



# Media and Journalism in Argentina

Politics, Money and Technology

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# Published by

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## **Media and Journalism Research Center (MJRC)**

MJRC is an independent media research and policy think tank that seeks to improve the quality of media policymaking and the state of independent media and journalism through research, knowledge sharing and financial support. The center's main areas of research are regulation and policy, media ownership and funding, and the links between tech companies, politics and journalism.

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OBSERVACOM (Latin American Observatory of Regulation, Media and Convergence) is a regional think tank specializing in regulation and public policies related to the media, telecommunications, the internet and freedom of expression. OBSERVACOM addresses these issues from a rights perspective, focusing on access, diversity and pluralism. OBSERVACOM brings together experts and researchers committed to the protection and promotion of democracy, cultural diversity, human rights and freedom of expression in Latin America and the Caribbean.

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The Research Center for Cultural Industries, Communication Policies and Public Space (ICEP) works at the National University of Quilmes (UNQ), Argentina. It aims to strengthen the studies in the political economy of communication and culture in permanent dialogue with other theories and areas of thought, and to deepen the study of the transformation of cultural industries and information and communication technologies triggered by digitization.

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The University of Santiago de Compostela (USC), founded in 1495, is one of the world's oldest public universities and has two campuses in the cities of Santiago de Compostela and Lugo, in Galicia (Spain). The USC partner in this project is the research group Novos Medios, which is part of the USC's Department of Communication Sciences. Novos Medios specializes in studying the relationship between technology and media, as well as the changes that affect today's journalism in terms of audiences, funding, innovation and public service.

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The **Media Influence Matrix Project** is run collaboratively by the Media & Power Research Consortium, which consists of local as well as regional and international organizations. The consortium members are academic institutions (universities and research centers), NGOs, journalism networks and private foundations.



# Executive Summary

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Argentina is located in the southernmost part of Latin America. It has over 46 million inhabitants. The main language spoken in the country is Spanish, and its predominant religion is Catholicism. Since 1983, Argentina has had a democratic government system that formally guarantees freedom of the press in its Constitution. The legal framework is limited to the regulation of citizens' rights and journalists' responsibilities.

Argentina has a robust media structure. There are many newspapers throughout the country. Radio and television have nationwide coverage through a system that privileges licenses to the private commercial sector. State radio stations and television channels also have a nationwide presence, but with very small audiences. In 2005, non-profit community radio and television was authorized to broadcast.

Access to communication services has high penetration rates. Pay-TV (cable and satellite) has maintained a wide penetration since the 1990s and currently reaches 70% of households. News programming holds a relevant place. Mobile telephony, which developed in the 1990s, is used by the entire population. It is the main access route to the internet, especially in popular sectors. The penetration of internet services in households is lower than that of mobile telephony. Only in recent years has the introduction of fiber optic to home begun to take shape, although for now it is only available in some large urban centers.

Regarding the market structure, one of the characteristics of the media system in Argentina is the high concentration of ownership. The Clarín Group is the main player in the communication system, with dominant positions (first or second largest player in each market) in print media, radio, open and paid television, fixed and mobile telephony, and home internet distribution. It is an unprecedented case, even at the level of Latin America, of dominance in content production markets and content distribution at the same time.

Historically, Argentina has shown significant development in its cultural industries, especially when compared to the region. The media has had high rates of consumption. However, in recent years, analog media has lost importance. This situation is more evident in the print press and is beginning to impact television and radio. On the other hand, digital media, especially information distribution through platforms, is gaining space.

At the regulatory level, during the first government of Cristina Fernández de Kirchner (2007-2011), a new legal framework was established for the audiovisual system. In October 2009, Congress approved the Audiovisual Communication Services Law (No. 26522/09), which has notable elements regarding regulation within a democratic framework. For example, it reserves 33% of the radio spectrum for non-profit organizations.

However, the law voted by the Congress in 2009 had a short life. When the center-right alliance led by Mauricio Macri (2015-2019) won the political power, important amendments to Law 26522 were made through a presidential decree. The main changes took place in aspects related to the structure of the audiovisual system, and most of the concentration limits were removed. The institutional design of the regulatory authority was also reorganized, and a convergent body for the media and telecommunications sector was established.

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## **CHAPTER 1**

# **Government, Politics and Regulation**

# Legal Overview

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Freedom of expression in Argentina has been officially guaranteed since the adoption of the country's first constitution in 1853. The media operate within a formal framework of freedom rights, though not exempt from pressure from the state and commercial interests. There is no specific regulation for the written press, but radio and television must observe a particular set of legal norms.

There are general regulations for the protection of honor and privacy, and for national security. New technologies have sparked an important social and political debate about how the internet should be regulated, but no specific laws covering the online space have been enacted. Instead, such cases and controversies have been thus far solved in courts. For now, there is very limited space for legal intervention in regulating tech platforms and social networks.

The constitutional reform of 1994 incorporated the international treaties signed by Argentina into the country's constitution. Thus, the principles that guarantee freedom of expression stated in the Inter-American Human Rights System are now part of the Argentine constitution.

## The Constitution and Freedom of Expression

The Argentine Constitution of 1853 recognized the right of all people to "publish their ideas in the media without prior censorship"<sup>[1]</sup>. In 1860, article 32, which established that "the federal Congress shall not enact laws that restrict the freedom of the press or establish federal jurisdiction over it", was added.

Following the constitutional reform of 1994, a paragraph that guarantees the protection of journalistic sources was added to article 43 : "The confidentiality of journalistic sources may not be affected."

The main international treaties protecting freedom of expression that have been adopted by Argentina include the Universal Declaration of Human Rights (1948); the International Covenant on Civil and Political Rights (1966); the American Convention on Human Rights (1969); and the Convention on the Rights of the Child (1989).

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[1] Article 14 of the Argentine Constitution, see more at <http://servicios.infoleg.gob.ar/infolegInternet/anexos/0-4999/804/norma.htm> (accessed 3 March 2022).

One of the fundamental documents for the interpretation of article 13 of the American Convention on Human Rights is the Declaration of Principles on Freedom of Expression, written by the Rapporteur for Freedom of Expression of the Inter-American Commission on Human Rights (2000)[2].

In May 2005, the National Congress, Argentina's lawmaking body, through Law 26032, granted online media the same constitutional guarantees as those enjoyed by the press. Article 1 of the law states: "The search, reception and dissemination of information and ideas of all kinds, through the internet, is considered to be included in the constitutional guarantee that protects freedom of expression"[3].

[2] Miguel Rodríguez Villafañe, *Libertad de expresión y periodismo en el Siglo XXI. Derechos, garantías, responsabilidades y secreto profesional periodístico*, 2015, Universidad Nacional de Córdoba, p. 45.

[3] See the full text of Law 26036 adopted on 18 May 2005 at <http://servicios.infoleg.gob.ar/infolegInternet/anexos/105000-109999/107145/norma.htm> (accessed 3 March 2022).

# General Rights Affecting Freedom of Expression

For some time now, the Supreme Court of Justice has extensively established a strong presumption of unconstitutionality for any prior censorship exercised on freedom of expression.

With the transition of the country to democracy that began in 1983, the normative support for freedom of expression and its effective implementation have gradually been adjusted. The Supreme Court has limited subsequent liability for the disclosure of information and value judgments in order to avoid “self-censorship” of those who help shape the public debate. These standards regulate the responsibility for hate and discriminatory speech, and influence the interpretation of criminal, civil and administrative regulations that sanction such speech[4].

