistically insignificant. An ONAP survey from 2009 put Disney Channel and Cartoon Network in first and third position; Estrellas-Televisa, a Mexican entertainment channel, occupied second position, followed by Disney XD (children), Telenovelas, and Nickelodeon.²⁵ The first “national” channel in this ranking is MEGABOX-Channel 76, occupying seventh position, although it broadcasts only MTV-like imported clips. It is followed by Channel 11 in 30th position. Other “national” offerings appear in position 72 and below.

Channel 2 is operated by a traditional television entrepreneur family, the Sacasas, who had their confiscated channel reinstated in 1991 (see section 6.1.1). However, due partly to political pressures and partly to economic problems, it dropped almost all national television production and reduced the news offering to three balanced newscasts a day, eliminating all opinion or debate programs, which for the most part had not been government-friendly. This reduction may have contributed to the fall in its market share. It is also worth noting that Channel 2 is waiting for its license to be renewed.

Channel 8 was acquired by the Ortega-Murillo group in 2010 and succeeded in improving its audience share. Before this injection of fresh capital, Channel 8 used 100 percent analog technology in its studios and road equipment. Though intended to appear balanced, Channel 8 is the only one of the three channels (4, 8, and 13) with a substantial audience share that has access to all government events, government interviewees in the studio, and government advertising, while critical voices are completely absent. Anyone who is interested in original statements by government officials has to watch this channel or else make do with the mixture of government and party messages that the other three channels of the Ortega-Murillo group offer.

25. The original surveys were unobtainable, so see *La Prensa*, 20 June 2009, at <http://archivo.laprensa.com.ni/archivo/2009/junio/20/noticias/revista/333989.shtml> (accessed 3 August 2013).

Table 5.

Audience share of television channels (% of total number of viewers), 2006–2011

	2006	2007	2008	2009	2010	2011
Channel 2	23.9	20.3	20.5	19.6	18.3	11.6
Channel 8	7.0	4.0	2.8	1.9	1.3	9.6
Channel 10	39.6	32.4	37.3	44.5	38.1	39.7
Cable TV ²⁶	26.1	40.4	36.5	31.3	34.9	27.7
Others ²⁷	3.4	2.9	2.9	2.7	7.4	11.4

Source: ONAP, 2010

A closer look at audience shares by income groups shows that different groups have different consumption patterns.²⁸ While user shares for national television (both commercial and non-commercial) and cable were similar in 2006, a sharply differentiated pattern emerged in 2011: the upper income groups A and B preferred cable television over any other offering, the middle group C preferred national non-commercial television, while the lowest income groups, D and E, overwhelmingly preferred the 100 percent Spanish commercial Channel 10.

1.3.1.2 Print Media

Newspapers in Nicaragua have only 12 or 14 pages, with a special supplement of another 6–10 tabloid pages twice a week. There are just two proper daily newspapers, *El Nuevo Diario* and *La Prensa*, and the more commercial *Hoy*. The first two jointly have a circulation of some 83,000 copies, equivalent to 7.8 percent of households. As stated earlier, somewhat more than 50 percent of Nicaraguans say they usually read a newspaper. However, there is a difference between this claim and reality. According to ONAP, 47 percent said that in 2011 they usually read a newspaper, yet only 15 percent had read a newspaper the day before.

Table 6.

Readers' preferences among daily newspapers (% of total readers), 2006–2011

	2006	2007	2008	2009	2010	2011
<i>La Prensa</i>	50.0	51.8	56.4	53.5	50.9	48.0
<i>Nuevo Diario</i>	34.1	35.1	32.1	33.0	30.7	31.0
<i>Hoy</i>	18.8	15.4	15.4	13.4	17.9	21.0

Source: ONAP, 2010

26. All television channels available on cable minus those with terrestrial broadcasts. This includes, however, national cable-only channels.

27. All other TV broadcasting stations.

28. A, B, C, D, and E refer to family income, with A being the topmost and E the lowest grouping.

While according to ONAP in general usage of print media dropped from 27 percent to 18 percent, it appears that there has been only a modest shift to *Hoy*. A closer look reveals a more complicated pattern. In the upper income groups, readers migrated from the more center-right *La Prensa* to the more center-left *Nuevo Diario*, while both lost readers in the lower income groups to *Hoy*.

1.3.1.3 Radio

There are only four AM radio stations with regular news programs and truly national coverage: Radio Corporación (private), Radio Nicaragua (government), La Nueva Radio Ya (private), and Radio La Primerísima (private). A rating from 2010 put music stations and stations operated by religious groups in the first six places, La Nueva Radio Ya in seventh position, and Radio Corporación ninth. The eighth and tenth positions went to music stations.²⁹

All four, including their retransmitting FM stations, jointly represent less than 30 percent of the national radio audience for very simple reasons: in total there are some 228 AM and FM stations, including 45 strictly local stations, 27 operated by religious groups, and 17 pure music stations. There is no repeater scheme for FM: each channel is assigned individually, which puts a natural limit on the reach of each of the FM stations. Data from the most recent (2008) survey about local radio stations suggested that audiences prefer these stations during the day, as they are the only outlets where local events and concerns are mentioned on a regular basis.³⁰

Finally, news space on most radio stations is sub-rented: airtime is sold to micromedia entrepreneurs (outlets staffed by two or three persons), who in turn sell sub-sub-space for advertising to finance their activity. (The key exceptions are Radio Ya and Radio Nicaragua.) Hence, there is no such thing as one editorial line per radio station (see sections 4 and 6), and there are few resources to hire staff and produce quality content. As a result, there are few nationwide players and no dominant ones. (This pattern is replicated in other areas such as retail.) About 64 percent of Nicaraguans say they habitually listen to the radio, but, as noted for newspapers, only 36 percent had listened to a radio the day before.

1.3.1.4 Online

The two most important national news providers over the internet are the newspapers mentioned above, followed by the internet edition of *Confidencial*, a weekly print journal, and *La Brújula Digital*, whose monthly print edition is distributed free of charge. The latter and the website *Bancanalnica.com* are dedicated to young people and their special interests, although both increasingly include general news. There are daily news services by email and the internet, basically collections of short news, some of them with print editions, such as *Bolsa de Noticias* or *Informe Pastran*, or internet only such as *Carta Bodan*. In all cases, internet visitors

29. ONAP, "Rating of Radio Stations," cited by *Diarionica.com*, at http://www.diarionica.com/index.php?option=com_content&task=view&id=432&Itemid=6 (accessed 3 August 2013).

30. Norma Guadamuz Cermeño, *Diagnóstico Preliminar de Medios de Comunicación Locales en Nicaragua* (Preliminary Diagnosis of Local Media in Nicaragua), CINCO, 2008.

outnumber the print circulations, to an extreme degree in the case of *Confidencial* with 8,000 readers and about 179,000 unique visitors (see sections 3 and 4).

1.3.2 Television News Programs

Detailed data about particular newscasts on Nicaraguan television are not available. ONAP only provides ratings, not total audience numbers.

As far as can be reconstructed from the published information,³¹ there was a shift from conventional news to social news (accidents, celebrities, crimes, curiosities) as soon as this format appeared on Channel 10 and spread from there to Channels 2 and 8. In 2008, the commercial “*Acción 10*” on Channel 10 captured 63.2 percent of the news audience, while in its commercial (“*Noticiero 22-22*”) and non-commercial (“*TV Noticias*”) formats Channel 2 captured up to 28 percent of viewers, followed by “*Noticiero independiente*” (Independent News) (commercial) at 11 percent, and the news program “*24 horas*” (24 Hours) (non-commercial) on Channel 8 at 8.3 percent.

In 2009, “*Acción 10*” peaked at 73.2 percent, “*Primer Impacto*” (First Impact)—an international commercial news program from Channel 2—achieved 33 percent, and non-commercial news programs dropped to 22.2 percent (“*TV Noticias*”) and 4.4 percent (“*24 horas*”). In 2011, “*Acción 10*” and “*Primer Impacto*” reached 90 percent of the television audience in the morning and “*Acción 10*” and “*TV Noticias*” dominated with 95 percent for the evening news. According to other sources, “*Acción 10*” dominated in both slots. In general, more commercial and tabloid-type programs have been taking the lion’s share of the audience.

1.3.3 Impact of Digital Media on Good-quality News

The most important online news providers are the internet editions of former print-only media (*La Prensa*, *Nuevo Diario*, *Confidencial*, among others). While initially the internet editions were mere copies of the printed versions, increasingly additional features, such as new headline stories and updates during the day, blog posts, multimedia content, and feedback channels have been added. Thus, the online versions of traditional media have been able to expand their news content and to provide information in different formats—video, audio, and computer graphics—that cannot be used in the printed versions.

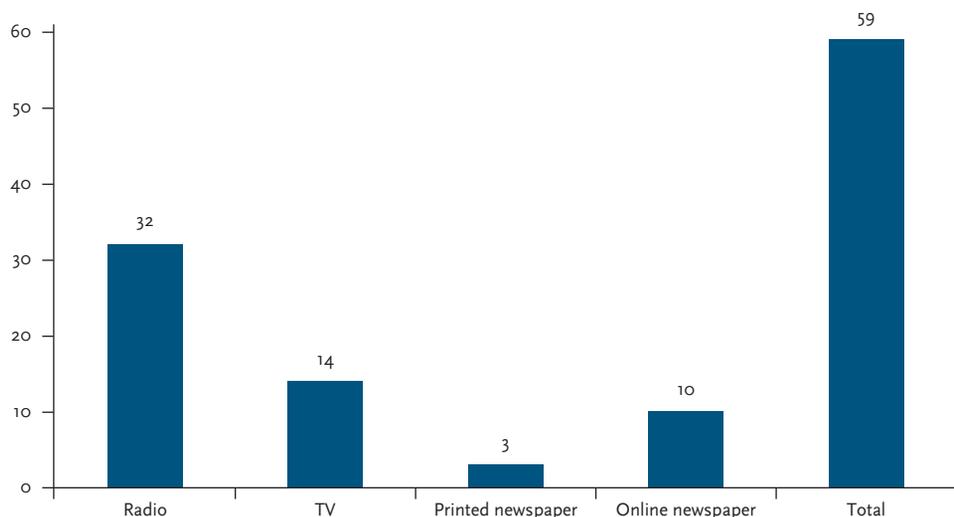
In radio and television, the impact of digital media is less obvious. The impact of the internet on local radio stations is unknown at this point. In television, the only case worth mentioning is Channel 15, which has transformed its online version: it now surpasses its television counterpart in its number of viewers. However, there is no indication of an improvement in the quality of the information itself, only in the dissemination and its accessibility for users.

31. Access to the original surveys was impossible; see, therefore, *La Prensa*, 7 June 2008, at <http://archivo.laprensa.com.ni/archivo/2008/junio/07/noticias/revista/264392.shtm> (accessed 3 August 2013); 20 June 2009, at <http://archivo.laprensa.com.ni/archivo/2009/junio/20/noticias/revista/333989.shtml> (accessed 3 August 2013); and 26 March 2011, at <http://www.laprensa.com.ni/2011/03/26/revista/55948#.TpeGFnJnoio> (accessed 3 August 2013).

Besides these specific cases, and to obtain a broader perspective on these issues, 69 media were selected for analysis in a survey in 2011. Figure 5 shows the number of media analyzed in each category that had web pages. From a total of 69 media, 59 had websites. Five out of 14 television channels and five of the 32 radio stations did not have websites. The outlets were selected according to the following criteria: the highest-rated radio stations in the country on AM, FM, and AM-FM; all active television channels with news content; the three national newspapers; and for online news outlets, media reporters were consulted on the 10 major sites.

Figure 5.

Number of media outlets with online presence, 2011



Source: ONAP, June 2011

In 2011, in terms of content 44 of a total of 59 websites of media outlets had search systems or archives where users could find information from earlier dates. Although there has been progress in the integration of audiovisual content in the media, only 40 percent of the media had audiovisual content and 52 percent had written content on web outlets.

Table 7.

Type of content on websites of media outlets, 2011

	No. of analyzed media with websites	Audiovisual	Written	Live	Search/archive function
Radio	32	12	13	19	9
Television	14	6	5	9	6
Printed newspapers	3	2	3	0	2
Online newspapers	10	4	10	4	9
Total	59	24	31	32	26

Source: ONAP, June 2011

The same ONAP survey from 2011 provided the information that in almost half of the media outlets, the website content was different from offline. This trend was strongest in the print sector: *La Prensa*, *Nuevo Diario*, *Confidencial*, and *Hoy* all featured different content on their sites. In both radio and television, the ratio of media outlets with different content online from offline was roughly 43 percent. On the other hand, the media need to develop ways of allowing easier handling of content online. For example, the ONAP survey found that only around 7 percent of all outlets analyzed in 2011 used hyperlinks to relate current information to previous content produced by the medium or to further news consumption. Websites of television and print media did not use hyperlinks at all, and only two of the 32 radio stations did so. Also, the participation of users was mediated by less than half of all media outlets canvassed in the ONAP 2011 survey. Print newspapers were the best at allowing users to comment on stories published on their websites. In the radio and television sectors, some 35 percent of all outlets allowed such participation on their websites.

1.4 Assessments

The changes in audience composition appear to be driven by availability (television and internet are expanding as they become locally available), by generational change (the younger the age, the greater the internet usage), and coupled with generational change, the capabilities of the audience (that is, the younger the age, the higher the levels of formal education). A migration of audience from pre-digital to digital media might exist, but the available data do not allow for quantification.

The only digital platform, the internet, has brought changes in the diversity and accessibility of national news sources, but new sources are not numerous and most still have a long way to go to compete with traditional media.

In the case of print media, online editions have been successful in attracting readers, a significant portion of whom resides abroad. Broadcast media, except for some exceptional cases, do not yet see the internet as a communication medium in which it is worth investing. Nonetheless, the internet has changed the dynamics of interaction between media—mostly the print media—and their audience, as it has made their content available for the first time to Nicaraguan émigrés and in general has allowed more feedback.

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

Public service media in the strict sense do not exist in Nicaragua. There are two supposedly public service media, an AM radio station (Radio Nicaragua) and a VHF television channel (Channel 6), both owned by the state, yet always operated by the government as an integral part of their public relations efforts. In their beginnings, in the late 1950s, these two outlets were the only broadcasting media with an almost national coverage (even today about 50 percent of the country is not covered by any nationwide broadcasting media, but only about 15 percent of the population lives in the areas without coverage).

However, there are private media that act as if they were the official voice of the government. While almost a tradition in Nicaraguan political history,³² these private official media currently occupy important positions. They are:

- Channel 4, property of the Ortega-Murillo family, which acts as anchor channel for all government events;
- the radio station La Nueva Radio Ya, with the same role for radio transmissions, but which thanks to its sensationalist content ranks among the three most popular radio stations in all ratings; and
- *El 19*, converted after a few months in print to an online journal edited directly by the office of Mrs Murillo, Secretary of the Communication and Coordination Council and wife of President Ortega. As government agencies may not publish any news without prior written consent from Mrs Murillo's office, they routinely copy, cite, or link to articles in *El 19* instead of presenting their own news.

These three outlets are private, party media in legal terms, yet they operate and are treated as if they were state media.

32. Eduardo Marengo, "Los Medios oficiales durante la gestión del Presidente Ortega" (The official media during President Ortega's administration), CINCO, April 2009, at <http://www.cinco.org.ni/archive/144.pdf> (accessed 24 August 2013) (hereafter, Marengo, "Los Medios oficiales").

Radio Nicaragua survives on advertising revenue, mostly from state advertising.

Channel 6 has continued to transmit with reduced coverage, and without a clearly defined profile. Three months before its term ended in 2006, Enrique Bolaños's administration formally transferred Channel 6 to the Ministry of Education. The aim was to use Channel 6 to retransmit educational programs from Mexico, especially for secondary education. (These programs were already being offered in some Nicaraguan secondary schools by satellite.)³³ During the first three months, Channel 6 simply put some 700 lecture hours on air, which were only available in certain parts of Managua because of the lack of national transmitters.

This interim operation ended when the Ortega administration took office. It used Channel 6 as a formal vehicle to enter the TeleSUR alliance (*La Nueva Televisora del Sur*, The New Television Station of the South), an initiative sponsored by Venezuela for public service (government-controlled) television stations with a common kernel of programming and contributions from all participating countries.³⁴ TeleSUR is available as a channel on the Nicaraguan cable networks, but it has never had terrestrial transmission on Channel 6.

In October 2009, Juan Carlos Ortega, son of the presidential couple, started acting as a director of Channel 6³⁵ after he had taken over at Channel 8. On 19 October 2011, *El 19* announced that Channel 6 would reopen,³⁶ with the rebroadcasting of productions from the 1980s added to the output.

Channel 4 continues to operate as the principal private, official television outlet for the government. The revolutionary period (1979–1989) saw the formation of CORADEP, which resembled a public service radio network. Many stations in this network had been confiscated from their previous owners or simply abandoned when their owners left the country. The network was dissolved after the FSLN lost the 1990 elections. During the transition to the new government of Violeta Barrios de Chamorro in 1990, the 19 radio stations from this network passed either to those municipalities that still had a mayor from the FSLN, or to hastily formed cooperatives of their employees. Most of these radio stations still exist, yet apparently have passed into the private ownership of mostly journalists who had operated them previously. The ways and means of these changes are unclear.

Not-for-profit organizations such as churches and non-governmental organizations (NGOs) operate a number of radio stations (35 in total). Many of the private stations are so small and have such limited resources that they barely cover their operation costs and a small salary for between one and at most three

33. "Gobierno reinaugura canal 6" (Government reopens Channel 6), *El Nuevo Diario*, 21 September 2006, at <http://impreso.elnuevodiario.com.ni/2006/09/21/nacionales/29501> (accessed 24 August 2013).

34. Radio La Primerísima, 8 October 2007, at <http://www.radiolaprimerisima.com/noticias/20230> (accessed 15 April 2012). The contributions came from Venezuela (41 percent), Argentina (20 percent), Cuba (19 percent), Uruguay (10 percent), Bolivia (5 percent), and Ecuador (5 percent).

35. *La Prensa*, 15 October 2009, at <http://archivo.laprensa.com.ni/archivo/2009/octubre/15/noticias/politica/354785.shtml> (accessed 24 August 2013).

36. *El 19*, 19 October 2011, at http://www.el19digital.com/index.php?option=com_content&view=article&cid=29638:reapertura-de-canal-6-es-una-realidad&catid=23:nacionales&Itemid=1 (accessed 24 August 2013).

journalists. Almost all rent airtime to local authorities, development agencies, local NGOs, and individual journalists. These small, local media enterprises provide information about local plans, public authorities' policies and projects, local development projects, voice citizens' concerns, and transmit educational programs to all sectors and age groups.

This function might in other contexts be performed by public service media, but this is not the case in Nicaragua, and it is important to emphasize that in rural Nicaragua radio is still by far the most important communication medium. Two examples are worth highlighting because of the public recognition they have achieved: "*Onda Local*" (Local Wavelength), a weekly two-hour program which started in 2000, based in Managua, and "*La Bruja Mensajera*" (The Witch Messenger), which also began in 2000 in Bocana de Paiwas, a small town in a rural area. Both programs are run by feminist groups. "*Onda Local*" consists of interviews, pieces, and debates about municipal and local development and gender rights, while "*La Bruja Mensajera*" denounces violence against women and reads out the names of those who perpetrate acts of violence. Through public censure, the program has been able to lower the levels of violence in the community.

There is no state or public service news agency, even though the Communication and Citizen Participation Council (*Consejo de Comunicación y Coordinación*) and its secretary Mrs Rosario Murillo, spouse of the president, act like the single distribution center for official government and party news and as the public relations body for the whole government, as no government dependency is permitted to distribute its own news or to enter into any contact with the media without the written prior consent of Mrs Murillo.³⁷ As these strict rules turned out to be counterproductive for the party in government and the media the presidential family own, Mrs Murillo modified the initial strict rule to allow friendly media the opportunity to request contact directly, although any written material still requires her written consent before distribution.

2.1.2 Digitization and Services

Mrs Murillo edits *El 19*, and it is unclear whether it is a party or a government publication. The name refers to 19 July 1979, the official date of the victory of the Sandinista revolution. It started as a weekly paper in 2008. After a four-month period of printing, in which it did not achieve a substantial circulation as a paid or a free publication, *El 19* went completely digital.³⁸ Despite its character as an official news source, and hence frequently referenced by other government agencies and party entities, it is not among the leading Nicaraguan websites.