The Supreme Court has granted special constitutional protection of information to public officials, public figures and even individuals involved in matters of public interest[5]. In the area of public discourse, the Supreme Court has adopted regulations that seek to prevent self-censorship in order to ensure inclusive debates, and even the possibility to ask for compensation for damages in cases related to the right of dignity and personal privacy. These regulations do not cover debates referring to individuals or matters that are not of public interest.

People exercising freedom of expression cannot be censored in advance, but can be held liable after they exercise this right. However, in recent years, certain provisions on freedom of expression have been removed from the penal code. In 1993, through Law 24198[6] insult was decriminalized following a ruling against Argentina by the Inter-American Court of Human Rights (Kimel case). Libel and slander were decriminalized in 2009 through Law 26551[7].

Following the constitutional reform in 1994, Habeas Data was incorporated in the law as a guarantee, and at the same time as a confirmation at the constitutional level of the right to dignity and privacy, among others[8].

One of the limitations to the right to freedom of expression is the prohibition of war propaganda and the glorification of propaganda of racial or religious hatred as well as incitement to violence. These issues are regulated by the American Convention of Human Rights. There are other similar constraints related to the protection of national security, public order or public morals.

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[4] Guadalupe Vázquez, Los discursos de odio en la doctrina de la Corte Suprema argentina, in Víctor Abramovich et al (eds.), *El límite democrático de las expresiones de odio*, 2021, Buenos Aires: TESEO.

[5] Vázquez, Los discursos de odio, *cit.*

[6] Penal Code, Law No. 24198, enacted in May 1993, see more at <http://servicios.infoleg.gob.ar/infolegInternet/anexos/0-4999/596/norma.htm> (accessed 2 March 2023).

[7] Penal Code, Law No. 26551, adopted in November 2009, see more at <http://servicios.infoleg.gob.ar/infolegInternet/anexos/160000-164999/160774/norma.htm> (accessed 2 March 2023).

[8] Rodríguez Villafañe, *Libertad de expresión y periodismo*, *cit.*, p. 134.

The right to rectification or to reply is enshrined in Article 14 of the American Convention on Human Rights. Giving access to a different version of the facts or to a different opinion, this right favors public interest in the search for the truth as a way to protect freedom of expression. However, since its implementation is not regulated, this right has rarely been exercised.

Journalism as a profession does not require an academic degree, which means that anyone can be a journalist. Consequently, in Argentina, there is no journalistic body that regulates the profession, although there are some non-profit organizations focused on the protection of journalists as well as unions and other professional associations.

There is a Statute of the Professional Journalist adopted by Law 12908 in 1947, which regulates the labor rights of journalists.

Over the years, the Supreme Court of Justice has ruled as jurisprudence the doctrine of real malice, which follows the guidelines of the North American court in the case “New York Times vs. Sullivan”. The court has indicated that those who consider themselves affected by journalistic content deemed to be false must demonstrate that whoever issued that piece of information was aware of the falsehood. Said standard is even stricter when it comes to officials and public figures since the court understands that these persons voluntarily expose themselves to public scrutiny and have better access to the media, being thus able to spread more easily false accusations than private individuals who are thus more vulnerable[9].

The constitutional protection of political and social criticism also extends to hate speech and discrimination, which are tolerated if they are part of such political or social criticism. This legal provision is aimed at preventing suppression of dissenting voices[10].

Regarding hateful and discriminatory speech, the Supreme Court gives precedence to pluralism of information, diversity of voices and balanced participation as key principles related to the right to freedom of expression. For the Court, discriminatory speech is more damaging when the public debate is dominated by certain voices.

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[9] Damián Loreti, *El derecho a la información. Relación entre medios, público y periodistas*, 1995, Buenos Aires: Paidós.

[10] Vázquez, *Los discursos de odio*, cit.

# Access to Information

During the government of Néstor Kirchner (2003-2007), the Decree 1172/03<sup>[11]</sup> concerning access to Public Information was promulgated. The new regulation established guidelines for the process of requesting information from the National Executive Power, Argentina's executive branch represented by the President of the country. It also introduced various tools to encourage public participation and government transparency including regulations regarding public hearings, public interest, citizen participation in drafting regulations and open meetings of the regulatory authorities. Since this was a decree concerning the executive branch, it only covered matters related to it.

In September 2016, during the government of Mauricio Macri, the National Congress approved Law 27275/16<sup>[12]</sup> concerning the Right of Access to Public Information, which extended the guarantees of access to the entire public administration: it covers all data that state bodies and state-run companies generate, obtain, transform, control or keep.

The Law guarantees the right to access to information to any individual or legal entity, public or private, and does not require the applicant to provide the reasons for the request or to have legal representation when making such a request. The only reasons to deny citizen access to state information are linked to data that are expressly classified as confidential or secret related to public defense or foreign policy; information that could jeopardize the proper functioning of the financial or banking system; and industrial, commercial, financial, scientific, technical or technological secrets whose disclosure could harm market competition.

The Law established the Access to Public Information Agency as an autonomous entity functioning as part of the executive branch, which is tasked to ensure compliance with legal provisions, guarantee the right to access to public information, and promote transparency<sup>[13]</sup>.

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[11] To access the full text of the Decree: <http://servicios.infoleg.gob.ar/infolegInternet/anexos/90000-94999/90763/norma.htm> (accessed 27 September 2023).

[12] The Right to Access to Information, Law N° 27275, complete text: <http://servicios.infoleg.gob.ar/infolegInternet/anexos/265000-269999/265949/norma.htm> (accessed 27 September 2023).

[13] Published in the Official Gazette on 26 September 2016, available at: <http://servicios.infoleg.gob.ar/infolegInternet/anexos/265000-269999/265949/norma.htm> (accessed 27 September 2023).



# Data Protection

Law 25326 of 2000 regulates the protection of personal data and the right to access any personal information stored in databases, as well as the possibility to correct, cancel or nullify such information. This law pinpoints rights that had been stated through the 1994 constitutional reform.

The Law defines personal data as information of any kind referring to physical persons or people who can be identified through association. It considers as sensitive data information that reveals racial and ethnic origin, political opinions, religious, philosophical or moral convictions, union affiliation and information regarding health or sexual life.

The processing of personal data is considered illegal when used without the owner's consent. The regulation guarantees the citizens' right to request information regarding their own persons, as well as the correction of data exposed in the database<sup>[14]</sup>.

Unlike the General Data Protection Regulation (GDPR), the EU's data protection law, personal data protection legislation in Argentina does not include the right to be forgotten. In the Argentinian regulation there is no specific provision that regulates this right. This means that judges had to approach the issue as a derivation of the right to dignity or privacy or to go by analogy to the Law of Protection of Personal Data where the closest provision is the so-called "right of suppression".

In 2020, the National Civil Chamber applied, for the first time in Argentina, what is known in international data privacy doctrine as the "right to be forgotten", in favor of Natalia Denegri, who had sued Google Inc., asking the company to remove from its search engine all search results that referred to certain personal information about her that occurred more than 20 years ago.

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[14] Published in the Official Gazette on 30 October 2000, available at: <http://servicios.infoleg.gob.ar/infolegInternet/anexos/60000-64999/64790/texact.htm> (accessed 2 August 2023).

# Platform-Specific Media Regulation

In Argentina, audiovisual services that are provided through the internet, such as Netflix, are not regulated by the Audiovisual Communication Services Law 26522 of 2009. This law uses the European Audiovisual Media Services Directive (AVMSD) as its basis. Therefore, its definition of the term “audiovisual” can be extended to other forms of distribution that are similar to television. However, there is no specific regulation of the convergence with other services.

Article 6 of the Law 27078 (on telecommunications) identifies Information and Communications Technology (ICT) services as “those whose purpose is to transmit and distribute signals or data, such as voice, text, video and images, facilitated or requested by third-party users, through telecommunication networks”. This definition includes audiovisual over-the-top (OTT) services, but then it further clarifies that “each service will be subject to its specific regulatory framework”, which has yet to be developed[15].

Regarding the federal government and the provincial administrations, their greatest regulatory effort so far has been aimed at collecting taxes from OTTs that provide foreign services such as those offered by Netflix. On 27 December 2017, the National Congress approved Law 27430, which in its Article 87 incorporated as activities subject to the Value Added Tax (VAT) Law the digital services provided by a foreign company that supplies services in Argentina.

Article 88 in this law lists a series of services, including “access to, and/or downloading of images, text, information, video, music, games, including gambling.” As the majority of suppliers of this type of service do not have a commercial or fiscal domicile in Argentina, Article 89 established the tax liability for providers of these services. In turn, Article 95 stipulated that any intermediary in the payment process must designate a tax collection agent.

In April 2018, the government of Mauricio Macri introduced, through decree 354/18, VAT on digital services provided by foreign subjects. In May 2018, the federal tax agency (*Administración Federal de Ingresos Públicos, AFIP*) issued General Resolution 4240, which regulates the form of payment and establishes two lists of providers. The first section includes services such as Netflix, Spotify, iTunes.com and Prime Video. The second section lists websites like Airbnb, Booking, Apple and Nintendo.

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[15] Guillermo Mastrini, and Fernando Krakowiak, Netflix en Argentina: expansión acelerada y producción local escasa, 2021, *Comunicación Y Sociedad*, 1-23.

# Broadcast Media

The regulation of broadcast media in Argentina was central to the public debate on media-related issues between 2008 and 2015. Until then, the decree-law<sup>[16]</sup> 22285<sup>[17]</sup> adopted in 1980 by the last military dictatorship had been in force. That legal document was an authoritarian law that did not correspond to the democratic regime in existence since 1983. However, attempts to change that law were unsuccessful due to pressure from various groups of interests. In 2008, after a strong dispute with the Clarín multimedia group, President Cristina Fernández de Kirchner (2007–2011 and 2011–2015) decided to fight for a legal change. She had to wait until October 2009 when the National Congress approved the new Audiovisual Communication Services Law (LSCA) No. 26522/09<sup>[18]</sup>.

Based on a human rights doctrine, the new law sought to generate a more pluralistic and transparent enforcement regulation, while limiting concentration of media ownership. The LSCA has notable provisions in terms of the democratic regulation of communication such as the provision requiring that 33% of all radio-electric spectrum be reserved for non-profit organizations.

The Law guarantees freedom of expression; it lifted the ban on non-profit organizations to run broadcast operations; it reduced the power of the executive branch (which until then directly controlled the process of law enforcement through a regulator); it established mechanisms that are meant to prevent the creation of highly concentrated oligopolies; and it demanded compliance with local production quotas by all system operators.

The Audiovisual Communication Services Law represents an important step forward. It links the concept of freedom of expression with human rights, and for the first time in Argentina, neither the enforcement authority nor the state-run media are fully controlled by the government. Instead, the law provides for cross-checking mechanisms and guarantees participation of political minorities in the regulatory process. The law recognizes three types of providers: state providers, commercially funded, private providers, and non-commercial private providers.

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[16] There is jurisprudence in Argentina indicating that the decrees adopted during military governments maintain the character of law upon the return of democracy. This was justified many years ago by the Supreme Court for the sake of legal continuity. For this reason, to replace the decree-law passed by the military, a law of parliament was necessary and a presidential decree was not enough.

[17] See the text of the law at <http://servicios.infoleg.gob.ar/infolegInternet/anexos/15000-19999/17694/texact.htm> (accessed 3 March 2023).

[18] Audiovisual Communication Services, Law No. 26522, adopted in October 2009, available at: <http://servicios.infoleg.gob.ar/infolegInternet/anexos/15000-159999/158649/norma.htm> (accessed 3 March 2023).

Regarding the institutional design, the law created the Federal Authority for Audiovisual Communication Services, a regulator whose governance body consists of seven members. Two of them are appointed by the president, three by the National Congress (assigning two to parliamentary minorities) and three by the Federal Audiovisual Communication Council (CFC). The law created the CFC as a forum for discussion of public policies with the participation of representatives of the provinces, companies, non-profit broadcasters, indigenous peoples, public media, media workers' unions, and universities. The entities of the Audience Ombudsman and an Advisory Council for Audiovisual Communication and Childhood were also created. Thus, through this law, a wide and pluralistic body of entities was created to grant civil society greater visibility and participation in the design of public communication policies.

Another notable regulation was introduced to prevent the concentration of media ownership. The number of licenses that the same company or person can have was limited to 10 or up to 35% of the potential market. Cross-ownership of electronic media in the same coverage area is also limited, but not that of print and electronic media.

Finally, in terms of content, quotas were established for national production (60%), own production (30%), and independent production (10%) with the aim of protecting the national audiovisual industry. The broadcasting system has also been linked to other cultural industries, since part of the taxes that broadcasters must pay for the use of the spectrum is transferred by the federal authority to the film and music industries.

Once the Law was adopted, the government did not show the same determination in implementing it. For their part, political groups showed opposition to the government and the most important media in the country carried out legal actions challenging the constitutionality of the Law and its effect on freedom of expression. In 2010, the Supreme Court of Justice declared the constitutionality of the SCA Law in general terms. However, four articles directly related to restrictions on the concentration of media ownership got legally challenged.

In October 2013, the Supreme Court of Justice issued a ruling that declared the 2009 Audiovisual Communication Services Law constitutional and fully applicable. The judicial appeal had been pursued by the Clarín group on the consideration that Law 26522 affected property rights and violated freedom of expression.

Six of the seven justices established that the Law did not affect freedom of expression and a majority of four indicated that the impact on economic rights was not unconstitutional in that case.

The ruling of the Court has a great significance because it establishes jurisprudence of the highest level on the very concept of freedom of expression. The main verdict considers that there are two dimensions to freedom of expression, one of an individual nature, based on the personal right to make ideas public, from which patrimonial rights derive; and a social or collective dimension, in which the entire population must be guaranteed the right to exercise their freedom of expression. In a time marked by the centrality of the media, the Supreme Court states that freedom of expression cannot be separated from the process of disseminating ideas, proof of the importance of this regulation.

The Supreme Court did not assess the quality of the Argentine Audiovisual Law, arguing that such an assessment should be the task of legislators, and highlighted that Law 26522 “aims to favor competitive and antitrust policies” as a way to guarantee freedom of expression and information.

The ruling is based on the need to promote and guarantee a robust public debate. Therefore, the Court points out that the principle that the LSCA seeks to guarantee is that of the plurality of voices, thus allowing the state the right to establish limitations on the concentration of media ownership that it deems necessary, provided that these limitations do not affect the possibility of the companies in the sector to operate. One of the key issues in the ruling is the distinction made by the Supreme Court between profitability and sustainability. The Court indicates that although the law may affect the profitability of the companies (and, in fact, recognizes their right to make an economic claim for the losses that may be caused), it has not been proven that the companies’ continued existence is affected by the de-concentration process, which means that the law does not affect their freedom of expression.