While the transition to digital terrestrial broadcasting is not even at a planning stage, almost all public entities have some form of online presence of at least a website with basic data about the institution, its mission, and its history. Under the Bolaños administration, most of the ministries and autonomous government entities and about 50 municipalities (out of 151) substituted or complemented their front page with regularly updated news services. This was part of an effort to increase government transparency, and it was

37. "Dependencies" are incorporated entities, legally independent but effectively dependent on a government agency.

38. Marengo, "Los Medios oficiales."

promoted by the many multilateral and bilateral development agencies that used to be present in Nicaragua. Some institutions even took the first steps toward citizen participation in the budget, program, and project processes, improving communication by opening electronic complaint-and-answer procedures so as to afford rudimentary access to the government.

After the Ortega administration took office, most of these efforts came to a halt. As no government agency may publish anything beyond the basic documents concerning organization, laws, regulations, and decrees without the written consent of the Office of the Secretary for Communication and Coordination, news sections remained neglected for years, disappeared completely, or were replaced by copies or links to the private/official *El 19*.

The official website of the presidency did not escape from this; it has been replaced by *Elpueblopresidente.com*, a site that represents the point of view of the FSLN party, without non-partisan information about the office. Operated by the Secretary for Communication and Coordination, this website acts as a web portal for the Councils of Citizen Power (*Consejos del Poder Ciudadano*, CPC).³⁹

2.1.3 Government Support

International, multilateral, and bilateral development agencies have spent millions of dollars facilitating improvement in the internet presence of public institutions, including preliminary guidelines for the relevant online portals. The law defining and regulating access to public information (see also section 4.1.1) makes access to public information using the internet almost mandatory.⁴⁰ But under the prevailing circumstances there has been no compliance even from the traditional paper media, as a recent investigation, the second after the law was approved, shows.⁴¹

2.1.4 Public Service Media and Digital Switch-over

The role of public or state media in the digital switch-over of terrestrial television cannot be discussed as the transition to digital terrestrial broadcasting is not even at the planning stage.

39. Combining features of party organization and citizen consultation, the CPC replaced de facto the municipal and departmental development committees and the National Council for Socio-Economic Planning (*Consejo Nacional de Planificación Económica y Social*, CONPES). The CONPES and the municipal and departmental development committees were the only participating institutions recognized by the law of participation.

40. Law No. 621 on Access to Public Information, approved on 16 May 2007, *La Gaceta*, No. 118, 22 June 2007. See [http://legislacion.asamblea.gob.ni/Normaweb.nsf/percent28\\$Allpercent29/675A94FF2EBFEE9106257331007476F2?OpenDocument](http://legislacion.asamblea.gob.ni/Normaweb.nsf/percent28$Allpercent29/675A94FF2EBFEE9106257331007476F2?OpenDocument) (accessed 26 August 2013) (hereafter, Access to Public Information Law No. 621).

41. Violeta Barrios de Chamorro Foundation, “Estudio sobre la Aplicación de la Ley 621 en 9 municipios” (Study of the Application of Law No. 621 in nine municipalities), October 2011, at http://www.violetachamorro.org.ni/index.php?option=com_content&view=section&layout=blog&cid=3&Itemid=5 (accessed 24 August 2013) (hereafter, Violeta Barrios de Chamorro Foundation, “Estudio sobre la Aplicación de la Ley 621”).

2.2 Public Service Provision

2.2.1 Perception of Public Service Media

People generally have no understanding of public service media or public service provision other than media controlled by the government and hence by the political group in power. As politicians share this view, they have been reluctant to invest in public media while in government, fearing that the benefits would mainly go to the opposition once it got into power.

In general, journalists evaluate the opening in the 1980s of Channel 6, the state-owned channel, as positive. It produced original cultural and educational programs broadcast nationally and widely watched. It was, however, dismantled and closed in the 1990s.

During the 1990s, only a few experts with broader knowledge, such as Guillermo Rothschild, the director of the Observatory of the Center for Communication and Media Research (*Centro de Investigación de la Comunicación*, CINCO), pushed for a debate about the importance of reactivating the state-owned channel by producing cultural and educational programming for a national audience without direct government interference.⁴² This is more or less the same model followed in El Salvador, where the Ministry of Education and the universities jointly operate an educational television channel. His proposal did not find much support.

Channel 6 was reopened in September 2011. However, the programming has been dominated by content produced in the 1980s and by a partisan news agenda. Journalists continue to debate the need for a public service channel, but few journalists understand what it really means to have one.

2.2.2 Public Service Provision in Commercial Media

Neither the General Law on Telecommunications and Postal Services, Law No. 200,⁴³ which regulates telecoms, nor any other law obliges television and radio stations to perform any type of public service, not even in emergencies. As an intended legal substitute, TELCOR issued in June 2010 administrative directive No. 009-2010, modifying administrative directive No. 06-2007 for television by subscription and No. 07-2007 for terrestrial television. These modifications oblige cable operators and television stations to provide their services and installations for the transmission of official information with respect to national emergencies and the actions to be taken by the authorities competent to deal with these emergencies. Cable operators are also obliged not to transmit other programs at that time.

TELCOR's administrative directive No. 13-2011 in May 2011 established further obligations for television by subscription. Operators must now provide—at their own cost—one channel for every 32 they possess, for use by the government at its discretion; instead of going black during government transmissions, they have to

42. *El Nuevo Diario*, 27 May 2002, at <http://archivo.elnuevodiario.com.ni/2002/mayo/27-mayo-2002/opinion/opinion7.html> (accessed 24 August 2013).

43. Published in *La Gaceta*, No. 154, 21 July 1995.

retransmit the transmissions. It is, however, unclear how providers of satellite television services will comply with this directive as they normally have no influence on the operation schemes of the respective satellites, nor do they have local uplink equipment to feed a satellite channel.

As the legal basis for this directive, TELCOR cites paragraphs from Law No. 1053 of 1982 and regulation No. 128-2004, which established TELCOR and regulated its operation, but these were materially superseded by Law No. 200. Even though the former were never formally reformed, Law No. 200 (General Law on Telecommunications and Postal Services) gave TELCOR much less authority than in the revolutionary period of the 1980s, when a single institution operated telecoms services and rarely gave permission to others for such services. Law No. 200 does not give any authority to TELCOR to establish new obligations not mentioned elsewhere in the law. Despite announcements by operators that they would take the case to the courts,⁴⁴ ultimately none of the affected operators took any legal action (see section 7).⁴⁵

2.3 Assessments

Public service media do not exist in Nicaragua. There are state media outlets, which are controlled by the state and act in a partisan manner to benefit the FSLN. The main changes in recent years in state media have been the reopening of Channel 6 and the new government communication policy for this channel and for state radio. Another significant change is that the Ortega-Murillo group consolidated its private ownership of radio stations, newspapers, and television channels, whose news agenda follows a partisan line. Thus, on the one hand, the state media act as the official media of a political party and, on the other hand, there are private media that communicate the party and government agendas and receive funds from the state. The line between the public and the private spheres is becoming increasingly blurred by the imposition of a model that combines state media, state funding for advertising, and a partisan and private media agenda.

Before the present Ortega administration took office, some interesting internet initiatives were taken by alternative media, aspiring to greater transparency and citizen participation, but these have been dwarfed by the subsequent steps backward.

There is a network of local radio programs produced by civil organizations that work to educate the public. Although these programs do not receive state funding, they provide a public service and seek to educate the public about various issues.

44. "Encadenar la TV cable atenta contra la libertad" (Networking cable TV threatens freedom), *La Prensa*, 2 October 2010, at <http://www.laprensa.com.ni/2010/10/03/nacionales/39555> (accessed 24 August 2013).

45. Guillermo Rothschild, "Cadenas televisivas presidenciales" (Presidential television networks), *El Nuevo Diario*, 7 February 2011, at <http://www.elnuevodiario.com.ni/opinion/94210> (accessed 24 August 2013).

3. Digital Media and Society

3.1 User-Generated Content (UGC)

3.1.1 UGC Overview

Half of the 20 most popular websites in Nicaragua had user-generated content (UGC) in 2011. The first-ranking site is Facebook. According to Socialbakers,⁴⁶ the number of Facebook users in Nicaragua increased from 457,000 to 800,000 between January and December 2011. According to an M&R 2011 survey, 98 percent of internet users in the country aged 16–39 have a Facebook account (see sections 3.1.2 and 3.2).

The video-sharing site YouTube has a lot of user-posted content, though less UGC, and there are more viewers than posters. Detailed data about posting and viewing from Nicaragua could not be obtained. Yet there are interesting examples of UGC such as Lado Oscuro Nicaragua,⁴⁷ in which a group of young semi-professional content producers combine traditional media presence, television Channels 4 and 23, Facebook, and YouTube to present their own productions and a steadily increasing number of digitized (originally analog) video and movie productions from the 1980s. At that period, there was a flourishing production of short movies, short animated movies, and some films dedicated to Nicaraguan culture and folklore, but also educational movies, featuring for example immunization and sanitation campaigns, and improvements in small-scale agriculture.

Without government support after 1990 and only limited support from external development agencies, which preferred to promote their own media material, this production collapsed almost completely. Puntos de Encuentro⁴⁸ is one of the few survivors, a women's rights NGO established in 1990 that retained and later modernized its own production capacities for short movies up to and including complete series of "edutainment," distributing its products using traditional media (television, radio, print), but also the internet, including YouTube and Facebook.

The few available statistics about websites initiated by traditional print and television media and that allow UGC present an almost even split of visits and visitors from inside and outside Nicaragua. With about 1 million emigrants out of a 5.7 million population living in countries with a much higher internet

46. Socialbakers, at <http://www.socialbakers.com/facebook-statistics/nicaragua> (accessed 24 August 2013).

47. See <https://www.facebook.com/pages/Lado-Oscuro-Nicaragua/102132263182735> (accessed 21 April 2012).

48. See <http://www.puntos.org.ni/index.php/en.html> (accessed 21 April 2012).

penetration than Nicaragua, the internet has become a popular way of maintaining contact with the country. As Nicaragua is no longer a regular news topic outside Nicaragua, the internet presence of traditional media (print, television, and even internet radio) is the preferred way for the diaspora to stay informed.

The web presence of *La Prensa* and *El Nuevo Diario* belong to this category. Both these print media permit comments on articles, yet lately they have been moderating and filtering users' comments before publication, eliminating comments that violate rules such as offensive language, criminal accusations, personal attacks, and similar. *El Nuevo Diario* requires additional pre-registration of readers who wish to comment, although their personal information is not published. *La Prensa* checks at least once whether the combination "chosen nickname (visible)—email address (not visible)" corresponds to a valid email and an authentic person. *La Prensa* has a "My News" section where readers may upload photos and short news stories. *El Nuevo Diario* operates its own blog section with a fixed group of lead bloggers, including the writer Gioconda Belli. The blog section is open for users' comments after registration (see section 4).

Table 8.
Most popular websites by number of visitors, with UGC status, 2011

Alexa rank	Name	M&R survey: rank / % of users		UGC – yes or no?
1	Facebook	1	40.2	UGC
2	Google Nicaragua	2	28.8	
3	Google	2	28.8	
4	YouTube	6	1.9	UGC
5	Yahoo!	3	14.3	
6	Windows Live	4	6.5	
7	La Prensa	12	0.3	UGC
8	Wikipedia	9	0.5	UGC
9	Blogger.com	n/a	n/a	UGC
10	MSN	n/a	n/a	
11	El Nuevo Diario	11	0.3	UGC
12	Amazon.com	n/a	n/a	
13	Claro	n/a	n/a	
14	Taringa!	Other	0.1	UGC
15	Google Español	n/a	n/a	
16	Twitter	8	0.6	UGC
Other	ESPN	5	3.6	
	SKY	7	0.6	
	Gmail	10	0.6	

Note: n/a: not available

Sources: Alexa, "Top 100 sites in Nicaragua;"⁴⁹ M&R Consultants, "Hábitos de Consumo Internet & Redes Sociales" (Internet & Social Network Consumption Patterns), Managua, July 2011

49. See <http://www.alexa.com/topsites/countries/ni> (accessed 25 October 2011).

3.1.2 Social Networks

According to Alexa,⁵⁰ in November 2011 the most popular social networks in Nicaragua were Facebook, YouTube, and Blogger. M&R reported in July 2011 that 67 percent of all internet users in Nicaragua were registered with a social network, whereby 96 percent had a Facebook account, 12.3 percent Hi5, 11.5 percent Twitter, and 2 percent LinkedIn.⁵¹ No others reached 2 percent of the user share. More detailed data about the number of active users as a share of registered users, frequency of usage, and even truly reliable data on the number of registered users were not available.

There is one other portal, Bacanalnica, which has a low Alexa ranking, but is different from the others because it is one single community of more than 23,000 individually registered users who share all their entries. It is more like a single fan page of Facebook than Facebook as such. There is no other site in Nicaragua, including the traditional media, which has achieved a similar registered user base. For example, all the traditional big media, such as the press and television channels, are present on Facebook, but none has a number of registered followers comparable with Bacanalnica, although some individual pages for nationally known personalities have more than 5,000 followers.

Table 9.

Ranking of social networks, November 2011

Network	Rank
Facebook	1
YouTube	4
Blogger	9
Taringa	13
LinkedIn	14
Twitter	15
Badoo	17
WordPress	22
Bacanalnica	55
Hi5	58

Source: Alexa, November 2011

3.1.3 News in Social Media

There are no internet consumer surveys that permit an analysis of the trends in usage of social networks and blogs. Internet usage surveys report only on general trends. Through the examination of 59 different media outlets in 2011, it was confirmed that many use social networks to disseminate their content and interact

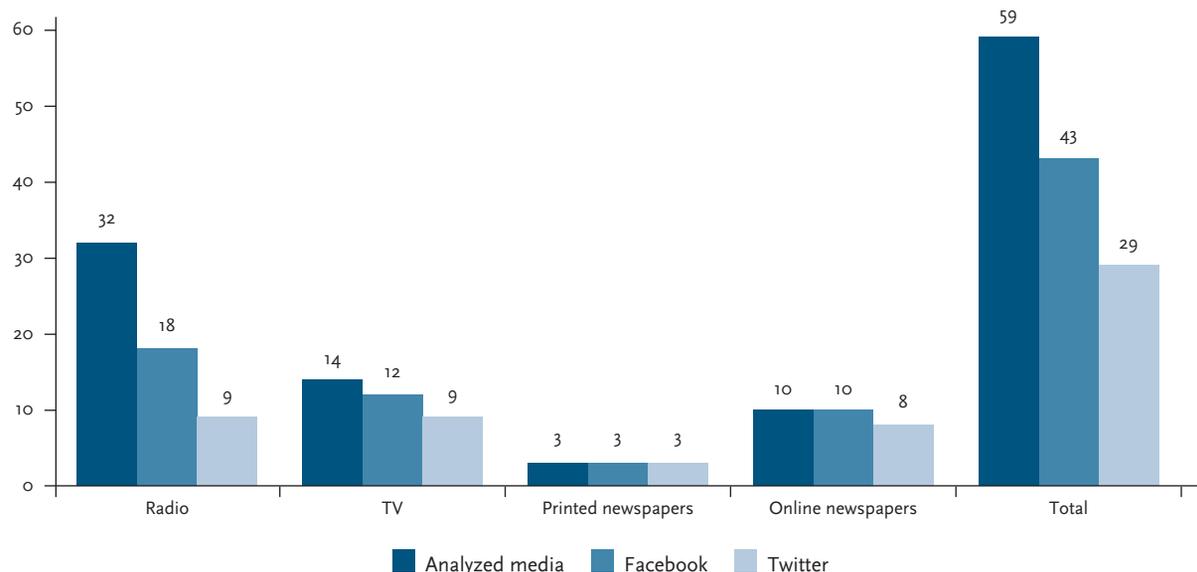
50. Alexa, "Top 100 sites in Nicaragua," at <http://www.alexa.com/topsites/countries/ni> (accessed 25 October 2011).

51. M&R Consultants, "Hábitos de Consumo Internet & Redes Sociales" (Internet & Social Network Consumption Patterns), Managua, July 2011.

with users. The majority (72 percent) use Facebook, although some of these media do not update their pages. Almost 50 percent of the media also have a presence on Twitter, which, although it has fewer followers than Facebook, is increasingly popular. It seems, nonetheless, that social networks are mainly used to generate a sense of community and to publicize programs, and less to spread news content.

Figure 6.

Number of media outlets with accounts at the most popular social networks, 2012



Source: Compiled by MDM reporters and editors

The most popular media on Facebook are Radio Disney, which has a single Twitter account for all its radio stations in Latin America, followed by Channel 2, Radio La Tropicálida, Radio Hit, Channel 4, and *La Prensa*. On Twitter, besides Radio Disney, the most followed media are *La Prensa*, Conexiones, and Channel 2.

Table 10.

Popularity of the media in social networks by number of “likes” and followers, 2012

Name	Facebook “likes”	Twitter followers
Radio Disney	253,662	55,922
Channel 2	68,933	12,255
Radio Tropicálida	32,902	116
Radio Hit	27,755	n/a
Channel 4	23,544	3,117
<i>La Prensa</i> newspaper	23,443	17,410
Channel 14	20,560	2,074
Radio Mi Preferida	18,028	n/a
Channel 15	11,224	2,336

Name	Facebook “likes”	Twitter followers
Channel 10	10,693	4,761
Radio Maranatha	9,969	201
Channel 13	7,303	650
<i>El Nuevo Diario</i> newspaper	6,030	3,089
Radio Nicaragua hoy	4,997	2,326
Channel 8	4,988	702
Conexiones (online)	4,167	13,554
Radio La Nueva Radio Ya	4,070	1,961
Online El 19	3,944	1,440
La Brújula Digital (online)	3,778	2,798
<i>Hoy</i> newspaper periodical	3,350	84
Channel 12	3,249	n/a
Radio Corporación	2,956	153
Bolsa de Noticias (online)	2,873	n/a
Confidencial Digital (online)	2,544	2,582
Channel 6	2,505	59
Radio Viva FM	2,170	n/a
Radio La Marka	2,130	219
Channel 11	1,874	n/a
Radio Amor	1,423	n/a
Carta Bodan (online)	1,400	7
Radio Joya FM	1,392	n/a
Radio La Primerísima	1,215	156
Radio Bautista	1,043	120
Radio Ondas de Luz	906	3
Channel 35	665	508
Informe Pastran (online)	653	n/a
La Jornada.net (online)	617	244
Channel 23	586	n/a
Radio La Sandino	269	n/a
La Trinchera de la Noticia (online)	220	6
Radio CEPAD	65	n/a
Radio Tigre	54	n/a
Radio Católica	31	n/a

Note: n/a: not available

Source: Compiled by MDM reporters and editors in 2012

Three focus group sessions were conducted with young internet users (15–30 years) to get a clearer understanding of their internet and social networks usage patterns in general.⁵² These sessions confirmed the above survey data with respect to general priorities. Facebook was primarily seen as a means to contact friends, classmates, and family. Although almost all participants knew about other usages, such as fan pages, media pages, or pages related to social causes, they are rarely linked, and participants almost never contributed to them, and none of them had set up a page related to a cause.

The group focussing on Twitter permitted the identification of some particular features surrounding its use. Users consider Twitter as a more impersonal network, where you can follow or be followed by strangers, so it is mostly used to share ideas, projects, curiosities, or interesting news and very rarely to share family or personal information. Twitter is a tool that is privileged by bloggers, journalists, technology experts, and in general by people who want to spread their ideas further than their own circles. An inconvenience of this network is that in Nicaragua the Twitter community is still rather small compared with Facebook.

Other types of content, such as education, career or employment problems, life planning, politics, economics, and the environment are not very common in the social networks for this group. The users deployed more personal methods such as email, email groups, or restricted access websites set up by educational institutions.

It should be noted that after their collapse or disappearance during the 1980s, many non-political social organization forms did not re-establish themselves fully, including the Boy Scouts, sports clubs, and professional associations. There is not a wide variety of organizations in which young people can participate. Most universities and high schools do not have effective student bodies and only a few encourage extra-curricular activities. A typical Nicaraguan NGO has very few members, mostly less than 20, and serves more as a social enterprise funneling external cooperation funds to projects rather than as a social organization for its constituency.