In this way, the ruling recognizes a fundamental issue, the special nature of the communication sector whose diversity must be especially protected, since this is the cornerstone of a democratic society. “[U]nlike other markets, in communication the concentration has social consequences that are manifested over the right to information, an essential good of individual freedoms.” The ruling adds, “the restrictions of a strictly patrimonial order are not disproportionate compared to the institutional weight carried by the law’s objectives”.

However, the law as it was passed by the national congress had a short life. When it took over the government, the center-right alliance headed by Mauricio Macri (2015-2019) brought important amendments to Law 26522.

On 4 January 2016, after less than a month as president, Macri published Decree 267/15<sup>[19]</sup> establishing the National Communications Entity (*Ente Nacional de Comunicaciones*, ENACOM) and modifying some of the core articles of the Audiovisual Communication Services Law. A year later, on the last business day of 2016, Macri signed the Decree 1340/16, which expanded provisions from the previous law.

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[19] See the text of the document at <http://servicios.infoleg.gob.ar/infolegInternet/anexos/255000-259999/257461/norma.htm> (accessed 3 March 2023).

Through those amendments, the Macri government introduced important changes, the following standing out<sup>[20]</sup>:

- The control of the regulatory bodies and implementation of the media and telecommunications policy were given to the executive branch.
- Creation of the ENACOM, in which it embedded the Federal Authority for Audiovisual Communication Services (AFSCA) that disappeared as a standalone entity. The ENACOM was first run by the Ministry of Communications, later by the Cabinet Office, and after that it had a Board of Directors consisting of four members appointed by President and three proposed by Congress (bicameral commission) at the proposal of the parliamentary groups. All directors can be removed by the President directly and without cause.
- It modified the regulation on ownership concentration in free-to-air television, cable television and radio, removed the classification of public service as competitor in the ICT sector (which had been defined by congress in Law 27078), extended the validity of all existing audiovisual licenses, and allowed broadcast groups to provide fixed and mobile telecommunications services as well as, with a delay that favored broadcast groups, allowed telecommunications operators to offer cable television services.
- It raised from 10 to 15 the number of free-air-to radio and television licenses at the national level and from three to four the number of local licenses that one licensee can hold.
- Cable television ceased to be regulated by the audiovisual law and was now considered an ICT service. Satellite television, also paid, was not affected by this change in classification. With this, Macri eliminated the limit for licenses and ceiling for market dominance on the cable market.
- It repealed the regulation that prevented cross-ownership concentration between free-to-air television and cable television licensees.
- Repealed the 35% limit on potential audience coverage for television and radio broadcasters.
- Authorized an initial public offering (IPO) for 45% of the share capital.

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[20] Martín Becerra , Restauración transgresora. Las políticas de comunicación del gobierno de Macri, in Becerra y Mastrini (comp.) Restauración y Cambio. Las políticas de comunicación de Macri, 2021, SIpreba-ICEP: Buenos Aires.



A year later, with the Decree 1340/16<sup>[21]</sup>, Macri complemented and amended some aspects of DNU 267/15, paving the way for the dominant media and telecommunications conglomerates to access and use the radio-electric spectrum, as well as to develop integrated services across sectors (triple and quadruple play).

With Cristina Fernández de Kirchner as vice president, the government of Alberto Fernández (2019) has not made changes in the regulation of communication systems.

Although most of the articles of Law 26522 remain in effect, the changes introduced during the Macri administration mean that this law has lost its essence. The result is a combination of a law and a decree that differ widely in their regulatory objectives. In any case, it is clear that after Macri's changes, most of the articles of the law that were controversial for the large communication groups were repealed and the regulatory authorities were brought back under the absolute control of the President.

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[21] Ministry of Communications, Decree 140/2016, Buenos Aires, December 2016, available at: <http://servicios.infoleg.gob.ar/infolegInternet/anexos/270000-274999/270115/norma.htm> (accessed 3 March 2023).

# Digital Platforms and Internet Services

No regulations have been adopted in Argentina that directly affect digital platforms. The internet has the same constitutional guarantees with regards to freedom of expression as the media. In 2018, congress came close to approving a law aimed at regulating internet intermediaries, but in the end the necessary consensus was not reached.

At the judicial level, the Supreme Court adopted the most prominent ruling in 2014 when it dealt with the scope of freedom of expression on the internet in the case “Rodríguez, María Belén”[22]. First, the Supreme Court held that online content is covered by the freedom of expression. Second, it noted that the role of search engines is critical to the functioning of the internet because they allow users to access online content. According to the Supreme Court, search engines are liable for third-party content in cases in which they have taken “effective knowledge of the illegality of that content” and they have failed to take remedial action.

# The Press and Digital Media

There is no specific regulation for the written press in Argentina. In some regional markets there is a strong indirect influence by the state on the press through state advertising, which has become the main source of financing for small and medium-sized media.

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[22] Full text available at: <https://cdh.defensoria.org.ar/normativa/rodriguez-maria-belen-c-google-inc-s-danos-y-perjuicios/> (accessed 4 April 2023).

# Regulatory Authorities

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The different segments of the communication sector in Argentina are regulated by a set of laws and decrees that have been adopted from 2009 onwards, at different times, and include various contradictory aspects. These laws multiplied the regulatory authorities, with often overlapping functions.

## Broadcast Media and Frequency Spectrum

### National Communications Entity (ENACOM)

#### Tasks

The ENACOM is accountable to the Ministry of Communications, as an enforcement authority regulated by Laws 26522 (Audiovisual Communication Services) and 27078 (Argentina Digital).

According to the information available on the regulator’s website<sup>[23]</sup>, its mission is to:

- Universalize digital inclusion
- Protect communications users
- Increase the quality of service in communications
- Promote competition for the development of Information and Communication Technologies (ICT)
- Promote investments in infrastructure for digital development
- Promote transparency and integrity in management

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[23] For more details, see: [https://www.enacom.gov.ar/que-es-enacom\\_p33](https://www.enacom.gov.ar/que-es-enacom_p33) (accessed 3 March 2023).

These guidelines suggest that the regulator specializes more in ICT services, yet ENACOM is a convergent regulatory authority in spite of the existence of different laws for each sector.

ENACOM’s main objectives include implementing a regulatory framework that allows the development of the industry based on competition that offers variety, quality services and diversity in prices. Additionally, the regulation of the frequency spectrum is a primary mission of the entity. Accordingly, ENACOM must safeguard competition, its main focus being the benefit of the consumers. On the other hand, ENACOM is tasked to contribute to eliminating the digital divide; follow a fast and effective political line of action, bearing in mind the sector’s development and requirements; guarantee freedom of the press, diversity of voices and access to information; promote the development of new ICTs, and move towards digital convergence while maintaining legal certainty that allows investments in infrastructure; and lastly, guarantee proper cooperation between the various actors in the sector[24].

The entity is headquartered in the city of Buenos Aires and has offices in the regions, provinces and cities with more than 500,000 inhabitants.