According to a research project carried out in 2008 by CINCO, only 15 percent of young people participated in some kind of organization; on the other hand, 36.5 percent of young people participated in a religious organization.⁵³ The research indicated that the main sources of socialization for young people were their parents and friends, and very few of them used public spaces to talk about sensitive issues. Few young people participate in discussions of these issues in the networks. However, it should be stressed that civil organizations and young activists do make increasing use of social networks to discuss these issues.

52. The focus group was organized in the second semester of 2011 by MDM reporters; 25 individuals participated in total.

53. Elvira Cuadra, “Jóvenes y Cultura Política: La generación del 2000” (Youth and the political culture: The 2000 generation), CINCO, Managua, 2011, at <http://cinco.org.ni/publicaciones/348> (accessed 24 August 2013).

3.2 Digital Activism

3.2.1 Digital Platforms and Civil Society Activism

Despite the social patterns described above, the Facebook community is now huge compared with the total number of internet users. Most print media set up Facebook pages. Some NGOs and civil society initiatives (mainly environmental) expanded their former website-only presences to more active formats on Facebook, setting up action pages in connection with issues such as protecting the tropical rainforest biosphere, or protesting against a hydro-project threatening the environment,⁵⁵ which attracted many followers and had an impact on the general public.

The most important example of civil society activism so far was the 2011 electoral campaign, the “first Facebook campaign ever,” as a journalist suggested in her blog.⁵⁶ Nicaragua may be the first case of a government or party in government systematically using Facebook to promote its cause, not presenting itself as the government or merely a party, but instead creating a network of more than 340 individual users or pages, organized by semi-professional journalists, mostly students of social communication.

As election day approached, traditional media and civil society groups dedicated to citizen participation, transparency, and good governance established their own websites, almost all with facilities for internet users to report their observations about the electoral process. Examples were VivaElVoto,⁵⁷ operated by Etica and Transparencia, a local counterpart of Transparency International, and Voz y Voto,⁵⁸ operated by *Confidencial*, a print outlet. These sites turned out to be extremely useful for reporting and documenting the countless irregularities in the election process before and on election day itself.

A couple of days after the governing party won the elections,⁵⁹ Pedro José Madrigal Reyes, one of the organizers of the counter-march mentioned below, posted an entry on his blog, “El Método (crónica de una estrategia)” (The method—chronicle of a strategy),⁶⁰ where he, as an activist in the campaign set up to influence Facebook and Twitter in favor of the governing party, described the objectives, tactics, and methods used, mentioning specifically the last seven days before election day, when no election propaganda is allowed. A principal objective of the campaign was the saturation of all virtual platforms, specifically Facebook and Twitter, with messages (and comments on messages) friendly to the governing party, so that the opposition’s points of view disappeared under the volume of messages and comments from people supporting the governing party, or

54. SOS-Bosawa, at <https://www.facebook.com/S.O.S.Bosawas> (accessed 24 August 2013).

55. “Salvemos el Río San Juan. Digamos no al proyecto Brito” (Save San Juan River. Say no to the Brito Project), at <https://www.facebook.com/pages/Salvemos-el-R percentC3 percentADo-San-Juan-Digamos-no-al-proyecto-Brito/115132608542768> (accessed 24 August 2013).

56. Mildred Largaespada, cited in “Elecciones 2011: Perdió Nicaragua” (Elections 2011: Nicaragua Lost), *Envío* magazine, No. 358, November 2011, at <http://www.envio.org.ni/articulo/4442> (accessed 24 August 2013).

57. See <http://www.vivaelvoto.com/node/add/citizen-report> (accessed 24 August 2013).

58. See <http://www.confidencial.com.ni/elecciones> (accessed 24 August 2013).

59. At least according to the Supreme Electoral Council (*Consejo Supremo Electoral*), while various opposition parties did not recognize the results.

60. See <http://bitacoradeunnicaraguense.blogspot.com/2011/11/el-metodo-cronica-de-una-estrategia.html> (accessed 24 August 2013).

alternatively, the opposition got tired of replying to the avalanche of pro-government messages. Obviously, the generators of this avalanche did not present themselves as part of an organized effort.

3.2.2 The Importance of Digital Mobilizations

Facebook became an important medium for the election campaign in February 2011 when Javier Baez, a young political science graduate, created a public Facebook event, named “Marcha virtual” (Virtual March), aimed against the re-election of Mr Ortega as president.⁶¹ As a sign of support, Facebook users were invited to change their identity pictures on 25 February to a graphic against Ortega’s re-election. This action was inspired by the events in Cairo at the same time and happened after several real marches against re-election had been aborted by massive counter-marches organized by the governing party. At that time, there were about 350,000 Facebook users in Nicaragua, and some 16,000 declared they would participate. The virtual march captured the attention of national and international media, including CNN and Univision in their primetime Spanish newscast.

This first virtual march demonstrated that the influence of social movements mobilizing through a network was also experienced in Nicaragua. Nevertheless, this virtual mobilization never developed into a real mobilization or any kind of organization.

As a reaction, sympathizers and affiliates of the party in government created their own virtual counter-march,⁶² which had some 12,000 participants. Very soon, there appeared an initiative that presented itself as UCA Communicators Network (*Red de Comunicadores UCA*), though it had no connection with the university itself.⁶³ The initiative posted government news or news that shed a good light on the government. Two of the other contenders in the election campaign—the Constitutionalist Liberal Party (*Partido Liberal Constitucionalista*, PLC) and the Independent Liberal Party (*Partido Liberal Independiente*, PLI)—had some Facebook presence but nothing like that of the party in government.

Systematic efforts to gain pre-eminence were not limited to Facebook. As soon as the different youth movements against re-election started to use Twitter to organize and provide information about their public events—many of them in the form of happenings or flash-mobs as other alternatives were not available—there appeared dozens of new Twitter users giving information about campaign events organized by the party in government. Facebook and Twitter were also the media used for campaign events organized for young people by the governing party, such as football games or rock and pop concerts.

On the side of the opposition, some 20 groups established Facebook presences, among them Nicaragua 2.0,⁶⁴ which uses Facebook and Twitter as its principal means of organization. It was created as a social movement

61. See <https://www.facebook.com/events/163331173717241> (accessed 24 August 2013).

62. See <https://www.facebook.com/events/192068134148007> (accessed 24 August 2013).

63. Confirmed in an email exchange in 2011 with the secretary general of the Central American University (Universidad Centroamericana, UCA). The UCA is the most prestigious private university in Nicaragua.

64. See <https://www.facebook.com/NICARAGUA2.0?sk=wall> (accessed 24 August 2013).

around what it called “citizenship 2.0,” claiming the values of Web 2.0—such as collaboration, creativity, participation, diversity, and community—as necessary for democracy in Nicaragua (see section 4.1.1). It was a real group that made proposals about the political situation and demonstrated in public spaces in Managua. As an indirect consequence, more political arguments were posted on the walls of private profiles on Facebook. As La Brújula Digital put it, there was more discussion on Facebook than on the streets of Managua.⁶⁵

Another more recent example of online mobilization, not related to elections, has been the campaign “Telenica Canal 8: Exigimos respeto” (Telenica Channel 8: We Demand Respect) created by a group of people not affiliated to any organization in particular, whose goal is to pressure Channel 8 to moderate its editorial policy: in its daily news the channel presents accidents, crimes, and human misfortune with cruelty, morbidity, and derision. The group is on Facebook and Twitter, and its members constantly appear in other media to educate the population about the damage being done by Channel 8’s news. This has become a very popular group and has grown rapidly.

Claro: Stop Making Sexist Jokes

A form of spontaneous activism was an online mobilization against Claro to make the telecoms firm eliminate its practice of sending sexist jokes. A private company used the Claro Network to provide a service of sexist jokes; people paid for this service and received the jokes. Claro also advertised this service on its official website.

The mobilization started with a group of women addressing email and telephone complaints to Claro. This became an online campaign on Facebook and Twitter with some of Nicaragua’s most followed Tweeters taking part. The campaign lasted a couple of weeks and what it mainly did was to bombard Claro’s Facebook and Twitter accounts with complaints.

Eventually, Claro removed the service, ended its contract with the national company that had provided it, and funded a campaign to eliminate violence against women.

Another form of mobilization that has become popular is the use of Avaaz by organizations and movements to collect signatures for their causes, from supporting legislation to the denunciation of violations to human rights. (See also section 4.3.3.)

65. See <http://www.labrujula.com.ni/noticia/761> (accessed 24 August 2013).

3.3 Assessments

Digitization in Nicaragua is limited to online, where the internet is now the second medium of choice after television, ahead of radio and by far outweighing print media. But while print media have always been the media for the few, reaching less than 6 percent of the adult population, the print media have by far more readers today through the internet than through their hard-copy editions. The internet presence of all types of media (print, radio, television) provides the large Nicaraguan diaspora (close to one-fifth of the whole population) with access to news about Nicaragua that otherwise would be very difficult to access, especially at the same time as people in Nicaragua access it. The internet itself provides additional tools, such as social networks, to stay in touch. These closer ties back and forth have a direct economic, social, and political impact.

The new opportunities are being used, not only by citizens but also by the governing party as a means to promote and articulate their respective movements. However, despite such activism, especially on Facebook during the last electoral campaign, apparently only 10–15 percent of internet users (representing about 20 percent of the adult population) became directly involved. This notwithstanding, cyber-activism has become important for a significant section of young people, namely those with at least secondary education or better. Among these future economic, social, and political leaders, about 70 percent are on the internet and maybe some 20 percent participated in or at least took notice of civil and political cyber-activism.

It is hard to determine the influence of online mobilization on the 2011 elections. If we trust the results, it looks as if the government's campaign was more successful, saturating the electorate with its online networks and imposing itself as the dominant vision. The campaigns carried out in a piecemeal way by groups of critics had very little effect on the results.

On the other hand, the examples of digital activism show that internet and social networks are begging to be used for diverse purposes and allow citizens not identified with particular groups to initiate campaigns to influence not only the government but also private companies and television channels, in some cases achieving successful results or at least raising awareness about certain problems. It has become clear that a campaign must have an active presence in the social networks to gain any chance of success.

4. Digital Media and Journalism

4.1 Impact on Journalists and Newsrooms

4.1.1 Journalists

Based on interviews with journalists and news editors, certain factors were identified that have played a key role in the recent development of journalism. These are first and foremost political and economic factors—with political factors strongly influencing the economic behavior of the media—and second, the digitization factor. These changes have had different consequences for journalism.

One of the changes most frequently mentioned in interviews is the lack of access to public information, and the resulting increase in the use of alternative, confidential, and anonymous sources of information when investigating public service management. Despite the passage of the Access to Public Information Law (No. 621)⁶⁶ in 2007 after intense lobbying by civil society organizations, its application has been selective and superficial for the media in general, and non-existent in the case of media critical of the government.

A 2009 study by the Violeta Barrios de Chamorro Foundation about the implementation of the information law monitored 95 requests for institutional information about statistics, budgets, programs, and services in nine municipalities.⁶⁷ Of these requests, 52 percent of the institutions did not respond in any way, and 12 percent of the institutions refused to provide the information. When information was provided, it was either inaccurate or incomplete in 62 percent of cases.

The law mandates, among other things, the creation of public information access offices by every state institution, which are supposed to provide information about the results of audits, the recipients of all public resources and their authorized uses, the services and programs the institutions provide, and their general outcomes, reports about results, and their financial status, among other things.

66. Access to Public Information Law No. 621.

67. Violeta Barrios de Chamorro Foundation, “Estudio sobre la Aplicación de la Ley 621.” Information was requested from the following institutions: municipal governments, MINSA (Ministry of Health), MINED (Ministry of Education), the National Police, DGI (Internal Revenue Service), INSS (Social Security Institute), ENACAL (Water and Aqueducts), MARENA (Ministry of Natural Resources), MAGFOR (Ministry of Agriculture and Forests), and MI FAMILIA (Ministry of the Family).

Although all of those interviewed recognize that a truly open information policy has never existed during any Nicaraguan administration, they also stress that the excessive secrecy of the Ortega government has been a policy at all levels of all institutions, making it almost impossible for a journalist to obtain direct access to official sources. Nonetheless, they recognize the importance of digital tools in the—albeit partial—access to information. Access is obtained by sharing documents in a more efficient way, starting with email at the most basic level, and through registering complaints via social networks, mainly Facebook and now more importantly through Twitter.

Most media with a presence in these networks have been using them for at least two years. The most important print media in the country, *El Nuevo Diario* and *La Prensa*, and other smaller media outlets such as Confidencial Digital have recently begun to incorporate space for registering complaints on their own websites, such as under “Contact,” “My News,” and “Citizen’s Report,” which were created to promote the reporting of abuses and citizens’ views about the daily problems they face in their communities.

However, the large number of complaints does not necessarily signify high-quality information. The high quantity of information received always has to be checked for its sources, since “much of the information is no more than rumors,” or “is aimed at discrediting or attacking other people,”⁶⁸ or in most cases is focussed on very specific problems that only affect people in a neighborhood or specific community. Another strategy media use is making greater use of key informants, as described by one news editor: “Now we have to make more contacts at the medium levels of the administration, for example with people who have been fired. Frequently, they have valuable information and contacts within the institution, and are useful as sources of information.”⁶⁹

In other words, digitization allows journalists to receive a variety of information from citizens, which requires journalists to work harder to establish veracity. Moreover, in a context where it is difficult to obtain information from high-ranking government officials, news outlets must rely on low- and medium-ranking officials who provide information anonymously.

Journalists and editors confirmed that there are high expectations about the possibilities that digital media offer in terms of impact on the citizenry and reaching a broader audience and new markets. But they also acknowledge that a series of obstacles could limit their ability to achieve these goals. For example, some point to the lack of resources for investment in the design of digital media and for incorporating new digital communication tools: “We have thousands of ideas, but when we do the numbers, the owners tell me, ‘Calm down, we cannot do everything at once.’”⁷⁰

68. Interview with Miguel Mora, director of the 100 percent Noticias Television Channel, conducted in the offices of 100 percent Noticias, Managua, January 2011.

69. Interview with Eduardo Enriquez, editor-in-chief of *La Prensa*, conducted in the *La Prensa* offices, Managua, January 2011.

70. Interview with Nohelia Gonzalez, editor of national news for *La Prensa*, conducted in the *La Prensa* offices, Managua, January 2011.

Other journalists believe it is a generational problem, or one of conservative attitudes on the part of both the media and the citizenry, leading them to resist change. Most people do not have access to the internet, so some use cell phones for transmitting information about events, photos, and videos. However, most cell phones cannot use the newest information applications (apps).

Other journalists indicate that they are still learning to use online tools, and that they need to employ more young people for whom such skills come more naturally. But all of them agree that initiating the digital process has become indispensable to their work, whether through the digitization of their communications and working equipment, or through the use of the online and network spaces that have developed, or in the case of television, through the process of digitizing the medium itself. Channel 15 is a case in point; it is the first 24-hour all-news channel that acquired a hybrid transmitter that can transmit both analog and digital signals. The director of the news channel knows that the digital signal is not even on the agenda and that the only signal available is analog, but he hopes to be ready once the transition to the digital signal takes place.⁷¹

Most of the opinions expressed by those interviewed indicate that the main changes in the work of journalists have been related to the speed and efficiency that digital equipment permits when information is created and shared between journalists and editors, and the information sources and the media. Digitization has also given citizens a stronger voice. Journalists feel that they receive a much greater range of opinions from the general public, which is much more demanding about how information should be presented, since it is more accustomed to international media and their more advanced digital tools.

However, there is also a critical perception among journalists with more knowledge about digital media that the changes are oriented toward improving the way in which the media present and broadcast information, the “virtual language.” In other words, they mostly see changes in the way that news is presented, but very few changes in the content and quality of journalism. The editor of a digital media outlet made this observation about the lack of change in media content: “As media consumers, we can say that journalism has not changed. The sources of information are the same, they are the same voices. There are a greater variety of media spaces available, but the same people are speaking. Very few journalists have tried to change the ways of thinking.”⁷²

The search for the best ways to take advantage of digital media is certainly generating important changes in the integration of print, television, and radio. One case illustrates what would appear to be the trend for digital media in the future:

Confidencial Digital is updated several times each day. Now it includes the content of “*Esta Noche*” (Tonight), a nightly television program, which previously had no location for publication. We are present on social networks like Facebook and Twitter, and we also include videos from “*Esta Semana*” (This week), a weekly television program, and *Confidencial* (Confidential), a weekly print news magazine, on our site. These are all linked and integrated.

71. Interview with Miguel Mora, director of 100% Noticias television channel, Managua, January 2011.

72. Interview with Carlos Roberto Fonseca, editor of the digital magazine Confidencial Digital, Managua, January 2011.

It wasn't this way before, even though these media have always been associated with each other. We also now have an electronic news bulletin.⁷³

Digitization has also forced journalists to take on new tasks (photography, camera, or administering information on web pages or social networks). This dynamic is different in large and small media; larger operations usually have a specialized team for managing digital media information, while journalists in small outlets tend to carry out various tasks at the same time. There was a consensus among the journalists interviewed that the demand to manage the specific digital language, despite certain resistance, is becoming unavoidable for most journalists.

One of the most welcomed benefits of digitization is the opportunity it offers for interacting with users, although the quality of information presented has also come under criticism. Journalists agreed that users with access to media outside Nicaragua and with connections to social networks that give them constant access to information increasingly demand the immediate generation of news in real time. For traditional print media and television news programs, making this shift—speeding up the time in which news is presented—has been especially hard.

The demand for news also implies the need for more human resources to generate it. Hiring more personnel is not very feasible for print media, where finances are already strained. Thus, for those interviewed, creating spaces where citizens post their own news, opinions, and comments not only arises from a closer relationship with the community and from an interest in getting feedback, but is also a response to the need to generate interesting content for users without increasing payrolls.

In addition, one of the challenges faced especially by the small presses is motivating people to write for them on a regular basis. The director of the weekly magazine *La Brújula* explained:

We are registered in the Creative Commons format, as a way of encouraging information sharing. Since we are a small team, we have problems developing content, and through Creative Commons we get access to good material. On one level, *La Brújula* serves as a “reader’s digest.” It filters the best information for its public, guided by its own editorial criteria. In addition, *La Brújula*’s audience is not very consistent, it can vary a lot.⁷⁴

The editor of the digital magazine Confidential Digital said:

One of our strengths is that we have known how to position ourselves as a publication for debate, opinion and analysis, based on the profile of our content. We have a constant flow of opinion articles, and we have quite an open policy. We do not pay for articles since we have

73. Interview with Carlos Roberto Fonseca, editor of the digital magazine Confidential Digital, conducted in the magazine’s office, Managua, January 2011.

74. Interview with Juan Carlos Ampié, director of the weekly magazine *La Brújula*, Managua, March 2011.

no resources. The most frequently read columns are the ones that are written for free ... and we have made contact with some bloggers ... Also, we helped to promote an online course about power in Nicaragua. People communicated via email; they filled out a form and the participants were selected ... We try to encourage those participating in the course to write for us.⁷⁵

In this context, the digital media have evolved from a Web 1.0 scheme, where content was inserted from its main media sources, to a Web 2.0 scheme, in which it began to provide space for users to comment on content, and now further to a scheme in which users create their own content for the web (see section 3.2.2). In the interviews, concern was expressed over giving too much editorial freedom to users' content, above all by the most traditional and bigger media outlets, such as *El Nuevo Diario* and *La Prensa*.

4.1.2 Ethics

In general, journalists and news editors had problems identifying the existence of new ethical questions stemming from digitization. The main ethical challenges are mostly related to the political situation in the country. Most opinions are concerned with the ability of journalists and media directors in Nicaragua to preserve their independence and professionalism in a political and economic context where many have had to compromise the quality of information out of fear or need.

There has been little development of businesses based on the sale of information about media users for advertising, which in other countries has generated ethical debates. The journalists who were interviewed did not identify ethical dilemmas here, but two issues were mentioned. One is the use of information about the users of foreign-based services, for example Facebook. How is the private information about users utilized commercially, and what level of real privacy and control do users have over their personal information?

Another issue is the quality of information and its reliability. Today, more than ever, the media are faced with a constant demand for information and have access to extremely varied sources. This increases their vulnerability to transmitting unverified and superficial information. One academic commented: "The need to provide immediate information can lead to more frequent mistakes than occur in non-digital media that does not have to update its information constantly. Getting the most recent story, and competing to be the first one to get it, can generate problems and risks, since journalists don't necessarily take the time to corroborate the quality of their information."⁷⁶

75. Interview with Carlos Roberto Fonseca, editor of the digital magazine *Confidencial Digital*, Managua, January 2011.

76. Interview with Renata Rodrigues, academic dean of the Central American University (Universidad Centroamericana), University Office, March 2011.