ENACOM has a strong relationship with other institutions in the sector such as the Bicameral Commission for the Promotion and Follow-up of Audiovisual Communication of the National Congress, a commission that evaluates both the operation of ENACOM and that of the Argentinean Radio and Television State Society; the Ombudsman for Audiovisual Communication Services, to which members of the audience can submit queries, claims and complaints regarding content offered by audiovisual communication service providers; with the Radio and TV Discrimination Observatory, a body that works together with the National Institute Against Discrimination, Xenophobia and Racism (*Instituto Nacional contra la Discriminación, la Xenofobia y el Racismo, INADI*) and the National Women's Council (*Consejo Nacional de la Mujer, CNM*); with the Casa Rosada, representing the Argentine state; and with the Chief of Staff[25].

## Board

Since the disassembly of the Ministry in 2018, ENACOM has functioned as an autonomous and decentralized body that reports to the head of the Cabinet Ministers. Four of ENACOM’s directors (including the president) are appointed by the government and the remaining three are appointed upon nomination by the main political forces represented in the congress[26].

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[24] For more details, see: [https://www.enacom.gob.ar/funciones\\_p46](https://www.enacom.gob.ar/funciones_p46) (accessed 2 February 2023).

[25] Links to each sector are described here: [https://www.enacom.gob.ar/organismos-vinculados\\_p2375](https://www.enacom.gob.ar/organismos-vinculados_p2375) (accessed 2 February 2023).

[26] According to Law 25522/09, the members of the Board of Directors had to be appointed as follows: two by the President, two by the Federal Communication Council and three by the congress.

As specified in Decree 267/2015, the board of directors must be made up of one president and three directors appointed by the President; and three directors proposed by the Bicameral Commission for the Promotion and Monitoring of Audiovisual Communication, Telecommunications Technologies and Digitization of the congress. The members (October 2023) of the board of directors are:

**Claudio Ambrosini** – President: During the previous period (2016–2019), he served as a member of the Board of Directors of ENACOM on behalf of the Renewal Front party. Appointed in January 2020 by President Alberto Fernández for the mandate of 2020–2024[27].

**Gustavo López** – Vice President: He was the supervisor of the Federal Broadcasting Committee (COMFER, predecessor of ENACOM) from 1999 to 2001. He was Deputy Secretary General of the Presidency of the Nation between 2008 and 2015. Appointed in January 2020 by President Alberto Fernández for the mandate of 2020–2024[28].

**Raúl Gonzalo Quilodrán** – Director: He served as Secretary of Communications, Press and Dissemination and Director of the Promotion and Development Agency in the government of Salta province. Appointed in January 2020 by President Alberto Fernández for the mandate of 2020–2024[29].

**María Florencia Pacheco** – Director: She served as an executive advisor at Conectar Igualdad, a program aimed at reducing the digital divide in schools run by the National Social Security Administration (*Administración Nacional de la Seguridad Social*, ANSES). She was appointed in June 2020 by President Alberto Fernández for the 2020–2024 mandate[30].

**Alejandro F. Gigena** – Director: Representative of the first minority, he was appointed Director by the Bicameral Commission for the Promotion and Monitoring of Audiovisual Communication of the Congress for the period 2020–2024. He represents the ruling Renewal Front party, and his appointment was made official by President Alberto Fernández in August 2020[31].

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[27] National Communications Ministry, Decree 64/2020, Publication date 01/15/2020, Official Gazette of the Argentine Republic, available online at <https://www.boletinoficial.gob.ar/detalleAviso/primera/224580/20200116>.

[28] Idem.

[29] Idem.

[30] National Communications Ministry, Decree 629/2020, Publication date 07/30/2020, Official Gazette of the Argentine Republic, available online at <https://www.boletinoficial.gob.ar/detalleAviso/primera/232763/20200730>.

[31] National Communications Ministry, Decree 670/2020, Publication date 08/13/2020, Official Gazette of the Argentine Republic, available online at <https://www.boletinoficial.gob.ar/detalleAviso/primera/233636/20200814>.

**Silvana Giudici** – Director: Representative of the second minority, she was appointed Director by the Bicameral Commission for the Promotion and Monitoring of Audiovisual Communication of the Congress for the period 2020–2024. She is a representative of the party Republican Proposal (PRO) and her appointment was made official by President Alberto Fernández in August 2020[32].

Ariel Martínez – Chief of Staff: He worked for several years in the National Social Security Administration (ANSES). He was appointed by President Alberto Fernández for the period 2020–2024 in December 2020[33].

In May 2021, the Bicameral Commission for the Promotion and Monitoring of Audiovisual Communication proposed the appointment of the former governor of the province of Santa Fé, **José Corral**, from the Radical Civic Union, representing the third parliamentary minority. His appointment was confirmed by the President.

## Funding

The ENACOM is an autonomous and decentralized body. It receives its funds in line with the provisions of Article 4 of Decree 267/15, which in turn takes up the provisions of law 26522/09.

The annual budget is made up of the following items[34]:

- Revenues from levies, fees, tariffs and right commissions provided for in Law 26522 on Audiovisual Communication Services, which must be paid by those who hold licenses to provide audiovisual communication services.
- Revenues from levies, fees, tariffs and other due income provided for in Law 27078 on Digital Argentina that must be paid by those who have licenses to provide Information and Communication Technology services.
- Revenues from fines
- Donations and subsidies
- State budget allocations

The ENACOM’s budget for the financial year 2021 was ARS 7.18bn (US\$ 71.8m)[35].

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[32] Idem.

[33] National Communications Ministry, Decree 1047/2020, Publication date 12/27/2020, Official Gazette of the Argentine Republic, available online at <https://www.boletinoficial.gob.ar/detalleAviso/primera/239195/20201228>.

[34] The full budget can be found at [https://www.enacom.gob.ar/multimedia/normativas/2015/Decreto-267\\_2015.pdf](https://www.enacom.gob.ar/multimedia/normativas/2015/Decreto-267_2015.pdf)

[35] According to the official exchange rate of the National Bank in Argentina: <https://www.bna.com.ar>, on 12/2/2021.



## The budget of ENACOM, 2021

Budget breakdown	In ARS
Core Activities	1,671,564,797
Control and Supervision of ICT Services	358,875,104
Customer service	646,615,956
ICT Services Administration	249,572,560
Control of Postal Services	82,849,994
Control and Supervision of Audiovisual Communication Services	426,934,166
Teaching, Training and Vocational Training	46,135,051
Administration and Management of Promotion and Development Project	484,872,361
Other Public Subsidies	3,211,169,000

Source: Argentinian Government • Created with Datawrapper

# Secretariat of Public Innovation

## Tasks

While ENACOM is the enforcement authority for the laws related to ICT and audiovisual services, the Secretariat for Public Innovation (*Secretaría de Innovación Pública, SIP*) is in charge of drafting public policies for these sectors. Like ENACOM, this entity has also undergone several changes in recent years. SIP was established by the government of Alberto Fernández in 2019 to replace the Government Secretariat for Modernization that, in its turn, was a successor to the Ministry of Modernization that replaced the short-lived Ministry of Communication<sup>[36]</sup>.

Currently, SIP is a secretariat of the Chief of the Cabinet of Ministers. It was created on 19 December 2019 by Decree 50/2019 that approved the organizational chart of the National Public Administration, a few days after the inauguration of the new president Alberto Fernández.

Among the objectives to be met by the Secretariat, those related to the communication, telecommunications and internet sectors stand out:

- To define strategies and standards for information technologies, related communications and other electronic systems (Art. 3);
- To participate in the drafting and execution of the telecommunications and tax policies in the communications field (Art. 11);
- To participate in drafting policies, laws and treaties, and supervise the bodies and entities that control communications service providers as well as in issuing the standards of licensing regulation, authorizations, permits and registrations granted by the state (Art. 12);
- To participate in the promotion of universal access to new technologies, in coordination with the provinces and the industry (Art. 14);
- To manage the state's shares in ARSAT S.A. and in the Official Mail of the Argentine Republic S.A. (Art. 15);
- To exercise tutelary control over the ENACOM (Art. 16);
- To participate in matters of cybersecurity and protection of critical information infrastructures (Art. 17);
- To manage and supervise the actions of the National Information Technology Office (*Oficina Nacional de Tecnologías de la Información, ONTI*), in line with the objectives and strategies defined in the State Modernization Plan (Art. 18);
- To participate in the drafting and execution of policies related to the development, use and promotion of public software (Art. 19).

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[36] The Ministry of Communications was a public body accountable to the President created by the Decree of Necessity and Urgency No. 13/2015 introduced by President Mauricio Macri: <http://servicios.infoleg.gob.ar/infolegInternet/anexos/255000-259999/256606/norma.htm>

In terms of Information and Communication Technologies (ICT), the most important tasks that the SIP must carry out are:

- To continue the Connect plan with an investment of ARS 23m for the construction of the ARSAT-SG1 satellite[37];
- To develop the Federal Fiber Optic Network (REFEFO)[38];
- To enhance the National Data Center and Open Digital Television (TDA)[39];
- To uphold the National Plan for Digital Inclusion that has already trained 369,221 people to use new technologies.

The SIP has a digital literacy and internet access plan with an emphasis on the interior of the country; it works on the implementation of new technologies with ministries and national public bodies, as well as on the spread of new technologies to facilitate citizen management processes; it develops web portals with open data and information on government management, in collaboration with ministries and national agencies, provinces and municipalities. However, the Secretariat has no clout in the media sector or among journalists.

## Board

The SIP reports to the Chief of the Cabinet of Ministers (JGM), a centralized structure headed by Juan Manzur. The Secretariat is a political body controlled by the ruling party.

**Micaela Sánchez Malcolm** is the current Secretary of Public Innovation. The organizational chart of the secretariat is divided, according to the latest data collected for this report, into the National Office of Information Technologies (led by Nicolás Karavaski); the Undersecretary of Administrative Management of Public Innovation (Diego Juan Bercholc); the Undersecretary of Open Government and Digital Country (César Leonardo Gazzo Huck); the Undersecretary of Administrative Innovation (Luis Mariano Papagni); the National Procurement Office (María Eugenia Bereciartua); and the Undersecretary of Information Technologies and Communications (Martín Olmos).

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[37] ARSAT-SG1, formerly known as ARSAT-3, is a geostationary communications satellite project operated by the Argentine state company ARSAT. The plans are to place it in 2023 in the geostationary slot at longitude 81° West: <https://www.arsat.gob.ar/jefatura/innovacion-publica/ssetic/conectar/el-arsat-sg1>

[38] It was born in 2010 as part of the "Argentina Conectada", a plan launched through the decree 1552/2010. The purpose of the construction of this network was to serve both public institutions and retail providers of ICT services in order to bridge the digital gap: <http://servicios.infoleg.gob.ar/infoleginternet/anexos/170000-174999/174110/norma.htm>

[39] Terrestrial digital television in Argentina, called Open Digital Television (TDA), constituted a state policy that began in 2009 with the implementation of the Japanese standard ISDB-T International modified by Brazil.

## Funding

The budget available for the Secretariat of Public Innovation, according to the budgetary proposal for the fiscal year 2021<sup>[40]</sup>, reached ARS 4.90bn (US\$ 49m)<sup>[41]</sup>.

### Budget the Secretariat of Public Innovation, 2021

Budget breakdown	In ARS
Core Activities	675,613,224
Open Government and Digital Country	860,669,288
Administrative Innovation	412,334,037
Management and Organization of the Procurement System of the National Public Administration	194,356,984
Connectivity, Digital Inclusion and ICT Policy Formulation	233,613,582
Financial Assistance to Public Companies	2,526,443,527

Source: Argentinian government • Created with Datawrapper

## Print Media Regulators

The written press in Argentina is not regulated by any state organization, entity or institution. The sector has historically been minimally regulated in line with the constitutional base in the articles 14 and 32 (freedom of the press)<sup>[42]</sup>.

Since the end of 1976, the two most important print media conglomerates in the country (Clarín and La Nación) have been the owners, in association with the state, of the largest producer of newsprint in the country, Papel Prensa S.A.<sup>[43]</sup>. Although this company does not have regulatory capacity, in fact it holds great power over the market by controlling the flow of newsprint for the industry as a whole.

[40] The full budget can be found at:

<https://www.economia.gob.ar/onp/documentos/presutexto/proy2021/jurent/pdf/P21J25.pdf> (62-84)

[41] According to the official price of the National Bank: <https://www.bna.com.ar>, on 12/2/2021.

[42] "Article 14.- All the inhabitants of the Nation enjoy (...) publishing their ideas in the press without prior censorship..."; and "Article 32.- The Federal Congress shall not enact laws that restrict the freedom of the press or exercise federal jurisdiction concerning this matter."

[43] See the company's website at <https://www.papelprensa.com/>.

# Internet Regulators

The ENACOM operates as the regulatory authority for both ICT services and audiovisual communication services. After Law 27078 on Digital Argentina was enacted in 2014, the state recognized technological convergence and its impact on operators, but kept the different services (audiovisual and telecommunications) legally separated. In this way, although there is an authority covering technologically converged services, there are different laws for each of the sectors. There are no specific regulations for the internet so far, except for tax-related provisions.

## Data Protection Regulators

### National Directorate for the Protection of Personal Data

The protection of personal data is guaranteed in Argentina through the writ of Habeas Data, adopted in 1994 following the constitutional reform and thus included in article 43, paragraph 3, of the National Constitution<sup>[44]</sup>.

Law 25326 on Personal Data Protection<sup>[45]</sup> was enacted in the year 2000. It regulates the applicable principles in the matter and the procedure of the Habeas Data action. This regulation also created a regulatory authority that is accountable to the Ministry of Justice. In 2017, the authority achieved independence in line with international standards and commitments.

Currently, the National Directorate for the Protection of Personal Data (*Dirección Nacional de Protección de Datos Personales*, DNPDP) is the body responsible for data protection in Argentina. It is subordinated to the Agency for Access to Public Information (*Agencia de Acceso a la Información Pública*, AAIP), created by Law 27275 on the Right of Access to Public Information in 2016. It is an independent entity that has operational autonomy under the Chief of the Cabinet of Ministers.

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[44] See the complete reformed National Constitution here: <https://e-legis-ar.msal.gov.ar/hdocs/legisalud/migration/html/877.html>

[45] See the full text of Law No. 25326, here: <http://servicios.infoleg.gob.ar/infolegInternet/anexos/60000-64999/64790/texact.htm>

The organizational structure of the AAIP[46] includes the Department of Informatics and Innovation, the National Directorate for Access to Public Information (*Dirección Nacional de Acceso a la Información Pública, DNAIP*), and the DNPDP.

## Tasks

The task of the Department of Informatics and Innovation is to consolidate the technological and IT structure of the Agency through the supervision of the datacenter services in cooperation with ARSAT; the administration of the IP telephony service; and the renewal of contracts for different services necessary for its activities.