4.2 Investigative Journalism

4.2.1 Opportunities

Before examining digitization's impact on investigative journalism, a general overview of the state of investigative journalism in Nicaragua suggests that the amount of investigative reporting has diminished considerably, and has practically disappeared from radio and television, judging by interviews with journalists. They were asked to mention media programs that continued to do investigative journalism in radio and television, and they said that the only television program was the weekly “*Esta Semana*” (This Week), and the only radio program was “*Onda Local*” (Local Wavelength).

The near disappearance of programs that carry out investigative journalism is related to various factors: the economic crisis of 2009, which forced media outlets to cut personnel and costly investigations; the purchase of television and radio media outlets by the government, which greatly reduced the space available for independent news programs; and the redistribution of government advertising, which forced independent programs to downsize. Other journalists mentioned that media owners, especially in television, are more interested in increasing their profit margins and are producing news about violence in the *barrios* (neighborhoods), which generates bigger ratings.

In print media, the situation is a little better, since they have greater independence. Nevertheless, both large and small print media have faced similar conditions resulting from the 2009 economic crisis. This, combined with the politically motivated distribution of government advertising and private-sector resistance to investing more in digital media, has led to reductions in personnel, thereby affecting the quality of news reporting. The director of a newly established weekly magazine explains: “We are evaluating whether we should just go to the web. Printing can incur great debts. We would like to offer a free source of news, but it’s been very difficult. We have little advertising and in some cases, ads are conditioned on publishing ‘*publirreportajes*.’”⁷⁷

According to one editor of a national newspaper:

The thing that has been most affected is our journalist units. With the 2009–2010 crisis, revenues have gone down, and consequently so have special investigations. We have looked for other ways of doing these investigations. You cannot go outside the country, so you cannot do any strong investigative reporting. The use of interns has become institutionalized, allowing young journalists to gain experience this way. This helps to lower costs and we are able to identify young people with talent. In a period of less than two years, we had to fire 40 percent of the people on payroll.⁷⁸

77. Interview with Juan Carlos Ampié, director of the weekly magazine *La Brújula*, Managua, March 2011. A *publirreportaje* is ostensibly a news item about the product, service, or organization which is being advertised.

78. Interview with Eduardo Enriquez, editor-in-chief of *La Prensa*, Managua, January 2011.

There is consensus that digitization helps to improve certain areas of journalists' work. There is more access to sources of information and databases, and more interaction with the community. Above all, there is better transmission of the information produced by the media, with the added benefit of its constant evaluation by users. The web has generated new small and more personalized print media, information bulletins distributed through email lists, personal blogs, and spaces for exposés. But they also agree that digitization has a much greater potential than is presently being utilized. Current use of new platforms is very timid, especially with respect to the search for alternative voices and sources of information.

It is clear that journalists need to familiarize themselves more with digital tools and multimedia language. Many recognize that this is a generational problem, although there are also new, young journalists who show some resistance to digital sources, based on the fact that they were not trained in digital tools as sources of journalistic information.

A university professor who teaches courses about cyber-journalism explains:

My students have Facebook accounts, but they mostly use them for playing Mafia Wars or Farmville, or for talking to their friends. They do not see Facebook as an information source. And this is also a more generalized conception. They do not use network databases as sources of information, and they do not know websites like Cetrex,⁷⁹ which supplies information via email once you register. So what do they do? They go to the library every time they need some information.⁸⁰

The general consensus among those interviewed is that digitization has had little impact on improving the quality of investigative journalism, compared with the negative impact that the various political and economic factors have had. All in all, the quality and diversity of journalism in Nicaragua have worsened.

4.2.2 Threats

Self-censorship is exercised in some media outlets, due to the lack of a legal framework providing the minimum guarantees for television media, in particular the absence of a law awarding television and radio licenses for defined periods of time. Channel 2 is a good illustration of the consequences of the legal limbo faced by television stations.

In 2008 the licenses of Channel 2 and other radio stations were set to expire. The government and the National Assembly approved an extension law for all media licenses that were expiring, until a new telecoms law could be passed.⁸¹ Article 2 states that, "when the new General Telecommunications and Postal Law

79. Online database about export figures.

80. Interview with Carlos Roberto Fonseca, editor of the digital magazine *Confidencial Digital*, conducted in the magazine's offices, Managua, January 2011.

81. Extension Law for Licensing Companies, Individuals, or Corporations that Operate Radio, Television, and Cable TV, Law No. 670, approved on 10 September 2008, *La Gaceta*, No. 181, Managua, 22 September 2008.

enters into effect, the extension will end and the owners of licenses who have benefitted from the extension will be subjected to the new law,” leaving their survival in question. In response to this measure, the journalists consulted felt that not only was the programming of news and uncomfortable debates reduced and in some cases eliminated, but that criticism in television editorial policies was also being toned down in general.

In 2008, Channel 2 canceled the political debate program “*El 2 en La Nación*” (2 in the Nation), a program that expressed open opposition to the Ortega government, and until that moment was the nation’s highest-rated morning program. Although Channel 2 offered no official explanation for this step, the program’s host blamed direct interference by the Sandinista government. Many independent media producers interpreted it as a clear signal of limits to the freedom of speech.

Talking about the impact that this legal uncertainty has had on the programming of national channels, which have opted to tone down their critical editorial lines or reduce content that could cause problems with the government, one newspaper editor said:

Channel 10 continues to present sensationalist news, while Channel 2 no longer produces news and focuses on show business and entertainment. Channel 12 makes an effort to inform, but in a similar manner as Channel 2, although it has journalists who still manage to obtain interviews with hard-to-get personalities (but they do not pose any uncomfortable questions).⁸²

The director of a television station offers his thoughts on the changes in television content:

Why are the Sacasas [owners of Channel 2] afraid, if they are only putting garbage on the air, ten soap operas per day? It is due to fear. Any useful national programming, news programs, have disappeared. There are old series and cartoons. There is a lot of fear, and they have economic interests. It is the fear of a commercial business ... If you want to do independent journalism, do not try to do it on television!⁸³

4.2.3 New Platforms

The use of blogs for conducting investigative journalism is an unexplored option. The most noteworthy example of the emerging digital media is the online magazine *Conexiones*, produced at UCA, the only strictly digital medium that has a team of professional journalists dedicated to investigative journalism.

To explore the way blogs are being used, we conducted a focus group with 10 Nicaraguan bloggers, including some of the most influential bloggers in the country. They have the most extensive knowledge about the content

82. Interview with Eduardo Enriquez, editor-in-chief of *La Prensa*, Managua, January 2011.

83. Interview with Miguel Mora, director of the 100 percent Noticias Television Channel, Managua, January 2011.

produced on these platforms, and none of them suggested they would use their blogs for investigative journalism, nor did they know of any bloggers using these spaces for investigations. Some of the responses follow.

The blogs are used, above all, as more personal or cultural spaces, where people express opinions and denounce social problems, covering a variety of topics such as technological progress, food, environment, sexual diversity, politics, and culture. The blogs are not generally perceived as trustworthy sources of information, except in a few cases such as the website of *La Brújula*, which includes content from a foreign blogger.

Nonetheless, although people do not turn to blogs as sources of journalistic information, collaboration with specific bloggers is useful for developing pages or for creating web content. An example of this is *Barricada.com.ni*, which defines itself as a citizen journalism blog, and which publishes content sent in by its readers. It only has three editors, who work pro bono, and who operate with essentially no restrictions. Another example is *HuellaLibre.com*, a cultural magazine run by four bloggers.

The blogs have also influenced the creation of internal blogs in print media, where users can express their opinions about different topics. It is not clear how the blog space in this media format differs from a complaint or opinion column. Nor is the blog community here very large. In the two main newspapers, *El Nuevo Diario* and *La Prensa*, there are no more than 10 users who contribute to blogs on a regular basis. In addition, both *El Nuevo Diario* and *La Brújula* have blog spaces that contain contributions from their journalists.

When we explored why journalists do not make greater use of digital sources of information, and why the bloggers do not use this platform for disseminating information, these were some of the opinions we encountered.

The blogs are not seen as sources of information. Very few people follow the *La Prensa* and *El Nuevo Diario* Twitter accounts. They use them more for posting their own news. There is little incentive for bloggers in Nicaragua. For example, I have a personal blog, and since I know the editors of *La Brújula*, they have published two of my blog posts ... but normally, when the media uses something from a blog, they do not even list the blog address. If *La Prensa* or *El Nuevo Diario* were to publish a blog post, it would be a great incentive ... People have not really taken advantage of blogs as a platform for publication. As a journalist, you can post things on Wordpress, to reach a larger audience than you can where you are working, and to present your work the way you want it to be seen.⁸⁴

4.2.4 Dissemination and Impact

The journalists and news editors interviewed could not easily identify ways that digitization has specifically helped to improve the dissemination and impact of investigative journalism. Referring to the relationship between digitization and investigative reporting, the most frequent comments were related to the potential

84. Interview with Carlos Roberto Fonseca, editor of the digital magazine *Confidencial Digital*, Managua, January 2011.

generated by databases available online, which allow them to report in greater depth. However, this potential is still not being fully utilized in practice, due to the absence of government information available online, or the lack of experience in carrying out research in this way.

However, one example of the potential offered by digitization was the dissemination of articles related to WikiLeaks. Together with Central American and international media, Nicaragua's digital media coordinated an effort to disseminate the information contained in WikiLeaks. An alliance was formed between Nicaragua's Confidential Digital, *El Nuevo Diario*, and "*Esta Semana*" and the Costa Rican newspaper *La Nación* to post documents on their online platforms jointly, accompanied by articles written by their own journalists. This access to original documents allowed the population to obtain more in-depth information, and also increased its dissemination and a more profound analysis of the news.

With respect to dissemination, the digital platforms have the potential for presenting investigative reporting in a more organized and graphic manner, offering readers more options for expanding their understanding of the news (organized in the sense that readers can make use of geo-referencing tools, or can situate information in a timeline). These platforms also permit the use of more audiovisual tools—audio, video, and photography—and present the information in a way that it can be explored through hyperlinks and sub-categories with additional content. This permits the dissemination of more complex investigations, for example through using databases, tables, or animated maps.

Those interviewed are aware of many digital tools, yet they make very limited use of them. In print media, which is practically the only place where investigative journalism is taking place, information is presented in a traditional manner, except in the case of a few recent efforts to include video links and animated and graphic data.

4.3 Social and Cultural Diversity

4.3.1 Sensitive Issues

To define the most sensitive issues, we asked journalists about the issues that could generate opinions among readers, the issues where the editorial policy might be more restricted, or the weight that these issues could have socially. Some of the issues that were identified as most sensitive were related to taboos related to sexuality and gender rights, for example, the right to abortion, sexual rights, and homosexuality. These were the topics which found the strongest expression among readers, and in which the editorial policy of the more conservative media could be more restrictive.

Some socially important issues, important because of their urgency and seriousness, which have had little visibility in the media agenda, include the emigration of Nicaraguans and the exclusion of indigenous peoples in the Autonomous Regions. Journalists indicated that there is more awareness about the environment and environmental contamination, above all when covering events about private companies that are harming the areas where they operate.

4.3.2 Coverage of Sensitive Issues

The reporting of these issues by the media is carried out mostly without legal restrictions or control by self-regulatory bodies, except when the cases are related to the sexual abuse of a minor. In these cases, the media outlets cannot mention the name of the victim or publish images of the minor. However, there are some judicial initiatives worth mentioning.

In 2011, the president of the Supreme Court of Justice (*Corte Suprema de Justicia*, CSJ) introduced a draft law on violence against women, which included measures that would fine the media and journalists who “in the exercise of their profession, offend, slander, satirize or degrade a women because she is a woman.” But the law did not fare well, due to opposition from civil society and media lobbyists who felt that this regulation was an attempt to control media coverage of President Ortega’s wife. In September 2010, a draft law—still not approved—was presented by an organization representing working women, which includes promoting media spaces that address the issue of violence against women.

Media coverage of sexuality and gender violence varies. In national media, the women’s movement has been able to position itself on the media agenda, gaining space for its voice and promoting key concerns. There has been progress in the way news of this kind is covered, placing a greater emphasis on human rights. Nonetheless, acts of violence against women continue to receive sensationalist and misogynist coverage on television, in print, and especially on the radio. Similarly, if a homosexual is the victim of violence, the coverage usually justifies the act of violence as a product of momentary rage, rather than as a result of a sexually violent culture. These events are usually covered in the accident and crime sections of newspapers or on news programs.

Alternative media such as *Conexiones*, *La Brújula*, and local radio programs are making an effort to change their coverage of sexual violence, emphasizing human rights and aiming to educate the population. They also cover environmental issues and citizenship topics from the point of view of young people: *La Brújula* and *Confidencial* have been giving more space to the publication of articles from their readers—both in print and, more extensively, in online versions—offering more critical views and opinions. The editorial policy is to address issues in a more educational manner.

The more conservative media, such as *La Prensa*, find that the web has provided an opening for new and different voices, providing a better space for expressing controversial opinions about topics such as abortion, but always within the confines of their own editorial line.

The most complete coverage of migrant and indigenous populations has been provided by small or alternative media such as *Conexiones*, which have distanced themselves from the more traditional coverage of these groups that focussed principally on scandals, raids, or other violence perpetrated against migrants.

A study of news content carried out by the UCA’s Media Observatory and published in the online magazine *Conexiones* revealed the news coverage for different populations, such as migrants, or the people of the

Autonomous Regions.⁸⁵ Governance, corruption, and transparency made up most of the news, with the sources being mostly political parties and the government, and primarily Managua-based. The following topics had the least coverage in eight of the most widely disseminated media outlets:

- migration and the situation of women: 1.6 percent;
- citizen participation and the public information access law: 1 percent;
- youth-related topics: 0.6 percent;
- the rights of indigenous peoples: 0.6 percent.

4.3.3 Space for Public Expression

No analysis of minority coverage by digital media was available, but one thing that stood out in the interviews is the potential that news spaces devoted to citizen reporting have for disseminating the news produced by minority groups themselves. The online spaces being created by these groups to disseminate their news directly (blogs, social networks, and web pages) are being used more and more frequently.

Some of the most noteworthy initiatives have been carried out by the Feminist Network's Sexual Diversity Group, a movement defending homosexual and lesbian rights, which provides another example of advocacy work carried out via social networks. Their blogs include Homosexual Community of Nicaragua, which uses Blogspot and the Creative Commons license to provide news and promote debate; Nicaraguan Transgender Association, also on Blogspot (one of the initiatives it promotes is non-pathologizing transgenders); and Sexual Diversity Space, which was one of the promoters of the online campaign "Soy un gay feliz" (I'm a Happy Gay), which took place in the framework of the 2.0 Gay Activism Platform and consisted of designating a day to promote the hashtag #gayfeliz on Twitter.

The feminist movement has integrated social networks into its campaigns. For example, the Women's Network Against Violence and the Autonomous Women's Movement not only have their own websites, but are also present on YouTube and Facebook. The former broadcasts its own radio program on the web. One of its campaigns, called "Campaña por la despenalización del aborto terapéutico" (De-criminalizing Therapeutic Abortion in Nicaragua), pursues its aims through direct political action, marches, and forums, but also through traditional media and social networks. One member of this initiative is Catholics for the Right to Choose, whose continuously updated and growing Facebook page provides information aimed at raising awareness.

85. During the monitoring period (9 July–27 August 2010), 13 editions of television news reports, radio programs, and 17 newspaper editions were analyzed, for a total sample of 112 editions.

4.4 Political Diversity

4.4.1 Elections and Political Coverage

Election coverage via multimedia tools is not something new, but its true potential was not discovered until the 2008 municipal elections, where the information provided by citizens through cell phones, email, and photos was essential for documenting fraud. The municipal elections of 2008 were considered to be fraudulent by the most important local election observers, the Institute for Development and Democracy (*Instituto para el Desarrollo y la Democracia*, IPADE) and Ethics and Transparency (Ética y Transparencia, an electoral watchdog group affiliated to Transparency International), and were widely documented by television and print media outlets. Numerous civil society organizations condemned the fraud.

According to IPADE and Ethics and Transparency, the FSLN won 46 of the 153 municipalities by changing the results of the election, with the collaboration of the electoral council, which facilitated the manipulation of official documents that changed the final tally of the votes before they were transmitted to the electoral council headquarters. As a consequence, the results published by the electoral council did not coincide with the copies of the official documents held by the political parties contesting the election and by electoral observers, or with the results that were published outside the voting places and that were registered by citizens who took photographs and videos with their cell phones and shared the information through social media networks. Despite a widespread outcry, the electoral council defended the results and refused to rectify the conditions that facilitated the fraud.

It was not until the 2011 elections that the media developed a digital strategy for covering the elections, which included various digital tools and formats, the use of social networks for obtaining real-time information, and various graphic formats for presenting information in special sections. It should be noted, however, that the way in which the media proposed covering the election varied according to their specific capacities and breadth of coverage. In other words, it depended on their territorial coverage, budget, and number of staff journalists.

The strategy of *El Nuevo Diario*, like that of *La Prensa*, consisted of deploying the greatest number of journalists possible throughout the country, but with a greater variety than at the last elections of digital tools, laptop computers, cell phones with internet access, cameras, and recorders that allowed the journalists to upload content directly to the web. Articles were to be reviewed editorially, but there was also consensus about allowing journalists to upload their content directly when they had the technical capacity to do so.

El Nuevo Diario used videos for electoral coverage, and created a mechanism to let users upload them directly. *La Prensa* campaigned for readers to provide information in real time. For its part, *La Brijula* focussed on informing the general public about procedures for voting and the necessary requirements.

Confidencial Digital, “*Esta Semana*,” and “*Esta Noche*” formed an alliance with electoral observers and research centers to integrate their strategies with those of the observers from Ethics and Transparency. The

public would be able to get information about the election process to these organizations at one centralized multimedia digital information center, which would then be disseminated via the web and other media.

Nicaragua 2.0, the Autonomous Women's Movement, and the Movement for Nicaragua organized a system to register irregularities with a civil society information center by phone and via the web. Videos and photographs were uploaded to a website and were published in the social networks. In the end, all the compiled irregularities were reported to a national election observer.

It was hoped that the voters in the 2011 election would, for the first time, play the role of communicators, by registering multimedia grievances. As the election approached, there were several websites where citizens could report irregularities, including the sites mentioned above. Journalists and media editors considered that these initiatives were positive and an important reference for future election coverage, but the level of participation was not as significant as initially expected. National observers and international organizations such as the Organization of American States (OAS) and the EU criticized the lack of transparency in the 2011 elections. Just as in 2008, the irregularities were not rectified and the FSLN was declared the winner by the electoral council.

On the other hand, in 2011 the government adopted a strategy that privileged its own media outlets and social media networks with the objective of saturating all the available communication outlets with its own message, which ignored all the irregularities reported by the voters. Furthermore, the government tried to impede the work of journalists in the voting centers, where the media had the right to film, because in 2008 the evidence of the fraud was compiled by contrasting official results with the results that were posted outside the voting centers. The government made concerted efforts to hinder citizens from filming or photographing what occurred in the voting centers and to stop opposition party observers obtaining copies of official documents.

In the end, the electoral council did not publish the results by voting center, as the law mandates. This is the reason why the media were unable to compile enough evidence to be able to publish more detailed reports of the 2011 fraud. Ethics and Transparency summed up the electoral process as “a decomposed cadaver, which could not be diagnosed.” The head of the OAS mission reported to the media that his observers were impeded from observing properly in 20 percent of the voting centers, something that had never occurred before for an OAS electoral observation mission.

4.4.2 Digital Political Communications

Our research found no indication that digitization has had any impact on allowing new actors to enter the circle of national opinion-makers. The media and the public agenda revolve around the same political figures as they did in past decades. The power brokers who exercise the greatest influence are the same, and the ability to influence them has been minimal to date.

On the other hand, digitization appears to have had real impact in terms of diversifying the voices that are able to reach public opinion, even though they have no direct influence on government. Digitization and the

social network boom have disclosed a potential that we are only beginning to understand. The atmosphere before the 2011 election showed the importance of the role that digital platforms can play for the average Nicaraguan and the civil society groups representing his or her demands. Faced with an unfavorable media context in general, people have found new ways of making their voices heard through social networks.

The governing party and other political parties know this, and they are all fighting to capture network spaces through their communication groups, which generate information and discourse about their electoral promises. The FSLN and PLC, in particular, have promoted campaign strategies aimed at inundating the pages of their adversaries with information from their parties. In addition, the production of audiovisual materials (videos, photographs, and gifts to stimulate more followers on Twitter and Facebook) is common. All of the parties are investing in training their party faithful, so they can better manage network strategies.

The use of Facebook and Twitter has grown at a frenetic pace, evolving into alternative spaces of information. Much of the information available about political events is disseminated through social networks. Later, it reaches the media, which then has the challenge of contributing more in-depth and reliable information about the same event. For the first time, young people are using Twitter on their cell phones to communicate what is happening at demonstrations or protests in real time, writing and taking photos, and uploading videos. For the first time, national media are posting this same information immediately on their networks and digital media platforms.

It is hard to determine the degree of influence that digitization is having on diversifying the political voices in a political system as closed as this one, but the networks are clearly permitting at least some citizens to manage information and generate debate, allowing them to break free from the dominant political group.

4.5 Assessments

Although we recognize the enormous potential that digitization promises for the growth and evolution of the nation's media, most of the media's efforts to date have been more focussed on form than on content. The web tools and platforms exist, but many journalists are unfamiliar with them and do not know how to use them to generate information. Alternative spaces exist for posting information, but the culture of independent journalism is lacking. The media invest in improving the design of websites, but the content of their news reports has yet to become more multimedia. And although there are more sources of information available via networks, few journalists use them for conducting research.

For this reason, although there has been progress, the quality of journalism is still being determined by the quality of the individual journalist, and this quality depends upon his or her training as a journalist and the editorial and investigative quality of the media themselves. And quality still depends upon the available resources. The economic crisis and partisan disbursement of advertising revenues counteract the progress made through digitization. It is still difficult to determine if digitization has generated a significant change in the quality of journalism, although it clearly has improved its effectiveness in disseminating information.

All media that have invested in digitization have been able to reach more users than those accessible through the traditional media.

Digitization has brought changes in the way that elections are covered. After the fraudulent municipal elections in 2008, the media and general public became more aware of the irregularities that can take place in an election, and the importance of having informants, citizens, and observers who can supervise the electoral process. The main change is that voters are no longer seen only as consumers of information, but rather as valuable communicators. Therefore, election coverage strategies require digital tools that are easily accessible to users, enabling them to share information.

We see no evidence that digitization has affected the coverage of marginalized or minority groups in the media. But it has provided such groups with the opportunity to construct their own means of communication, giving voice to their own causes.

Overall, the digital format has not been sufficiently exploited to determine whether the quality of investigative journalism has improved or not. New forms of multimedia language have been used to present news in an attractive, dynamic, and simple form, but the opportunities that digitization offers for presenting investigations in a manner that allows readers who want more information to explore further have not yet become a reality. News editors and journalists agree that investigative reporting is still based on the same elements it has always been based on, and that digitization has not contributed to any relevant changes for the better.

5. Digital Media and Technology

5.1 Broadcasting Spectrum

5.1.1 Spectrum Allocation Policy

According to Law No. 200, the General Law on Telecommunications and Postal Services (see section 2.2.2), any so-called “telecommunication service of public or general interest” requires a concession or license, and also for using the radio spectrum. The same law assigns the licensing process to TELCOR. The term of its executive president, appointed by the president, concurs with the term of the appointing administration, although changes during a term are possible.

Previously, licensing was carried out by an office in the Ministry of Governance, with short transition periods after the beginning of the Sandinista revolution in 1979 and after its end in 1990 at the start of the administration of Violeta Barrios de Chamorro. During these periods, the licensing of broadcasting media was discharged by the offices of the heads of government.

Who was in charge of allocating broadcast spectrum was again a cause of conflict in 2005, when the National Assembly created a new regulating agency for all public services, water, energy, and communications, and overruled a presidential veto, which President Bolaños did not accept as legally valid and binding. As a result, there were two agencies claiming to be in charge of the allocation of broadcast spectrum: the original TELCOR and the agency created by the National Assembly.

The confusion ended when, following political negotiations, the Supreme Court ruled that the new law, despite its approval by the National Assembly, had been created by violating constitutionally required procedures. When the new Ortega administration assumed office, the issue was settled and the new director of TELCOR did not support the dissenting opinion of the Bolaños administration. Currently, it appears that licenses issued by any of these agencies are considered legally valid: no cases of cancellation are known, and none of the licenses has been challenged in court.

While legal dispositions before 1995 defined who was in charge without defining criteria and procedures, since then there have been two levels of administrative decrees that regulate licensing: a presidential decree that defines general procedures, and administrative resolutions by TELCOR itself, which define more technical

issues, such as spectrum use, technical requirements for equipment, and inspection and reporting procedures. A violation or alleged violation of these administrative resolutions may provoke a cancellation of the license.

For broadcasting media, specifically in VHF-TV, TELCOR decides which channels are available and to whom. At the beginning of television broadcasting, Central American countries decided to implement an alternating scheme to avoid interference, by which Nicaragua used only even-numbered channels, the neighboring countries odd-numbered ones. Improvements in technology rendered the scheme obsolete, yet it was maintained in Managua. Suddenly, in 2008, TELCOR not only opened all VHF channels, both even and odd, but also awarded the first licenses for two of these newly available six channels.

Licenses may be awarded or renewed for a period of 5–10 years. After expiration, the license-holder may ask for renewal, but has to follow the same rules and procedures as for new licenses. In 2008, the National Assembly extended by law all expired or expiring licenses open-endedly until a new law for telecoms had been approved. Hence, two out of nine awarded licenses for VHF are expired and pending renewal, five out of eight for UHF are expired or will expire within a year, and two-thirds of the radio stations have expired or expiring licenses. However, TELCOR may extend new licenses or renew existing ones upon request.

In Nicaragua, it matters not only how the spectrum is awarded, but also what happens once a license to use a certain frequency has been awarded. Legally, the license is more an entitlement for some legal entity, natural or incorporated, to use a certain part of the spectrum or to operate a service like cable or satellite, rather than an asset. Consequently, a license may not be sold, leased, rented, set as collateral, or otherwise transferred. The license ends when the entity ceases to exist. Therefore, an incorporated entity that holds a license may be sold, but it may not be combined, integrated, or otherwise merged with another entity. In each of these cases the original license is lost.

Current regulation allows fee rebates for the use of the radio electric spectrum for non-profit entities. It also establishes limits on foreign involvement. Article 29 of Law No. 200 initially limited access to any type of license to Nicaraguan citizens or incorporated entities with 51 percent of nominal shares held by nationals. A reform in 1999 of this article dropped this limitation in general, partly as a result of the Central America Free Trade Agreement (CAFTA). However, the same reform still explicitly limits access to licenses for “media for social communication” to nationals or entities with national shareholder majority.

The problem is that the term “media for social communication” does not appear anywhere else in Law No. 200, additional decrees, or in any other law except in the constitution. It appears that broadcasting is to be included, yet it remains unclear whether subscriber television in both forms (satellite and cable) was included or not. The 51 percent rule itself is also open to interpretation, as it does not specify whether an entity incorporated under Nicaraguan law but owned by foreigners, which in turn owns shares of a media provider, counts as national or as foreign. This lack of clarity has allowed foreigners who create companies in Nicaragua to receive licenses for media outlets.

There are no other explicitly established policies, but the reform of Article 29 introduced a reference to Article 66 of the constitution and made TELCOR responsible for supervising and guaranteeing the implementation of Article 66. Article 66 defines an individual's right to "truthful information" and the derived individual freedom to seek, receive, and impart information and ideas. The term "truthful information" remains undefined, as does TELCOR's role in the implementation of this article. The vagueness is made more problematic by the fact that the social right to inform and the role of the media are defined in two Articles, 66 and 68. Article 68, but not Article 66, calls upon the state to supervise the media so that the media of social communication are not controlled by foreign interests or economic monopolies. Perhaps the reform of Article 29 intended to reference this article; if so, it omitted to do so. In any case, the term "foreign interests" remains undefined. Neither Law No. 200 nor any other regulating decree specifies how TELCOR shall exercise its role under Article 66 or Article 68.

5.1.2 Transparency

Law No. 200 and its regulating decrees define the steps necessary to obtain a license, namely the type of information that the interested party has to provide and, once provided, the procedure to be followed by TELCOR. Anyone may apply for a license, but there is no right to one, as TELCOR may turn the request down with a due explanation of the reasons.

There are no priority rules such as first come, first served in obtaining a license, nor is there an exhaustive list of reasons that TELCOR may use for rejecting an application. Political or other influences are visible only on a case-by-case basis: for instance, applicant A receives a license in a very short time, while applicant B receives no answer at all despite the fact that Law No. 200 and the accompanying decrees include clearly defined deadlines; or that in the case of license-holder A the regulatory entity TELCOR shows more flexibility with respect to conditions and requirements for obtaining or operating a license, while in the case of license-holder B the regulation is applied to its utmost extent. TELCOR has never been challenged in court for refusing a license. By law, TELCOR is not obliged to launch an auction to assign licenses and has never done that.

5.1.3 Competition for Spectrum

Neither Law No. 200 nor its regulating decrees state explicitly that only the license-holder may operate a media business and provide the content. In fact, right from the beginning of radio and television in Nicaragua, both media paid for content produced elsewhere, specifically news programs. In some stations, almost all content was, and still is, provided by third parties. Only occasionally, when there was a political interest, has TELCOR claimed that arrangements of this type violated the license conditions and cancelled the license (see section 7). There is, however, no formal legal obstacle to prevent the same entity from using intermediaries to participate in more than one license-holding entity or to provide most or all content for such entities. Likewise, these so-called "second-level owners" (who conceal their ownership behind frontmen or proxies) and content providers are free to merge, split, or cooperate.

Thus, there are two quite different broadcasting landscapes: one as it appears in the licensing documents, with apparently many different operators, and a second one, in which a few groups have power of decision over a

large part of the broadcast content. For example, it is known that two interrelated groups, the Ortega-Murillo group and the González group, control seven out of 13 VHF channels nationwide.

Given the lack of a clear licensing policy and the different entities that have been granting licenses, there has been surprisingly few litigation and technical problems in the use of spectrum, perhaps due to the slow development of the media and telecoms sector. However, this does not mean that persons and organizations compete under equal conditions. The business groups connected to the president and the Mexican businessman Ángel González have access to licenses without any oversight by TELCOR with regard to the origin of their capital and without respecting the limitations imposed on foreigners. On the other hand, TELCOR applies the law rigorously and in a discretionary manner for certain media. (See section 7 for cases of radio stations and local television channels that have lost their licenses, reportedly because of violations of the telecoms law.) Some of these cases have ended in complaints to TELCOR and in the courts, which have not led anywhere.

5.2 Digital Gatekeeping

5.2.1 Technical Standards

There has been no debate in public or in the media about the adoption of technical standards for digital broadcasting. The current Ortega administration simply announced on 20 August 2010 that they had reached an agreement with the Brazilian government to introduce the Japanese television standard ISDB-T in Nicaragua, with Brazilian enhancements. No further details, plans, or schedules are known. Except for short news reports providing information about the agreement, there was no public follow-up either officially or in the media.

5.2.2 Gatekeepers

As the digital licensing process has not started, there are no problems related to gatekeepers in the digital chain.

5.2.3 Transmission Networks

Since the digital switch-over process has not started, there are no cases of transmission network operators intervening in the distribution of allocation resources.

5.3 Telecommunications

5.3.1 Telecoms and News

The current state of affairs, in which one single operator, Enitel/American Mobile, dominates traditional telecoms services, mobile phone services, and cable television and internet access resulted from a legal framework designed to facilitate a poorly managed privatization process of the previously public-sector telecoms services. This was Law No. 200, inspired by an earlier Mexican telecoms law, which at the time of

approval in Nicaragua had already undergone substantial reforms. Hence, critics claimed that Law No. 200 was obsolete at the moment of its approval in 1995.

Formally, all these services are regulated by Law No. 200. The law classifies services by levels of public interest, as follows:

- public service (plain telephony);
- general interest (mobile phone, broadcasting, cable, data networks);
- special interest (radio communication, base stations for satellites, trunk lines, and similar);
- private interest (within an entity, corporation);
- non-regulated (access to internet).

More modern concepts, such as disaggregation of services, problems of cross-subsidies, rights for access, connection, transit, and usage for competing minor operators, or special rules for dominating operators were known about in 1995. However, none was included in the law, because the law was considered as only a transitional step to facilitate the privatization of the public service telecoms company.

The National Assembly approved the Law of the Incorporation of Private Law in the Operation and Expansion of Public Telecommunications Services, Law No. 210, in 1995, defining the details and procedures to sell 40 percent of the shares in Enitel initially to qualified parties, together with a general administration contract. The same law authorized licenses for all other services Enitel was already operating or about to operate, overruling the standard procedures for licensing as laid down in Law No. 200. A total of 9 percent of the shares were sold to current and former employees of the public service telecoms entity.

It took almost seven years, until 2002, for an international bid to appear. There was just one interested party, a joint venture between a Honduran financial investment group (Ence) and a Colombian subsidiary of Ericsson (Telia Swedtel). The two companies entered the Nicaraguan market under the legal configuration of a single company called Telia Swedtel/Ence. The contract that was finally signed permitted the operation of all additional general and special interest services without any limitation or additional constraints for 20 years. In February 2004, after amendments to Law No. 200 lifted the requirement that domestic companies had to own a majority in a telecoms company, American Mobile bought the 40 percent of shares held by the joint venture of Telia Swedtel and Ence. However, 51 percent was still held by the Nicaraguan government, and, as far as it is known, the other 9 percent of the shares held by Enitel employees remained in their hands.

Despite the ratification by Nicaragua in 2005 of the DR-CAFTA (Dominican Republic-Central America Free Trade Agreement), provisions from this agreement regarding the disaggregation of services and free and fair competition in disaggregated services were not adopted by the Nicaraguan government. The attempt by TELCOR to introduce these provisions was successfully challenged by Enitel/American Mobile in 2006 at the Constitutional Court. Thus, the telecoms market remained dominated by Enitel/American Mobile.

Cable television operations started in Nicaragua even before Law No. 200 was approved, mainly to compensate for the bad quality of coverage or lack of coverage of television broadcast in many smaller towns and villages where cable television was the only television option. Law No. 200 obliges cable television operators to include nationwide television channels in their offering at no cost. UHF or cable-only channels, on the contrary, have to pay to be included in cable packages. Conditions, mostly for small entrepreneurs, changed with CAFTA and subsequent legislation of intellectual property rights, which made it a criminal offense to offer satellite channels in cable networks without agreement or beyond the terms agreed with the channel's operators.

The digital transition of the networks and the expansion of fiber-optic networks throughout the country have brought major changes in the distribution of media content: they have allowed cable operators to offer additional services such as the internet, and to agglomerate previously isolated local cable networks into larger ones, with just one central satellite base station and centralized control of operations. Before the arrival of digital subscriber line (DSL) technology, the integrated cable networks were the most affordable alternative to dial-up access to the internet.

In 2003, the leading cable operator Estesa, then part of the Pellas Group, expanded its operation by buying up all its competitors in Managua. By connecting the infrastructure of the newly acquired players to Estesa's network, the original licenses of the bought companies were returned and the acquired companies were merged into the Estesa holding. At the same time, Estesa used the same legal method to amass local cable operators under its wing. Estesa expanded its own fiber-optics backbone to connect towns and villages or used the fiber network of the National Company for Energy Transmission (*Empresa Nacional de Transmisión Eléctrica*, ENATREL) to reach more distant areas. It used this network as a nationwide internet backbone and partially substituted analog repeater installations for broadcast radio and television. In newly connected villages and small towns, Estesa made an unrefusable takeover offer to the established local cable operators to integrate its clients in the same way as it had done in Managua, merging the small cable companies with Estesa, and returning the old licenses.

In 2008, the Pellas Group sold the operation to American Mobile, after both parties had been assured that the legal obligation of 51 percent of shares in local ownership in social communication service enterprises would not apply to cable operators. The same transition scheme that Enitel had used before was now used with Estesa. Thus, as of 2009, all former Estesa clients became clients of Enitel using the Latin American brand name Claro.

As a result, Enitel/Claro fully controls fixed-line telephony and DSL, 70 percent of the mobile market (including a UMTS-G3 network ready for multimedia and internet that covers about 80 percent of the population), 80 percent of the cable television market, and 80 percent of the ISP market, both retail and corporate. Moreover, thanks to the Supreme Court ruling of 2006, Enitel/Claro is free to introduce any double-, triple-, or quadruple-play package (including as a fourth option HDTV) without being obliged to open its network to other operators. Although the transition to digital broadcasting in Nicaragua may take some years, Enitel/Claro is well positioned to play an important role in the distribution of digital media services and in digital switch-over.

5.3.2 Pressure of Telecoms on News Providers

There have been cases of pressure by telecoms companies on news providers, and more frequently so since Mr Ortega took office. Yet it appears that telecoms companies were reacting to political pressures imposed from the group that governs the country rather than acting on their own initiative (see section 7).

5.4 Assessments

All political groups and parties regard TELCOR as a strategic instrument to control media and communication technology. But as the actual decision-making about who receives what type of license, who does not, and why is not transparent, it is almost impossible to say whether decisions have a political reason or are due to economic interests that simply use politicians as a channel. And many Nicaraguan politicians have their own business interests. Thus, it is impossible to say whether political or business interests are involved when a decision (or a non-decision) by TELCOR appears to have been “influenced.”

The true test of political or other bias will happen after the National Assembly approves a new telecoms law. At that point, most licenses will have expired unless they have been renewed through a discretionary decision of the license-holder with TELCOR. Once the existing legal licenses end, TELCOR will be in a position to reassign the whole spectrum, particularly if Nicaragua is starting the digital switch-over at the same time.

Small countries such as Nicaragua face an insoluble conflict between economy of scale and the size of their economy: in many sectors, including telecoms and the media, the country is too small to allow for more than a few nationwide players. There are only about 300,000 families with some acquisition powers beyond very basic needs, while 60 percent of the population lives below the poverty line.

The regulation of telecoms and electricity assumes a market where healthy competition might be achievable, but such a market does not exist. Moreover, there are no instruments to control the dominant service providers; worse, the Supreme Court ruled that such an intervention against dominant providers is unconstitutional. Regulation would have to start with amendments or changes to the constitution itself and proceed to a more realistic approach to regulation. This is extremely unlikely to happen.

6. Digital Business

6.1 Ownership

6.1.1 Legal Developments in Media Ownership

The legislative framework for media and telecoms has not changed in any major way in the past five years. No new reforms or laws regulating media ownership have been passed. The main regulatory law, Law No. 200, was passed in 1995, and there have only been partial reforms to this law since then, so the normative framework is out of sync with the development of media and telecoms in the country. This law, which defines the general framework regulating telecoms, was passed in a completely different context from that of today, before the arrival of the main telecoms transnationals operating in the country and before the creation of most of the television channels currently on air and the advent of digital (as opposed to analog) media and tools (see section 5.1).

In recent years, the only significant change in this area came with the approval in September 2008 of Law No. 670, the Extension Law for Radio, Television, and Cable TV, for licenses that had expired (see section 4).⁸⁶ The law was a partial and immediate response to the need for a new telecoms law that would define the long-term protocol for approving, renewing, and cancelling licenses. The law was developed by the Infrastructure and Public Services Commission as a way of temporarily resolving the expiration of various media licenses in 2009. However, media analysts and news editors thought that the measure was a double-edged sword because by not specifying the length of the license extension, it did not provide any security for their validity. There are currently two unpublished draft laws for a general telecoms law, one developed by the National Assembly's Infrastructure and Public Services Commission, and the other promulgated by TELCOR.

A media analyst explains the situation in this way:

There are various political interests at play that mainly move in function of the electronic media. Once the problem of licenses was resolved through the Extension Law, the urgency of approving a new Telecommunications Law was less pressing ... We are in a process of

86. Law No. 670, the Extension Law for Licensing Companies, Individuals or Corporations that Operate Radio, Television, and Cable TV, September 2008, *La Gaceta*, 22 September 2008.

transitioning from analog to digital. A law is needed to regulate this, but for the Government, this lack of regulation is not bad because they control the institution [TELCOR] that regulates application of these laws. What they are waiting for is a new political moment, when they have a majority and can approve the law they want. The licenses are being delivered, and they will continue to be delivered, so there is no problem. I will give you an example. When [the mobile phone operator] Yota came here, they said it was to stimulate growth of fixed phone lines, but that is not what happened. A technology was approved here that was not approved in other countries. You can see the bidding specifications, the specifications were made for them [Yota]; it could have only been covered by Yota, and since then, there is no law regulating this.⁸⁷

There are various economic groups that own media outlets in Nicaragua and heavily influence the behavior of the media and the information that is published. The majority of these economic groups are owned by powerful families, among them the Ortega-Murillo group, led by President Ortega and his wife. This group owns several television stations and licenses for television and radio, as well as an online publication. In addition, they have the power to decide how state funds for communication and publicity are assigned. They also control TELCOR and the legal apparatus that decides who can buy and use frequencies for television and radio.