The DNAIP is in charge of the Directorate of Public Information Policies, and it manages requests or access to public information received by various bodies, according to article 7 of Law 27275 on Access to Public Information[47].

The DNPDP is in charge of the Privacy Protection Directorate, and, in line with the tasks mandated by Law 25326 on the Protection of Personal Data[48], it receives and manages queries and complaints about legal breaches. It also conducts ex officio investigations.

The DNPDP works on two levels. On the one hand, at local level, it operates as a guarantor of compliance with two key provisions of Law 25326: "comprehensive protection of personal data stored in files, records, data banks, or other technical means of data processing, whether public or private, intended for reporting, to guarantee people's right to dignity and privacy, as well as access to one's own private information, in line with the provisions of article 43, paragraph 3 of the national constitution"[49].

The DNPDP is also the enforcement authority for Law 26951 corresponding to the National Do Not Call Registry, which collects the telephone numbers of people who do not want to receive advertising calls. It is also a member of the Convention for the Protection of Individuals with Regard to Automatic Processing of Personal Data (Convention 108). On 19 September 2019, Argentina signed the second Additional Protocol to Convention 108, known as Convention 108+, which revises the text of the treaty and incorporates new regulations on data protection aimed to address the new technological challenges.

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[46] Agency for Access to Public Information. Administrative Decision 1002/2017 (structure approved) City of Buenos Aires, 11/15/2017, available at: <https://www.boletinoficial.gob.ar/detalleAviso/primera/174813/20171116>

[47] Right of Access to Public Information. Law 27275. Object, exceptions and scope. See here: <http://servicios.infoleg.gob.ar/infolegInternet/anexos/265000-269999/265949/norma.htm>

[48] Full text of Law 25326 on the Protection of Personal Data: <http://servicios.infoleg.gob.ar/infolegInternet/anexos/60000-64999/64790/texact.htm>

[49] For the full text of the National Constitution, see: <http://servicios.infoleg.gob.ar/infolegInternet/anexos/60000-64999/64790/texact.htm>



The DNAIP prepares annual statistics on requests for access to public information received by the various bodies, according to article 7 of Law 27275 on Access to Public Information. Neither DNPDP nor DNAIP have any impact in the media or on journalism in Argentina.

## Board

On 18 February 2021, the Chief of the Cabinet of Ministers nominated Gustavo Fuentes for the position of AAIP Director[50]. In March 2021, a public hearing was held to discuss the candidacy. Several non-governmental organizations raised objections to the nomination. Fuentes' candidacy was eventually turned down. The agency is now headed by **Beatriz Anchorena**, a graduate in Political Science with a Master's degree in Public Policy and Development Management who was Undersecretary of Institutional Strengthening of the Chief of the Cabinet of Ministers. The leading positions for the other departments were filled following open calls organized by the previous government:

**Eugenia Braguinsky** - National Directorate for Access to Public Information. Previously, she was general director of Access to Public Information at the University of Buenos Aires and parliamentary advisor for different parties in the congress.

**Ana Pichon Riviere** - Directorate of Public Information Policies. She was the operations manager of the General Directorate for the Monitoring of Control Organizations and Access to Information of Buenos Aires local government.

**Eduardo Cimato** - National Directorate for the Protection of Personal Data. He was legal advisor at the National Directorate for the Protection of Personal Data of the Ministry of Justice and Human Rights.

**María Martha Panighetti** - Privacy Protection Department. She was legal advisor at the National Directorate for the Protection of Personal Data and head of the Department of National Registry of Databases of the Ministry of Justice and Human Rights.

The AAIP currently has 38 employees[51].

## Funding

For the 2020 fiscal year, the Agency had a budget of ARS 79m (US\$ 793,000)[52].

[50] Head of the Cabinet of Ministers. Resolution 100/2021. City of Buenos Aires, 02/17/2021, available at: <https://www.boletinoficial.gob.ar/detalleAviso/primera/240897/20210218>

[51] A detailed list can be found at <https://www.argentina.gob.ar/direccion-de-la-agencia-de-acceso-la-informacion-publica/equipo-de-trabajo>

[52] According to the official exchange rate of the National Bank: <https://www.bna.com.ar>, on 12/02/2021.

# Decision-Making Process

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Throughout its history, Argentina has maintained a presidential tradition that has granted the executive branch, which is represented by the President, the initiative in political matters. The media are no exception. Although in general the Congress is in charge of preparing bills, it is the President who directly influences and determines which laws are dealt with in the chamber.

The most hotly debated matters related to communication regulation are usually sent to the Congress at the President's initiative. An important part of the regulation is drafted at a second level through decrees and regulations that are adopted by ministries and various enforcement authorities, which, although theoretically independent, in reality face heavy interference from the President. Finally, the President has the authority to adopt various regulations through emergency decrees (DNU's)[53] or to veto laws.

Within the government, the body in charge of planning the communication policy is the Secretariat of Public Innovation. Another important actor in the decision-making process is the ENACOM, which has formal autonomy from the government, although the legal changes introduced during the Macri administration made it dependent on the president.

Likewise, the Congress has committees tasked to draft bills. Additionally, there are two more entities, the Media Secretariat and the Secretariat of Public Innovation, that have influence in the process of drafting of public policies on media and ICT.

Business chambers and professional organizations have historically pressured the government for favorable regulations. They include the Association of Argentine Broadcasters (*Asociación de Teleradiodifusoras Argentinas, ATA*), the Association of Argentine Journalistic Entities (*Asociación de Entidades Periodísticas Argentinas, ADEPA*), the Argentine ICT, Video & Connectivity Association (*Asociación Argentina TIC, Video & Conectividad, ATVC*), the Association of Argentine Private Radio Broadcasters (*Asociación de Radiodifusoras Privadas Argentinas, ARPA*), the Argentine Chamber of Independent Television Producers (*Cámara Argentina de Productoras Independientes de Televisión, CAPIT*) and the Argentine Internet Chamber (*Cámara Argentina de Internet, CABASE*).

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[53] Argentine legislation allows the President to introduce DNUs that alter the country's regulatory framework. If they are not explicitly rejected by the Congress, they acquire the status of law. This mechanism, which was used exceptionally until 1989, has been gaining increasing importance since the rule of Carlos Menem (1989-1999) who saw in this form of regulation an opportunity to circumvent Congress.

With the exception of the 2008-2015 period, these groups generally managed to make the regulators favorable to the commercial development of the media ecosystem. Their positions are usually influential because they are propagated by the media outlets that are members of these associations.

With the same exception of the period 2008-2015, communication policy in Argentina is not a matter of public debate. Throughout history, in Argentina, four specific laws were passed for the broadcasting sector. Two were issued by military governments (Law 15460 of 1957 and Law 22285 of 1980) and two during the democratic regimes (14241 of 1953 and 26522 of 2009). Only in the last case a public debate regarding the values that the legal system should protect took place.

All other legal provisions that affect radio broadcasting were adopted by the executive branch and the organizations under its control. The executive branch has also historically exercised control over the state-owned media (mainly Channel 7 and Radio Nacional).

# Influencers

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## Internal Influencers

### Industry Players

Although the communication policy is defined by the government and the laws are passed by the Congress, the main media conglomerates have had a major impact on the regulation of the communication sector during most of Argentine history. Their influence and lobbying capacity have been remarkable throughout the history of the country. With the exception of Law 26522 of 2009, they did not have major conflicts with the political power. It can be inferred that they have had a tacit pact with the authorities to refrain from being too critical while in exchange ruling politicians agreed not to interfere in the media markets.