Another relevant group belongs to the Sacasa family, traditionally owners of media outlets in the country. They own Channel 2, which for a long time was the channel with the highest ratings in Nicaragua, and they also own several radio stations. For many years, Channel 2 produced the most influential newscast and broadcast several independent programs critical of the government but not of the private sector, especially the most powerful business groups.

The Chamorro family is another important family in the media, to which the first democratically elected president of Nicaragua (1990), Violeta Barrios de Chamorro, belongs. The family co-founded two of the most important newspapers in the country, *La Prensa* and *El Nuevo Diario*, with different editorial lines and founded by different members of the family. The Chamorros continue to own *La Prensa*, one of the newspapers most critical of the government; and Carlos Fernando Chamorro, the son of *La Prensa's* editor from 1950 to 1978, is the director of a weekly magazine and two television programs, the only programs doing investigative reporting on national television.

Two other major business groups are the Pellas Group and the Ortiz Gurdian Group. The Pellas family owns the largest business in the country by turnover, with stakes in the automobile, financial, insurance, energy, tourism, and liquor production sectors. It controls an important percentage of the advertising in the country, which gives them considerable control over the media. As a result, few media outlets dare to investigate their businesses, even when there are reports of health issues and environmental problems. The Pellas Group

87. Interview with Guillermo Rothschild, director of the CINCO Observatory, Managua, February 2011.

bought the open-to-air television Channel 14. They also produce a morning show and a newscast that mostly reports on economic news, but does not have an investigative journalism unit.

The Ortiz Gurdian family is present in various sectors, including commerce, finance, agroindustry, and manufacturing. It also manages a significant portion of national advertising. Recently, the Banpro Bank, owned by Ortiz Gurdian, bought the newspaper *El Nuevo Diario*, which has radically changed its editorial line, cutting down on all investigations of government corruption and the privileges of the Ortega family.

These families demonstrate how the business sector is heavily influencing the media and the national news agenda. This is evident in the lack of oversight of this sector by the media.

6.1.2 New Entrants in the News Market

Television is where most new media entrants and new media owners are visible, both on VHF and UHF frequencies. And paradoxically, it is television that shows the most marked trend toward the homogenization of content and the greatest control by two main capital groups, one national and one foreign. The first is the Ortega-Murillo group, and the second—linked to Mr Ángel González—is known as the Ratensa group or the González group. The real entity behind the Ortega-Murillo group is Albanisa, a private company developed with money from a Venezuelan cooperative venture that President Ortega uses at his discretion. The Ortega-Murillo group and Mr González maintain close economic and political ties with each other.

Although Mr González is a well-known media owner, almost no one in Nicaragua has investigated his businesses. The minimal information available has been generated by Mr Rothsuh, and through informal exchanges of information circulating among local journalists. In 1997, Mr González used the legal entity Ratensa to acquire Channel 10, despite the fact that Nicaraguan law prohibited foreigners from owning majority shares in any television station. He was also a shareholder in Channel 4 on VHF, together with the Ortega-Murillo group, and more recently was able to take over Cable Channel 11, which belonged to the Pellas Group.

After this change, Mr González set up Channel 11 TV RED, a channel specializing in programming for children and women, mostly airing cartoons, youth programs, and soap operas. But the channel also has two new news programs. Their editorial line is similar to Channel 10, focussing mostly on events in the *barrios* and on the street. Political and economic news are referred to in general terms and the channel does not do investigative journalism. A short while later, Ratensa was allocated Channel 9 on VHF as well, which went on air as a channel for children, adolescents, and young people, without national production or news.

The programming on Channels 9 and 11 tends to be foreign television, with almost no national programming and a complete absence of critical comment on the nation's political or economic life. In the case of radio, Mr González's modus operandi is new for Nicaragua, although not for Latin America. Since the telecoms law prohibits awarding concessions to individuals or corporations without TELCOR's consent, new media outlets have been acquired quietly by Mr González through unpublicized deals, by turning the original owners into leaseholders and by using proxies to sign in their name.

Mr González also controls Channels 17 and 25 on UHF and, according to Mr Rothschild, nine different radio stations (Joya, Tropicálida, Alfa, La Pícosa, Radio Disney, La Grande, La Marca, La Suprema, and La Light). In addition, he owns 25 channels in Latin America in countries such as Chile, Peru, Mexico, Guatemala, Costa Rica, and Ecuador.

In exchange for Channel 11, the Pellas Group was given Channel 14, along with the same channel on UHF. The programming on Channel 14 includes a newscast, which airs twice a day and reports on economic, business, and political issues. It does not carry out investigative journalism. It also has a sports newscast and a family-oriented morning show called “*De Sol a sol*” (From Sunrise to Sunset).

The Ortega-Murillo group has entered the television market in different ways. In section 4, we mentioned that much of their presence on television has been achieved through purchasing space on different channels, and recently through the purchase of Telenica Channel 8 on VHF, targeting mostly a young audience and airing two main newscasts, “*Cronica 8*” (a tabloid newscast) and “*8 Deportivo*” (a sports program).

In a similar manner, the FSLN has acquired various radio stations in different parts of the country, but it is very difficult to determine the exact number because, as in the case of Mr González, the stations remain under the names of their original owners.

6.1.3 Ownership Consolidation

Telecom Claro’s accumulation of various communication service companies in recent years is the largest case of consolidation of media ownership in the country. It includes the purchase of Estesa, a cable company belonging to the Pellas Group, and the unification of fixed telephone, mobile telephone, internet, cable television, and more recently digital television services (see section 5.3). Significantly, prior to its sale, Estesa had acquired various local cable stations in different parts of the country—Managua, Masaya, León, Rivas, and Chinandega—concentrating pay-per-view television even more.

During the negotiations for Estesa’s sale, TELCOR’s complete lack of oversight and its refusal to reveal even the most basic information of public interest was noteworthy. In response, the National Consumer Rights Network (*Red Nacional de Defensa de los consumidores*, RNDC), a civil society organization, requested information from TELCOR about the fees charged by the communication services of Estesa, Movistar, and Enitel. Although TELCOR had approved these fees, it refused to provide the information. According to Article 74 of the General Law on Telecommunications and Postal Services (Law No. 200), “the fees for communication services, mobile communication and cable” are only legal when they are published in an official publication of the Nicaraguan state. However, neither the telecoms companies nor TELCOR provide this information.

As multinationals such as Claro increase their ownership of pay-TV and the sale of pay-per-view content, national television owners have two options. Either they increase their dependence on foreign-produced content in their own programming, or they produce more local content that is of interest to the Nicaraguan public. The trend, to date, has been a reduction of local content.

As dependency on foreign programs increases, the existence of national programs weakens by the same proportion. Aside from some opinion and information programs, and coverage of religious and sports events, there is no true local television production.

Channel 2 and *La Prensa* attempted to share content without merging. They referred to it as “a virtuous cycle of information,” and the objective was promoting joint television and press coverage of the news, and positioning the two media as a reference point for national information. As part of this project, both of these media groups, especially Channel 2, renovated their technical equipment to expand their news production and begin to promote original news and debate programs. This project stalled and was finally cancelled when Channel 2 decided to shift its editorial line, and reduced to a minimum any news content that would disturb the governing party. In its original design, this partnership was seen as a way to consolidate two traditional media outlets, one print and the other television, that aimed to produce news under a similar editorial line and with shared equipment and personnel.

Another phenomenon that merits attention is the shift that the Ortega-Murillo group has achieved in national television and the media in general. When Mr Ortega took power, his influence on television was limited to Channel 4, and television at that time was very critical of the FSLN’s actions, and in particular of Mr Ortega himself. The situation has now shifted 180 degrees with the purchase of Channel 8, Mr González’s purchase of other channels, and through control over state advertising and co-optation. Editorial lines about what is to be reported about Mr Ortega’s administration have also changed. Channels 2 and 12 provide a good example of the way that critical content has been toned down.

6.1.4 Telecoms Business and the Media

The telecoms business is dominated almost entirely by two companies: Claro, with a wider coverage and diversity of services, and Movistar. These companies work hand in hand with the national regulator TELCOR, which does not properly oversee their operations and does not publish public information about the services these companies provide or their transactions. These two companies, especially Claro, are present in various markets: mobile communications, fixed lines, internet, cable, etc. By purchasing local companies they have been able to widen their national presence, eliminate the competition, and use their advertising dollars (the greatest share in total advertisement spending in the country) to control traditional media outlets and avoid all efforts to oversee their operations. As a consequence, the media do not investigate concerns around the transparency of the two businesses and their operations, such as the prices paid by Claro and Movistar to acquire their licenses, or the way they set fees for services or conduct secret negotiations with the government to gain more concessions.

Four factors have strengthened the telecoms duopoly and have consequently affected the quality of information in the media.

88. Guillermo Rothschuh, “Los medios: El ojo Revelado” (The Media: the Eye Revealed), CINCO, Managua, 2010.

The first two relate to the lack of capacity of the public institutions to monitor the transnational telecoms industry. There is no telecoms law to address the increasingly complex communications problems, above all digital communication and the internet. Second, TELCOR's lack of initiative and proactiveness as the regulatory and oversight agency for telecoms transactions reflects the government's policy of accommodating the powerful groups that has been in place since the 1990s.

The other two factors concern the advertising control that telecoms companies such as Claro and Movistar exercise in a country with so few sources of financing from state or commercial advertising. This puts the two companies in a privileged position, as their funding is indispensable for most media. The relationship between these companies and the media is becoming even more complex, since Claro and Movistar also offer services that generate revenues for the media outlets. One recent example is the income the media pull in through cell text messages. Increasingly, television channels sponsor raffles or contests in which they urge consumers to participate by sending pre-paid text messages.

Finally, and as a consequence, there is a complete lack of oversight of the telecoms industry by the media. The telecoms industry also refuses to provide information, and there are no public service institutions forcing it to do so. But the media themselves make no effort to monitor the telecoms industry either.

6.1.5 Transparency of Media Ownership

With respect to the financial accountability of the media, Nicaragua's legal requirements are essentially limited to providing tax, financial, and labor accounts, like any other profit-making business. In other words, the media only report to state institutions, and there is no accountability or requirements to make this information available to the general public.

TELCOR is legally mandated to monitor and oversee purchases and mergers between media companies or within the telecoms industry. But TELCOR could play a better role than it has so far done. One case that is worth examining, as an example of the lack of transparency in media acquisitions, was the purchase in January 2010 of Telenica Channel 8 by an economic group that has family links with President Ortega, with funding from a Venezuelan company. These funds are not part of the national budget, and are used in a totally discretionary way by the president. The purchase took place in complete secrecy and no person or economic group announced it publicly. There was only speculation in the media. Finally, the media were able to confirm that the legal representative of Channel 8 was José Mojica, who is also Mr Ortega's legal representative, and that Channel 8 is now headed by Juan Carlos Ortega, son of the president and the first lady, who administers all state advertising funds. TELCOR is responsible for publishing the names of and general information about the persons or companies behind these types of transactions and providing time for citizens to submit comments, which it does not do.

6.2 Media Funding

6.2.1 Public and Private Funding

The finances of the media are not monitored by any organization or institution. The sole type of monitoring in the media is related to consumer behavior. In the case of public funds, the government has a policy of not providing information about the management of advertising funds. Thus, the information contained in this section is based on interviews with journalists and other reports in the media.

One of the Ortega government's first measures was the creation of the Communications Secretariat, which administers all state advertising funds. The use of public funds for media activities is conducted in a completely discretionary manner, and the main recipients of these funds are the media organizations close to the president's business group.

According to a study by the journalist Adrian Uriarte Bermúdez, published in *El Nuevo Diario*:

an audit of the Presidency's budget, conducted by the General Comptroller's Office of the Republic in 2007, indicated that NIO 1,752,539 (US\$ 79,660)⁸⁹ were allocated for advertising and propaganda that year, which is far below the investment made in advertising documented by the Curul Media Agency. According to this firm, the Government spent US\$ 3.67 million in advertising that year: 80 percent went to Channel 4, which operated as the government's official channel, and 20 percent was distributed among official and affiliated radio stations, mainly in Managua. In 2007, the General Budget for the Presidency was NIO 204,020,140 (US\$ 9.28 million), while in 2010 it was almost triple, so state advertising funds may have increased during the span of those few years.⁹⁰

Local media in more isolated areas of the country and media critical of government administration do not receive official advertising funds. In interviews with media owners and journalists, *El Nuevo Diario* and *La Prensa* indicated that the only state financing they continue to receive is payment for public bidding advertisements, which according to the law must be published in the newspapers with the largest circulation in the country. In the case of Channel 15, state advertising represents 10–20 percent of its total revenues. Smaller media groups we interviewed do not receive any state advertising.

The main source of financing for larger media groups is advertising from private-sector companies, representing an average 80 percent of revenues. In the case of print media, advertising via web pages is increasing and may offer an important source of future income, together with the sale of other complementary products together with the newspapers, such as books and language textbooks. Income from the sale of the newspapers does

89. Exchange rate used: US\$1 = NIO 21.99.

90. Adrián Uriarte Bermúdez, "Publicidad estatal es malversada y partidarizada" (State advertising is misappropriated and partisan), *El Nuevo Diario*, January 2011, at <http://www.elnuevodiario.com.ni/nacionales/92056> (accessed 24 August 2013).

not exceed 20 percent of the total revenues of the newspapers. Channels 2, 8, and 10 have begun to generate income from raffles, games, and contests, which the public takes part in via text messages, but we do not know how much these revenues represent.

Both smaller print media outlets and *La Prensa* mentioned the importance for their financial operations of funds that focus on support for investigative journalists, as these generate media content. The Vida en Democracia (Life in Democracy) fund, financed by Danish donors, has been utilized by many print media to generate news stories, investigations, or special reports that they could not have financed on their own. The “Life in Democracy” program was funded by Denmark, Sweden, Finland, and the United Kingdom. Coordinated by the Institute for Public Policy and Strategic Studies (*Instituto de Estudios Estratégicos y Políticas Públicas*, IEEPP), it ran for three years, from 2010 to 2012.

For small print media outlets and web-based media, advertising represents around 20 percent of their total sales revenues. They are all hoping to increase this revenue through increasing web advertising. For small media groups, attracting private-sector advertising still represents a big challenge, given the reluctance of private enterprises to invest in media with limited coverage.

6.2.2 Other Sources of Funding

One new source of funding for small media has emerged. Donors have been increasingly providing support for in-depth reports on development and citizenship. These funds may come from European countries’ state or private donors, or from international civil society organizations not associated with any particular government.

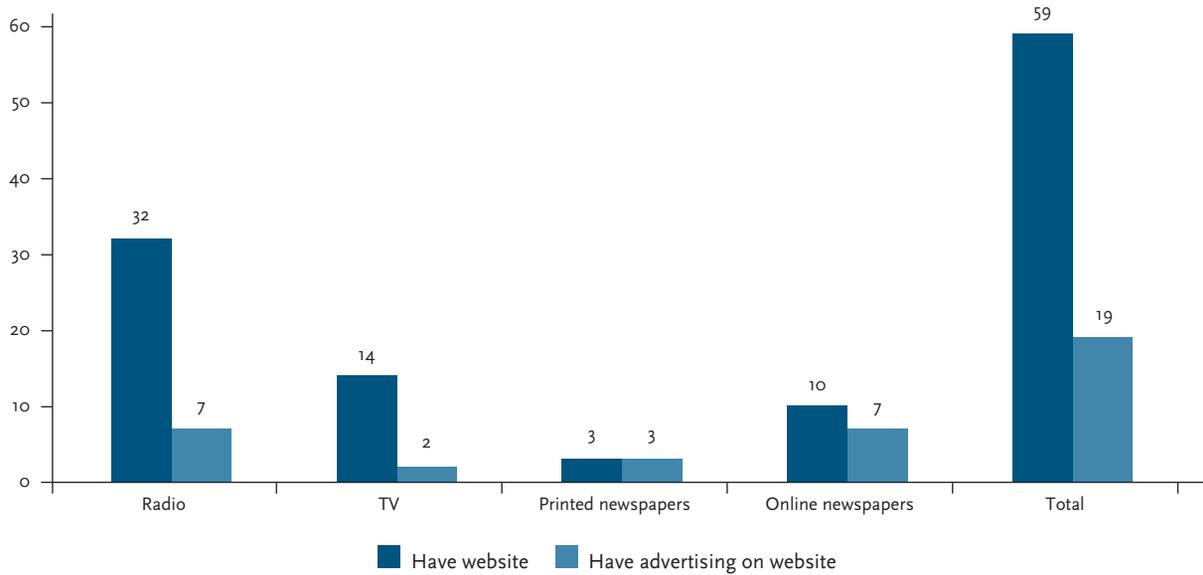
For example, the Life in Democracy program (see section 6.2.1) selected 170 proposals from journalists, who received financial and technical backing totaling more than US\$ 250,000 in 2010 (equal to US\$ 1,470 per project). The fund had invited applications for 15 different topics, the most important being the political, economic, and social rights of citizens, followed by the illegal exploitation of natural resources, violence against women and children, and transparency and fiscal accountability among government functionaries and institutions.⁹¹

Analysis of the websites of the main media outlets showed that 32 percent of these sites had advertising that was not self-promotion; in other words, almost 70 percent of these outlets had no direct advertising to support their online presence. This may indicate that online media cannot be sustainable on their own.

91. IEEPP, “Informe 2010: Fondo de Apoyo para el Periodismo Investigativo ha sido exitoso para el periodismo nacional de calidad” (Report 2010: Support Fund for Investigative Journalism has been successful for quality national journalism), 16 March 2011, at <http://www.ieepp.org/index.php/informe-2010-fondo-de-apoyo-al-periodismo-investigativo-ha-sido-exitoso-para-el-periodismo-nacional-de-calidad> (accessed 12 April 2013).

Figure 7.

Number of media outlets with advertising online, 2012



Source: Authors' research

Nevertheless, print media with more developed web platforms are using the web as a source of advertising income. During the past years, they have evolved from selling advertising space to selling the number of hits for each person visiting their website. They have also adopted different advertising strategies for the national market and for foreign markets such as the United States, Costa Rica, and Europe. They use different adverts for different population segments, and have also reached an agreement with Google to increase their visibility on the web.

La Brijula, a small print media outlet with a young readership, has been developing strategies to gain advertising contracts from universities and development agencies that want to target youth with adverts about scholarships or job offers. In contrast, the situation for radio is completely different. Radio journalism is perhaps the media sector that has the most difficulty obtaining funds, especially local radio (see section 6.3).

6.3 Media Business Models

6.3.1 Changes in Media Business Models

In the Nicaraguan media industry, the biggest changes in business models triggered by the economic crisis have been found in radio journalism, specifically in local radio, and above all in the regions located furthest away from Managua. The precarious economic situation has led journalists to develop new strategies for sustaining their programs and their work. One such strategy is searching for different sources of income simultaneously. Frequently, radio journalists have their own program that they host on air, and they also work as reporters for other programs or for other journalists or media owners, and also do “advertorials” for

local civil society organizations and businesses. Journalists thus operate as sellers of advertising at the same time. This obviously has ethical implications. Most often, journalists sell advertising to local NGOs or small businesses, which may request dissemination of news reports about their activities in exchange for adverts.

In the case of print media, *La Prensa* was faced with a crisis that began with the cuts made by the Bolaños government in state advertising spending. As a result, the newspaper shed 40 percent of its staff, which led to important changes in its staff structure. Initially, *La Prensa* merged with *Hoy*, and to lower costs they altered the job descriptions of some journalists. For example, journalists who worked in the sports section covered events for both newspapers, and each newspaper only maintained separate editors-in-chief and separate editors for political and domestic news. Another change in the business plan was hiring part-time employees or setting up internships. As a consequence of the economic crisis, the investigative unit of the newspaper was also dismantled, and journalists with more experience were allowed to undertake work elsewhere to complement their salaries.

Some small print media have opted to shift entirely to the web, abandoning their print versions and investing in and consolidating their online versions into one solid platform. For this reason, they are currently trying to consolidate their online advertising base as well.

6.4 Assessments

The transparency of media ownership has not improved in recent years. Owners continue to exert significant control over the content that is disseminated. Digitization has in theory given journalists the opportunity to express their opinions, or disseminate their work on alternative platforms, but this is not common practice.

Social networks in particular have permitted readers to relate more intimately with media outlets. There is a greater demand for information and constant criticism of news content by readers through these platforms, which have also affected the work of journalists. Financing for news and educational content comes mostly from European donors and private foundations that usually support investigative journalism. There is also funding for journalistic content from private entities.

When these entities have only modest economic power, they do not affect the independence of the media outlets. But when funding comes from entities with stronger economic power, these tend to demand greater control over media content, and thus compromise the independence of media outlets. Examples include telecoms companies and other state-controlled holdings with large advertising budgets. The funding from these companies discourages attempts at critical reporting about the private sector.⁹²

One of the business sectors with a strong influence over the media is the banking industry, which invests significant funding in advertising in the media, with the result that it escapes negative coverage. A survey

92. Alfonso Malespín and Eduardo Marengo, “La fiscalización a los poderes privados” (Controlling private power), CINCO, June 2010.

in December 2009 by the CINCO Observatory found that fewer than 10 percent of 183 reports about the private sector in the media contained any criticism of the private sector. More than 80 percent consisted of “unilateral and totally favorable views about the private sector.”

But the sources of financing that are most detrimental to independent journalism today are government funds, as they come with stern requests regarding the editorial line of the media and their content, interfering in particular with critical journalism.

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 is no policy or law covering the digital switch-over of terrestrial transmission, and therefore no access and affordability provisions that can be discussed here.

7.1.1.2 Subsidies for Equipment

As digital switch-over is far from being implemented, the issue of subsidies for digital equipment is not applicable in Nicaragua.

7.1.1.3 Legal Provisions on Public Interest

There are no plans for digital switch-over.

7.1.1.4 Public Consultation

There are no plans for digital switch-over.

7.1.2 The Internet

7.1.2.1 Regulation of News on the Internet

As mentioned in section 6.1.1, the first democratically elected president of Nicaragua, Violeta Barrios de Chamorro, belongs to a media-owning family that is still strongly present in all types of media in Nicaragua. Her husband, Pedro Chamorro, was owner and editor-in-chief of one of the principal newspapers, *La Prensa*, for decades, and was assassinated in 1978 precisely due to content he had published. Taking office in 1990, Mrs Violeta Barrios established the principle that “the best media law is the one that does not exist.”⁹³ Subsequent attempts to attach media regulation to other legislation, such as a media section in a proposal

93. “La Tentación recurrente” (The recurring temptation), *El Nuevo Diario*, 23 April 2007.

for a law to curb gender violence or a proposed decree to regulate advertising of health products, have been unsuccessful. Hence, there is no regulation of internet news.

7.1.2.2 Legal Liability for Internet Content

There is no specific liability for internet content, just as there is no specific liability for any media content either. Except for general liabilities as defined by the penal and civil codes for inaccurate, insulting, or defaming public statements and some legal dispositions to protect minors against sexually or otherwise offensive content that have never been applied in court, there are no laws or regulations covering media content. This may still be a reaction to the strict censorship in place from 1980 to 1990 and similar measures applied during the whole period of the Somoza family dictatorship from 1938 until 1979, which were sometimes less, sometimes more restrictive, sometimes based on law or legal decrees, and sometimes imposed by brute force.

7.2 Regulators

7.2.1 Changes in Content Regulation

Apart from TELCOR, there is no separate entity to regulate media content.

7.2.2 Regulatory Independence

As explained earlier, there is no intention on the government's part even to pretend that the telecoms regulator is independent. It is a dependent agency whose executive president is appointed and removed by the president at his sole discretion (Article 150(6) of the constitution). In 2006, the National Assembly modified Article 138(30) of the constitution, introducing a requirement for a 60 percent approval vote by the National Assembly for all executive top-level appointments, including ministers, ambassadors, and directors and presidents of autonomous agencies. However, this procedure has not been applied; the president has not asked for approval of such appointments, and the National Assembly has not reminded him of his obligation to do so.

TELCOR's lack of independence is not new. The last three governments have used the regulatory body to close local and national media outlets, especially radio stations and television channels, without following the established norms. They have also delayed the approval of permits for the acquisition of licenses to benefit groups linked to the political party in power or to well-connected business groups. They also allowed the illegal use of frequencies not officially allocated directly by TELCOR. During Mr Ortega's government, these practices have become commonplace and have allowed his family to acquire numerous media outlets.

For example, in 2003, during the Bolaños government (2001–2006), TELCOR ordered the closing of La Poderosa radio station. It argued that the organization owning the frequency, linked to a religious organization, no longer owned it, and therefore the administrators of the radio no longer had the right to use the frequency and had also not paid taxes (an argument which, even if true, did not affect only this radio

station). The station was very critical of the government and it was widely followed by members of one of the main opposition parties at the time, the PLC, led by a former president, Arnaldo Aleman.⁹⁴ The police confiscated the radio station's equipment, but it was later reactivated on a different frequency, having been acquired by Mr Aleman without any objections from TELCOR.⁹⁵

In another example, during the Ortega government, TELCOR ordered the closing of a local radio station, Radio Lay, owned by the director of communications for Eduardo Montealegre, the principal opposition leader in 2008. The radio station was shut down in an abrupt manner, taken over by 30 individuals, and its equipment confiscated by customs officials, who justified their actions by claiming that the import tax had not been paid. According to TELCOR, the closure was ordered because the radio station was not operating within the time allowed by its license and did not have the proper equipment.

Several radio stations and local channels in the country have closed under similar circumstances, for instance the local channel, Columbia Channel 13, in the municipality of Somoto in the State of Madriz.⁹⁶

At the national level, it is clear that TELCOR has benefitted the business groups linked to the president and his main associate in the communications sector, Mr González. TELCOR has approved licenses for use in radio and television (see the lists of television and radio outlets acquired by these two economic groups in section 6) in total secrecy. Neither government agencies nor civil society organizations have access to information about the purchase of the licenses, how they were bought or why they were allocated. TELCOR has not provided any information about the origin of the funds used for the acquisition of new television channels and radio stations, permitting, for example, a commercial entity mostly owned by a foreigner (Mr González) to acquire licenses in violation of the telecoms law. These licenses are also bought through front organizations that afterwards hand over control to the real owners.

7.2.3 Digital Licensing

There are no plans for digital switch-over.

7.2.4 Role of Self-regulatory Mechanisms

To date, the most important initiative for self-regulation was the approval in 2001 of Law No. 372, the Law creating the Professional Association of Journalists of Nicaragua (*Colegio de Periodistas de Nicaragua*, CPN), which sought to guarantee compliance with ethical norms by the journalistic profession. The law generated a wave of criticism from journalists who believed that it violated the constitutional principles of free speech (the right to inform) and free association (the right to organize), by prohibiting journalists who were not

94. Report from IFEX (formerly the International Freedom of Expression Exchange), 23 October 2002; see http://www.ifex.org/nicaragua/2002/10/23/government_shuts_down_radio_station/es (accessed 18 September 2013).

95. "Telcor, La Poderosa y Claro TV (Telcor, La Poderosa, and Claro TV)," *Confidencial Digital*, 2010, at <http://www.confidencial.com.ni/articulo/271/telcor-la-poderosa-y-claro-tv> (accessed 18 September 2013).

96. *La Prensa*, "Cierran Canal en Somoto (Canal closed in Somoto)," May 2012, at <http://www.laprensa.com.ni/2012/05/28/departamentales/102921-cierran-canal-somoto> (accessed 18 September 2013).

formally trained or not affiliated to the association to work as journalists.⁹⁷ According to Law No. 372, journalists who started their careers after the approval of the law or had less than five years' experience need to possess a degree and belong to the association. In reality, this part of the law was never applied.

The law was approved in 2001 despite protests from journalists. Under Article 39 of the law, to be a member of the CPN, journalists have to be organized in one of the two largest journalists' associations: the Association of Journalists of Nicaragua (*Asociación de Periodistas de Nicaragua*, APN) or the Union of Journalists of Nicaragua (*Unión de Periodistas de Nicaragua*, UPN). Three years after the law was passed, both organizations elected their boards of directors under pressure from journalists, who demanded that other groups of organized journalists had the right to be elected to the board of directors of the CPN.

In 2008, the UPN, controlled by FSLN sympathizers, obtained control of the CPN, provoking serious divisions and undermining its legitimacy as an independent entity. Due to irregularities in the election process, the APN appealed to the courts to stop the takeover, but the case is still pending. Thus, the CPN is operating amid legal uncertainty, and like other journalists' associations, makes very few inroads on professionalizing the work of journalists and monitoring their work. The CPN approved an ethics code that same year. Neither the CPN nor the code regulates digital media or online journalism.

In 2009, an FSLN deputy proposed to reform Law No. 372 in a way that would punish violations of the ethics code, bypassing the regulatory measures already approved by the CPN. This initiative was widely criticized and did not progress.

7.3 Government Interference

Since Mr Ortega's administration took office, the historically thin and weak divisions between public and state, politics and party, and private and family interests have disappeared almost completely. In this respect, the family/party/presidential compound is more than just a symbol. This walled and secure area of about an acre, which contains the private residences of the Ortega-Murillo couple and their elder, married children, as well as some of their media enterprises, has served since 1990 as FSLN party headquarters and was designated by presidential decree as the location of the Office of the President of the Republic.

In 2006, the FSLN electoral strategy focussed on controlling the party presence in the media. A leaked document, "Electoral Campaign FSLN 2006, Strategy for Communication" (*Campaña Electoral FSLN 2006, Estrategia de Comunicación*), supposedly authored by Mrs Murillo, introduced a distinction between friendly and unfriendly media, recommending strengthening the former and actively ignoring the latter for the electoral campaign. Mr Ortega holds the position of Secretary General of the FSLN, but Mrs Murillo has never been elected to any party office.

97. "Mejoran recurso contra Colegio de Periodistas" (Improved Legal Challenge Against Journalists' Professional Association), *El Nuevo Diario*, 6 April 2002, at <http://archivo.elnuevodiario.com.ni/2002/abril/06-abril-2002/nacional/nacional8.html> (accessed 10 November 2013).

Consequently, Mr Ortega was not available as a candidate for general press conferences, nor did he participate in a public television debate with the other candidates. Unfriendly media were not admitted to campaign events and when they tried to report from events in public spaces, such as rallies, they were harassed by private security guards, all members of the former Agency for State Security in the 1980s, commanded by Lenín Cerna, the head of that agency, now Secretary for Organization of the FSLN.

In 2007, Mrs Murillo was appointed Secretary of the Communication and Coordination Council, although the constitution (Article 130) and the Law on the Civil Service explicitly prohibit the appointment of close relatives.⁹⁸ Mr Ortega himself regularly presents his spouse as equivalent to a prime minister. Although this is not part of any Nicaraguan law or legal tradition, the Attorney General, the Supreme Court, and the National Assembly have not taken any action. The executive president of TELCOR, Orlando Castillo, appointed in 2007 by the president, had previously been Chief Financial Officer of TV Channel 4, at that time a joint venture between the Ortega-Murillo family—and/or the FSLN Party—and Mr González.

The sons of the Ortega-Murillo family occupy positions in state agencies, run media and other family businesses, and represent Nicaragua in the international television media organization TeleSUR, a joint venture sponsored by the governments of Argentina, Bolivia, Cuba, Ecuador, Nicaragua, Uruguay, and Venezuela.

7.3.1 The Market

7.3.1.1 License Assignment for Television Channels

The government is a dominant force in the broadcasting market. At the beginning of President Ortega's administration his group, together with that of Mr González, operated two VHF channels out of the six available. Of the now 12 available VHF channels, the Ortega-Murillo group and the González group together control eight channels. Moreover, in September 2011 a government channel that used to be dormant, Channel 11, was reactivated. Members of the Ortega-Murillo family manage the content and news offer of their four channels.

The initial money for the buy-out by the Ortega-Murillo group of Channel 8 was apparently provided by Albanisa, a joint venture with 49 percent of the shares owned by Petronic (a 100 percent state-owned Nicaraguan company) and 51 percent owned by PdVSA, a 100 percent state-owned Venezuelan company.⁹⁹ Albanisa is a private-sector company that handles all crude-oil and oil-derived imports from Venezuela, based on a bilateral agreement.

All these moves, purchases of media outlets, the assignment of new licenses and license renewals, were carried out with the participation of TELCOR. By 2011, the Ortega-Murillo and González groups had taken ownership of more than 75 percent of the television market.

98. Law No. 476, Law of Civil and Public Service, approved 19 November 2003.

99. "Canal 8, venezolano" (Channel 8, Venezuelan), *El Nuevo Diario*, 28 January 2010, at <http://www.elnuevodiario.com.ni/nacionales/67058> (accessed 18 September 2013).

Even though there are no known cases of refused licenses (see section 7.2.2), certain media outlets have been closed, and TELCOR assigns frequencies faster for certain groups than for others, affecting the right of companies and individuals to access the market under equal conditions or to stay on air despite their political affiliations. TELCOR has fomented a culture where access to frequencies is impeded and in which media outlets which do not share the government's perspective are disadvantaged, which has contributed over time to reducing the diversity of opinions in the media.

7.3.1.2 Advertising Policies

In 2007, at the beginning of the Ortega administration, Mrs Murillo centralized all decision-making about advertising by any government agency through her office, the Communication and Citizen Participation Council (*Consejo de Comunicación y Ciudadanía*). All public advertising in any media by all government agencies now requires prior approval from her office. The local execution of relevant budget positions was suspended, and all payments for advertising centralized at the Treasury Department of the Ministry of Finance (*Tesorería del Ministerio de Hacienda y Crédito público*).¹⁰⁰

This directive remains effective today. As a result, public advertising is concentrated almost exclusively in “friendly” media, thus excluding the three main newspapers, *La Prensa*, *El Nuevo Diario*, and *Hoy*, which are apparently considered as “unfriendly.” According to a study by Media Guru, a company that monitors advertising in all of Central America, as cited by the weekly news magazine *Confidencial*,¹⁰¹ in 2008 some 80 percent of public advertising went to television channels. Based on its monitoring of television advertising spending, *Confidencial* estimated that 80 percent of the television spending went to Channel 4, belonging to the Ortega-Murillo group. The offices of Channel 4 are located inside the presidential compound and the channel is managed by one of his sons. In 2008, its rating was less than 3 percent of the total television audience.

In October 2008, a television feature documented the funneling of advertising money to Channel 4 and other media controlled by the Ortega-Murillo group, including other government-dependent companies, such as the National Company for Electric Energy (*Empresa Nacional de Energía Eléctrica*, ENEL).¹⁰²

Finally, the country report on Nicaragua by the Inter-American Press Association of 6 April 2011 states:

There continued during this period to be what has been a common practice since the inauguration of President Daniel Ortega's government—the use of placement of official advertising to award or punish news media according to their editorial stance.¹⁰³

100. “Rosario Murillo centraliza publicidad gubernamental” (Rosario Murillo centralizes state advertising), *El Nuevo Diario*, 1 February 2007, at <http://archivo.elnuevodiario.com.ni/2007/02/01/politica/40230> (accessed 18 September 2013).

101. “Gobierno duplica gasto publicitario 2008” (Government doubles the 2008 ad spend), 2008–589, *Confidencial*, at http://www.confidencial.com.ni/archivo/2008-589/politica1_589.html (accessed 18 September 2013).

102. “La caja chica de ENEL” (The petty cash of ENEL), *Esta Semana*, October 2008/November 2010, at <http://www.confidencial.com.ni/articulo/2306/premio-uca-a-camilo-de-castro-de-esta-semana> (accessed 18 September 2013).

103. IAPA, “Nicaragua,” Midyear Meeting, 6–9 April 2011, San Diego, United States, at http://www.sipiapa.com/v4/index.php?page=det_informe&asamblea=46&infoid=818&idioma=us (accessed 18 September 2013).

7.3.1.3 Discriminatory Access to Public Information and Public Events

Simultaneously with the advertising directive, all ministers, vice-ministers, secretary generals of all ministries, and all presidents or directors of autonomous government agencies were instructed that any media contact would require the prior, explicit consent of Mrs Murillo's office, including media, date, content, and information to be provided to the media. This directive included the public relations officials of any entity, whose roles were hence reduced to acting as postman for approved content, but only to approved media. The executive level of each entity would be held responsible for any violation of this directive by PR officials or other staff from their entity. As a side issue, any business trip abroad by any personnel from the mentioned entities likewise requires the prior explicit consent of Mrs Murillo's office. Only the National Army and the National Police continue to manage their media relations as before, as in both cases their internal governance is regulated by specific laws.

During 2007–2008 at least six top executives lost their jobs a few days after they had had apparently unauthorized media contacts or had accepted travel invitations from institutions such as the World Bank, the Inter-American Development Bank, the United Nations, or similar international institutions without explicit consent. For 2009–2010, no new cases of infringement were registered in the media.

As a consequence, press conferences almost disappeared, to be replaced by presentations with no questions permitted. The only exceptions are press conferences held together with representatives of foreign governments, development agencies, or other welcome external visitors, but even here the participating Nicaraguan officials normally do not accept questions. Since the mid-1990s, the president himself has only given interviews to foreign media, and never to any national media, friendly or not.

To avoid the embarrassment of unwelcome questions, government agencies started to limit invitations for public events to friendly media, a practice also adopted by other public entities, such as the Supreme Council for Elections (*Consejo Supremo Electoral*, CSE), in charge of organizing all elections and maintaining the Civil Register, or the CSJ.

The above practices have rendered Law No. 621 on access to public information almost irrelevant. The Violeta Barrios de Chamorro Foundation, one of the promoters of the law, noted in a report from October 2008: “Out of 24 requests for information made by journalists between January and September 2008, directed to 17 public entities, only 12.5 percent were answered fully and in a timely manner.”¹⁰⁴

However, there is not only negative discrimination. Channel 4 always has privileged media access to all government events, and is admitted inside high-security zones, while all other media have to stay outside. This includes access to high-ranking visitors from abroad during their welcomes and farewells at the airport

104. Violeta Barrios de Chamorro Foundation, “I INFORME: Nicaragua. Periodismo y Ley de Acceso a la Información Pública” (I REPORT: Nicaragua, Journalism, and the Law on Access to Public Information), October 2008, at <http://transparenciaaudit.net/wp-content/uploads/2013/02/Nicaragua-FOI-Audit-por-periodistas.pdf> (accessed 12 April 2013).

or their stay in Managua. When the president addresses the nation, Channel 4 captures the event, and other national channels are obliged to retransmit sound and images including Channel 4's logo.

7.3.2 The Regulator

As explained above, there are no digital regulators as such in Nicaragua. Despite this, in this section we report cases in which state authorities have used their power, in most cases violating the law, to coerce, harass, or even shut down media.

No law obliges television and radio stations to transmit or retransmit presidential speeches, not even in the case of national emergencies. As an intended legal substitute, TELCOR issued the administrative directive 009-2010 in June 2010, modifying the administrative directives 06-2007 for television by subscription and 07-2007 for terrestrial television. These modifications oblige cable operators and television stations to provide their services and installations for the transmission of official information with respect to national emergencies and the actions taken or to be taken by the competent authorities to deal with these emergencies. The purpose of the norm is not in itself bad, but it should be part of a law, not an administrative directive from TELCOR, and it should not be put into practice in a discretionary manner when the president wants to speak, as at present, but should be applied during situations of national interest deserving of attention. Cable operators are also obliged to disrupt their programming.

Notably, TELCOR cites as a legal basis for this directive paragraphs from Law No. 1053, 1982, and its regulation 128-2004, although this law was replaced when Law No. 200 was passed. Moreover, Law No. 200 does not give TELCOR the authority to establish new obligations not mentioned elsewhere in the law. Despite announcements by operators that they would take this to the courts,¹⁰⁵ finally none of the affected operators did so.¹⁰⁶

The coercion of radio and television networks goes far beyond emergencies. As examples, the president's meeting with Protestant clergy on the occasion of Bible Day,¹⁰⁷ his declaration about the border dispute with Costa Rica now at the International Court of The Hague,¹⁰⁸ and his substitute for the constitutionally required annual state-of-Nicaragua address¹⁰⁹ were all transmitted live, via national radio and television channels,

105. "Encadenar la TV cable atenta contra la libertad" (Stringing cable television threatens freedom), *La Prensa*, 2 October 2010, at <http://www.laprensa.com.ni/2010/10/03/nacionales/39555> (accessed 18 September 2013).

106. Guillermo Rothschuh, "Cadenas televisivas presidenciales" (Presidential television networks), *El Nuevo Diario*, 7 February 2011, at <http://www.elnuevodiario.com.ni/opinion/94210> (accessed 18 September 2013).

107. "Presidente de Nicaragua recibe a pastores evangélicos en la víspera del Día Nacional de la Biblia" (President of Nicaragua receives evangelical pastors on the eve of National Day of the Bible), *Noticia Cristiana*, 24 September 2010, at <http://www.noticiacristiana.com/sociedad/iglesiaestado/2010/09/presidente-de-nicaragua-recibe-a-pastores-evangelicos-en-la-vispera-del-dia-nacional-de-la-biblia.html> (accessed 18 September 2013).

108. "Ortega interrumpe la señal de TV cable" (Ortega cuts cable television signal), *La Prensa*, 3 November 2010, at <http://www.laprensa.com.ni/2010/11/03/politica/42574> (accessed 18 September 2013).

109. "Un remedo de mensaje presidencial" (A mocking of the presidential message), *El Nuevo Diario*, 11 January 2011, at <http://archivo.elnuevodiario.com.ni/2011/01/11/nacionales/139321> (accessed 18 September 2013).

while all other cable channels went grey. Again, there was no legal basis for carrying out these transmissions by interrupting national programming. TELCOR's directive only speaks of national emergencies and not this type of information.

7.3.3 Other Forms of Interference

As a way of intimidating media outlets, private property has been damaged, tax collectors and the labor ministry have harassed media outlets, and journalists have received death threats. *La Prensa* newspaper has denounced the constant harassment it receives from the General Revenue Office (*Dirección General de Ingresos*, DGI), the Nicaraguan Social Security Institute (*Instituto Nicaragüense de Seguridad Social*, INSS), and the Ministry of Labor. According to *La Prensa*, these organizations carry out inspections without previous notification or apply fines for alleged violations of the law. Another form of interference is through the General Customs Office (*Dirección General de Aduanas*) in order to confiscate equipment, a practice used by TELCOR when it orders the closing of media outlets (see section 7.2.2).

One of the most talked about cases involved Silvia González, a journalist from *El Nuevo Diario*, who had to go into exile due to multiple death threats in 2011 after she wrote a series of articles about a former Contra guerrilla leader, Gabriel José Garmendia ("Yahob"), who supposedly led a band of armed robbers and was killed in circumstances which were not fully explained.

In other instances, the state has intervened by using the judicial system and the police to raid and intimidate media outlets and civil society organizations, including the international organization Oxfam in October 2008. There was also a raid on CINCO, whose president, Carlos Fernando Chamorro, is the director of the television program "*Esta Semana*," and the digital publication *Confidencial*, which had published an investigation that revealed how government officials extorted businessmen in exchange for favors in the courts.

The investigation was followed by a ruthless defamation campaign through official channels owned by the Ortega family, in which CINCO was accused of illegal money laundering, even suggesting ties with drugs trafficking. Prosecutors alleged that CINCO illegally triangulated funds received from international aid organizations. CINCO administered funds that were executed by other organizations, which is legal under Nicaraguan law and allows social organizations which are not NGOs to use funds that they cannot administer themselves. In the case of CINCO, the organization that benefitted from this arrangement was the Autonomous Women's Movement, a feminist organization very critical of the government. The raid did not comply with the law. The prosecutor's office confiscated CINCO's computers for six months without presenting a formal accusation and no evidence was ever found to validate the initial accusation.

Five other civil society organizations were also accused of triangulating money illegally. All the accusations were dropped. The raid sent a clear message to all the other media outlets and civil society organizations in the country.

7.4 Assessments

There are no plans to approve a new telecoms law, or any other new policies. Since there are no laws relating to the administration of internet services, this area remains unregulated. For now, the lack of a comprehensive regulatory framework and the strong influence of political and economic groups on the regulating entity, TELCOR, has led to growing inequality in the media market and an almost absolute control by the government and groups linked to it. Government intervention in the media world takes place in different ways, through the selective application of the law, the use of the police, the judicial system, tax collecting agencies, and other groups. This has sent a clear message to critical media and organizations that criticism will not be tolerated.

Although these political and economic factors are not directly linked to digitization, they represent obstacles for the implementation of an integrated policy for the administration of telecoms, including the bases for the transition to the digital age.

8. Conclusions

8.1 Media Today

The digitization process has experienced uneven development in Nicaragua. While internet access and development have slowly advanced, the digitization of broadcasting is still a pending task for which there are no plans. In this sense, digitization has taken place at only two levels. One involves the digitization of media and communications equipment, and the take-up of digital tools that are used on a daily basis. The second involves access to the internet as a new means of communication. Television and radio have still not transformed their land communication systems into digital systems; therefore, the internet is the only completely digital platform that currently exists.

Internet use has increased significantly in recent years, especially among urban young people. Unequal access to the internet and access to other basic services such as electricity are determined by socio-economic inequality. But there are also other factors due to generational changes. Young people are much more educated today than young people 30 years ago. There are twice as many users under 17 years of age as there are among the population over 45 years of age. Among the younger generation, there has been a migration from consumption of pre-digital media to digital media formats.

Nicaraguans who use the internet identify this media format as the second most important after television. However, digitization has not had an important impact on expanding the supply of news. Traditional media—television and the press—are still the main news providers. Digitization has allowed the traditional media to expand to internet formats, thereby expanding their base of consumers and establishing a closer relationship with this base, also allowing for greater feedback.

Nicaraguans use the internet primarily for three purposes: email, social networks, and the news. The most frequently visited website is Facebook, which is the site with the largest growth among Nicaraguan users. The most frequently visited news media sites belong to the *La Prensa* and *El Nuevo Diario* newspapers. However, the site with the largest number of registered Nicaraguans is the social network Bacanalnica.com. The high use of the *La Prensa* and *El Nuevo Diario* sites reflects the importance that the internet has for Nicaraguan émigrés. The number of internet users doubles or triples the readership of both newspapers, and most of their readers are in countries with the largest concentrations of Nicaraguan immigrants.

Activist groups and political parties are increasingly using networks to promote their ideas and connect their social bases. The FSLN party has developed the strongest social network strategy. It has a network of university communicators who administer 350 pages of support for the government and seek influence at the digital level. At the same time, Twitter is gaining ground among activists and political parties. For the first time, we see non-journalists covering political or social activities and posting these on the networks. Civil society groups working to ensure transparency in electoral processes have also set up their own web pages, and made use of social networks to post and receive information during the presidential elections in 2011.

Nicaraguan media have undergone important changes, but these are not directly linked to the process of digitization. After a very limited number of media that was highly dominated by state propaganda during the 1980s, there was enormous growth in the number and diversity of television channels and national and local radio frequencies during the 1990s, and together with this an exponential growth in the number of people using the media. The supply of news and opinion spaces also proliferated. However, since Mr Ortega assumed power, even though the number of media outlets continues to grow, the variety of owners and diversity of information have decreased drastically. Nicaragua is experiencing new changes in the media supply, in radio and especially in television, where two business groups—one linked to Mr González and the other to Mr Ortega—control seven of the 12 television VHF channels and other UHF channels as well.

With respect to public service media, the government operates the Channel 6 television station and Radio Nicaragua, both with nationwide coverage. However, these do not fulfill the role of public service media, since they are not open to any news, debate, or educational programs about national issues or government management that do not adhere to the government line. Historically, Radio Nicaragua has been used as a mouthpiece for the government, and the practice has continued under the current governing party. Channel 6 was reopened in 2011 following the same principle. One characteristic of the government's communications policy is to use the media pertaining to Mr Ortega's business group—Radio Ya, Channel 4, and the digital newspaper *El 19*—as unofficial channels for the administration.

In the digital realm, pressure from international cooperation agencies had encouraged the previous government to begin to modernize the online platforms of governmental institutions, creating a source of public information. However, there is very little information currently available on the government's web pages, and spaces on these for consultations were closed. The websites of the presidency and other institutions evolved into partisan pages containing nothing more than government propaganda.

The key law in the regulatory framework for telecoms is the General Law on Telecommunications and Postal Services, Law No. 200, which is not only obsolete, given the development that has taken place in telecoms since 1995 when it was approved, but also leaves measures that permit control over telecoms ownership and guarantee the multiple use of media licenses in a state of legal limbo.

Currently, anybody can obtain a media license, or anybody can buy the legal entity that acquires any type of media. This has allowed the indirect allocation of multiple licenses to a single individual. The list of license-holders does not correspond to the real names of the country's media owners. Moreover, Nicaragua has different

levels of regulations, since it is part of the CAFTA telecoms agreement, which has various specifications for telecoms management. The complete lack of oversight and the failure to publish information about transactions that take place—such as the concentration of pay-for-view television, where the cable operator ESTESA first bought up local cable stations and was later bought up by Claro, or the acquisition of media by President Ortega’s and Mr González’s business groups—has left the regulation of the telecoms industry and media ownership in the hands of government interests and strong national and foreign businesses.

The current government’s communications policy consists of a government, party, and family structure that guarantees control over the regulating agency, the media, and information. The creation of the Communication and Citizen Participation Council, under the direction of the president’s wife, and the selection of a former director of one of the president’s own media channels as director of TELCOR have allowed Mr Ortega to maintain absolute control over state advertising funds and free rein regarding the purchase of other media entities.

Around 80 percent of state advertising has been allocated to Mr Ortega’s own media or to other allied media. The businesses that have received licenses are also associated with the president’s businesses. Added to this is the purchase of various television stations without any supervision or monitoring, which are being directed by the president’s children. All of these efforts are part of what the coordinator of the Communication and Citizen Participation Council calls a policy of “non-contaminated information,” which ensures that the sources of information and the media that disseminate this information are controlled by the same political party. Part of this control includes prohibiting public functionaries from making any statements to unfriendly media, and these same unfriendly journalists are not invited to public sessions with the president.

This communications policy has had a real and measurable impact on journalism. In television, spaces offering independent or critical opinion have diminished drastically during the past five years. The lack of access to information sources has made an accurate overview of the government extremely difficult, and self-censorship has become common practice among many journalists. Against this backdrop, digitization has had a limited impact on improving the quality of journalism, and investigative journalism in particular, although the internet provides an option as an alternative, cheap, and unregulated platform for communication. Journalists, however, need to confront the challenge of creating economically sustainable online media platforms, and become more educated in digital language, which to date has only been minimally explored and for which the majority lacks any professional training. The internet is positioning itself as the medium of preference for new generations, but making use of its potential requires journalists to make full use of its resources as sources for investigations and dissemination.

8.2 Media Tomorrow

The diversity of media and voices in Nicaragua has diminished since 2007, due chiefly to the governing party’s policy of controlling the media, but also to the challenges of media sustainability in the context of economic crisis. In most cases, the online editions of offline media currently replicate their print or broadcast output, or indeed offer less news and information.

However, there are examples of independent media outlets which deliver investigative journalism and which already use digitization to reach a massive public online and bid for sustainability. The internet has opened a window of opportunity for this type of small outlet. As they gain experience, these outlets are improving their outreach and making more effective use of social networks.

The quest for online sustainability will be axiomatic for new media but also for traditional media, especially television and radio.

Another challenge facing Nicaragua's online media is the quest for an effective position in the advertising market, and a prerequisite for success in this quest will be a broader cultural shift in the private sector.

At the same time, new technology is forming a new generation of journalists for whom the internet is clearly the most important aspect of digitization. The superior education granted to younger generations allows them to make much more extensive use of new technology. All the indications are that the internet will quite soon become this new generation's main source of information. The main challenge facing the media and journalists will be to manage their migration online in a sustainable way.

Although it has its own shortcomings, which are numerous, the emerging news journalists have—unlike their predecessors—the opportunity both to carry out their own research and to oversee the presentation and dissemination of the content they produce. For online media outlets with low budgets, this combination of functions is becoming more necessary.

However, journalism in Nicaragua still fails to produce and nurture the sort of independent journalist who covers reality in his or her own way, in a blog or via another independent format that provides an alternative space for independent voices of many kinds, where professional journalists can disseminate their news and views outside the limitations of the editorial policy of one or other media outlet.

9. Recommendations

9.1 Policy

9.1.1 Media Policy

9.1.1.1 State Advertising

Issue

The discretionary use of government advertising in the midst of the economic crisis has eroded diversity in the media and reduced the number of independent news programs.

Recommendation

Parliament should pass a new law to establish clear criteria to guarantee the transparent use of the state budget for advertising and communications. Mechanisms for handling this process should be established, and periodic reports on the use of public funds in the media should be freely accessible. In addition, the use of such funds should be decentralized, so that media outlets outside the capital receive a fair share of funds.

9.1.2 Telecoms Policy

9.1.2.1 Telecoms Law

Issue

Nicaragua lacks adequate regulation of the telecoms sector. It is regulated by the General Law on Telecommunications and Postal Services (Law No. 200, 1995) and by numerous technical norms approved by TELCOR. This legal framework does not have regulations for digitization, and it is ambiguous with respect to the concession and administration of licenses for spectrum use.

Recommendation

Parliament should approve a new telecoms law that will accommodate the transition from analog to digital communications. This law should be in line with international standards on freedom of expression, diversity and pluralism.

The law should:

- regulate the management of frequencies and ensure transparency in this process;
- guarantee greater plurality in the ownership of frequencies and media outlets by introducing anti-monopoly rules and ownership limits;
- introduce provisions to guarantee transparency of ownership;
- include criteria for licensing media outlets such as, for example, the public service value of the proposed programming;
- define the tasks of TELCOR (or another institution designated to manage the licensing process) and establish criteria to guarantee the professionalism and independence of the president and other officials involved in the licensing process;
- promote internet access and a more equitable use of digital services by citizens, while guaranteeing the quality and affordability of these services.

The draft law should be subject to wide consultation involving media outlets, business owners, service providers, consumer organizations, civil society organizations, political parties, educational organizations, and citizens in general.

9.2 Journalism

9.2.1 Government and Journalism

Issue

Rather than protecting and promoting independent journalism, the government tries to control critical media and discriminates against them, for example by granting privileged access to official events to certain outlets and denying access to public information.

Recommendation

The government should grant access to all media and journalists, under equal conditions, to cover official events and press conferences by public officials, in particular those of the presidency. In addition, it should facilitate access to public information in compliance with Law No. 621 (2007), which regulates this access.

9.2.2 Economic Sustainability of Media

Issue

Most media outlets face economic difficulties in the digital switch-over process and are unable to adjust their business models to the digital environment. In this difficult environment, increased social responsibility of large advertisers is even more necessary.

Recommendation

Large advertisers should contribute to the support of an independent press by investing in digital media and renouncing the use of their advertising money as a form of pressure. In addition, media companies and universities should promote research into media business models to help the industry become sustainable.

9.2.3 Weakness of Investigative Journalism

Issue

The lack of economic sustainability, coupled with the government's hostility toward critical media, are the main reasons for the shortage of independent quality journalism and investigative journalism in Nicaragua.

Recommendation

Journalists' professional organizations should assume a leading role in promoting professionalism and independence among media professionals and media outlets. In turn, international cooperation agencies that fund governance, transparency, and access to information programs and other philanthropic funders should prioritize, strengthen, and increase funding for investigative journalism related to governance and transparency in political life, and to the public and private sectors of the economy.

9.3 Digital Media Literacy

9.3.1 Journalists' Education and Training

Issue

Most current and aspiring journalists lack the skills and knowledge needed to make appropriate use of new technologies and to take full advantage of digitization.

Recommendation

Universities should invest in technical equipment and update their curricula to include more courses related to cyber-journalism and new technologies, in order to train journalists capable of adapting to the challenges of digitization. For those already in the profession, universities and professional organizations should partner to provide adequate training in digital tools.

List of Abbreviations, Figures, Tables, and Companies

Acronyms and Abbreviations

AIN	Nicaraguan Internet Association (<i>Asociación Internet de Nicaragua</i>)
CAFTA	Central America Free Trade Agreement
CINCO	Center for Communication and Media Research (<i>Centro de Investigación de la Comunicación</i>)
CONPES	National Council for Socio-Economic Planning (<i>Consejo Nacional de Planificación Económica y Social</i>)
CORADEP	Community Radio Corporation (<i>Corporación de Radiodifusión del Pueblo</i>)
CPC	Councils of Citizen Power (<i>Consejos del Poder Ciudadano</i>)
CPN	Association of Journalists of Nicaragua (<i>Colegio de Periodistas de Nicaragua</i>)
CSE	Supreme Council for Elections (<i>Consejo Supremo Electoral</i>)
CSJ	Supreme Court of Justice (<i>Corte Suprema de Justicia</i>)
DGI	General Revenue Office (<i>Dirección General de Ingresos</i>)
ECLAC	United Nations Economic Commission for Latin America and the Caribbean
ENATREL	National Company for Energy Transmission (<i>Empresa Nacional de Transmisión Eléctrica</i>)
ENEL	National Company for Electric Energy (<i>Empresa Nacional de Energía Eléctrica</i>)
EU	European Union
FSLN	Sandinista National Liberation Front (<i>Frente Sandinista de Liberación Nacional</i>)
GDP	Gross Domestic Product
GNI	Gross National Income
HDTV	High-definition television
IEEPP	Institute for Public Policy and Strategic Studies (<i>Instituto de Estudios Estratégicos y Políticas Públicas</i>)
IMF	International Monetary Fund
INIDE	National Information and Development Institute (<i>Instituto Nacional de Información de Desarrollo</i>)
INSS	Nicaraguan Social Security Institute (<i>Instituto Nicaragüense de Seguridad Social</i>)
IPADE	Institute for Development and Democracy (<i>Instituto para el Desarrollo y la Democracia</i>)

IPTV	Internet protocol television
ISP	Internet service provider
ITU	International Telecommunication Union
LTE	Long-term evolution
NGO	Non-governmental organization
OAS	Organization of American States
ONAP	Nicaraguan Organization of Advertising Agencies (<i>Organización Nicaragüense de Agencias de Publicidad</i>)
PC	Personal computer
PLC	Constitutionalist Liberal Party (<i>Partido Liberal Constitucionalista</i>)
PLI	Independent Liberal Party (<i>Partido Liberal Independiente</i>)
RNDC	National Consumer Rights Network (<i>Red Nacional de Defensa de los consumidores</i>)
SISMO	Public Opinion Monitoring System (<i>Sistema Monitoreo de la Opinión Pública</i>)
TELCOR	Nicaraguan Institute for Telecommunications and Postal Services (<i>Instituto Nicaragüense de Telecomunicaciones y Correos</i>)
UCA	Central American University (Universidad Centroamericana)
UGC	User-generated content
UHF	Ultra high frequency
UPN	Union of Journalists of Nicaragua (<i>Unión de Periodistas de Nicaragua</i>)
VHF	Very high frequency

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Companies

Albanisa
 Amazon
 American Mobile
 Banpro
 Claro
 Ence
 Enitel
 Ericsson
 Estesa
 Facebook
 González group
 La Nueva Radio Ya
 Movistar
 Ortega-Murillo group
 Ortiz Gurdian Group
 Pellas Group
 Pro America Group
 Radio Corporación
 Radio La Primerisima
 Ratensa Group

Mapping Digital Media: Country Reports (published in English)

1. Romania
2. Thailand
3. Mexico
4. Morocco
5. United Kingdom
6. Sweden
7. Russia
8. Lithuania
9. Italy
10. Germany
11. United States
12. Latvia
13. Serbia
14. Netherlands
15. Albania
16. Hungary
17. Moldova
18. Japan
19. Argentina
20. South Africa
21. Turkey
22. Lebanon
23. Macedonia
24. Bosnia and Herzegovina
25. Poland
26. Montenegro
27. Georgia
28. Nigeria
29. Colombia
30. Croatia
31. Slovenia
32. China
33. Peru
34. Chile
35. Spain
36. Kenya
37. Bulgaria
38. India
39. France
40. Estonia
41. Kazakhstan
42. Malaysia
43. Pakistan
44. Slovakia
45. Czech Republic
46. Egypt
47. Singapore
48. Brazil
49. Jordan
50. Uruguay
51. Finland
52. Guatemala

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.

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