The industry players do not represent an absolutely homogeneous set of interests. First, there is a notable difference between the large concentrated multimedia groups based in the city of Buenos Aires (Clarín, La Nación, América), and the mid-size and small media groups based in the rest of the country.

The most powerful media groups in the country are those that own pay-TV providers or news channels that are included in the pay-TV programming grids. Pay-TV systems (cable and satellite) have a high penetration in Argentina, reaching 80% of households<sup>[54]</sup>. News channels, focused on the consumption of daily, relevant information from the country and the world, are an important part of the package. On the other hand, in Argentina there are no radio and television licenses with nationwide coverage (with the exception of state radio and television, which have very small audiences). The inclusion of news channels in the pay-TV programming grid was a form of “nationalizing” the news broadcasting. As a result, the news agenda of the media channels is influenced by the interests of the owners who control those outlets, who are relevant actors in the media ecosystem as well as on the national political map.

The large audiovisual groups in the country have stood out in their efforts to influence communication policy. Since the adoption of Law 26522, they have been critical of the former governments of Cristina Fernández and Alberto Fernández (Peronism) and friendly with the government of Mauricio Macri. The Macri government was very receptive to the interests of the country’s large media corporations.

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[54] Statistics available at: <https://datosabiertos.enacom.gob.ar/dataviews/241328/penetracion-total-nacional-de-la-television-por-suscripcion-y-satelital/> and [https://encuestadeconsumo.sinca.gob.ar/tv\\_películas\\_series](https://encuestadeconsumo.sinca.gob.ar/tv_películas_series)

Another sector that plays a key role in Argentina's media market is the telecommunications industry. Telefónica and Telecom have dominated, leading the sector since the privatization of the sector in the 1990s. Their interests have often been opposed to those of the audiovisual companies. Telecom service providers tried to enter the pay-TV market, which was closed for them until 2018. Since they do not control the media, their ability to influence public opinion is less significant than that of the multimedia companies. Yet, their influence as large advertisers should not be underestimated. For many years, the lobbying efforts of the telecom corporations and of the media conglomerates clashed, preventing progress in the market regulation.

A third sector that affects communication policies, albeit with much less intensity, is the local media sector, which consists of outlets operating in the interior of the country. These outlets have joined forces to be able to compete in an unfavorable environment marked by a high level of concentration of resources in the city of Buenos Aires<sup>[55]</sup>.

In general, industry players seek to influence the enactment of regulations that are likely to affect media ownership. They also work hard to prevent laws that would allow new players to enter the market as new entrants would spark fresh competition. Their lobby is generally effective as industry players are always listened to by governments.

## Civil Society

The activities of civil society in media regulation and policymaking are less focused and less united than those of industry players. There are very few civil society organizations dedicated solely to influencing communication policy. Their interventions are usually responses to specific initiatives. On some occasions they have managed to effectively promote certain laws.



[55] The interior of the country refers to the whole territory that is not part of the metropolitan area of Buenos Aires. Although Argentina calls itself a federal country, throughout its history a marked economic and political centralism of the capital city has prevailed.

Some of the key, most influential non-governmental organizations that work on issues related to telecommunications, media and ICT in Argentina, are:

**World Association of Community Radios (*Asociación Mundial de Radios Comunitarias, AMARC*) Argentina** [56] is a professional association consisting of about 40 radio stations and a few community television stations. It has a much shorter history than that of FARCO (*see below*). Also, it has kept a lower profile. Nevertheless, AMARC is an active organization that usually expresses more critical positions in the media policy debates.

**The Association for Civil Rights (*Asociación por los Derechos Civiles, ADC*)** [57] has a mission to work for “the protection of civil rights and democratic institutions”. The ADC has had significant activity on issues related to freedom of expression and media regulation, but in recent years it has narrowed its goals, and has not pursued this line of activity with the exception of its work on influencing the law on access to public information.

**The Coalition for Democratic Communication (*Coalición por una Comunicación Democrática*)** [58] was founded in 2004 as the Coalition for Democratic Broadcasting (*Coalición por una Radiodifusión Democrática*) by a group of press unions, universities, social organizations, community radio stations, small private radio stations and human rights organizations. It drafted a list of 21 fundamental guidelines for a new Broadcasting Law (and it managed to influence the respective law adopted in 2009). As of 2012, it has been known as the Coalition for Democratic Communication, a name change that signaled a broadening of its area of operation. Yet, in recent years the organization has lost some of its influence. It remains one of the few organizations dedicated exclusively to influencing communication policies although it appears less institutionally consolidated than other NGOs.




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[56] See more at <https://amarcargentina.org/>

[57] See more at <https://adc.org.ar/>

[58] See more at <https://web.archive.org/web/20090313100650/http://www.coalicion.org.ar/>

**The Center for Legal and Social Studies (*Centro de Estudios Legales y Sociales, CELS*)**[59] is an NGO established in 1979 that works on “the promotion and protection of human rights and the strengthening of the democratic system in Argentina”. Freedom of expression and regulation of the media are not its core targets now, but they used to be. The association continues to be actively involved in addressing these matters and remains an organization with influence in the design and implementation of public policies.

**Checked (*Chequeado*)**[60] was created in 2009 as a fact-checking organization, its work being conducted exclusively online since October 2010. Following the example of FactCheck.org in the US, which was established in December 2003, *Chequeado* became a solid source of verification of public statements in Latin America. *Chequeado*’s agenda is broad and eclectic, not focused on issues of media regulation or freedom of expression, but some of its work sometimes covers related topics.

**The Legislative Directory (*Directorio Legislativo*)**[61] is an organization based in Argentina and the United States dedicated to strengthening democratic institutions in Latin America and the Caribbean. Its goal is to facilitate access to public information and to increase the accountability of institutions as a way to build up open governments. To do this, they analyze legal bills, map regional trends, and analyze and profile key players in the policy process.

**The Argentine Federation of Community Radios (*Federación Argentina de Radios Comunitarias, FARCO*)**[62] brings together radio and television stations (mostly radios) run by civil society organizations. It stands out for its work in the sector, with an activity stretching over the last 25 years that has gained great exposure. FARCO has been very committed to promoting and organizing the debates that led to the adoption of the Audiovisual Communication Services Law.

**The Argentine Journalism Forum (*Foro de Periodismo Argentino, FOPEA*)**[63] was founded in 2002 by media professionals and teachers. It is a space for debate aimed at promoting the professionalization of media and journalists, addressing relevant issues related to journalistic practice and freedom of expression, and supporting actions that prevent interference with journalistic work. The association has four sources of financing: income from membership fees paid by its 600 members, funds from international cooperation agencies and individual donors, and financial earnings from entry fees to annual journalism conferences and seminars, payments for reports, publications and research, and fundraising events. The main sponsors of its events include Facebook, Google, Rosario Stock Exchange, Government of the City of Buenos Aires, Accenture, Pan American Energy and EDEN.

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[59] See more at <https://www.cels.org.ar/web/>

[60] See more at <https://chequeado.com/>

[61] See more at <https://directoriolegislativo.org/es/>

[62] See more at <https://www.fopea.org>

[63] See more at <https://www.fopea.org>



**The Vía Libre Foundation (*Fundación Vía Libre*)**[64], was founded in 2000. It is a non-profit civil organization initially focused on public policies on free software for the dissemination of know-how and sustainable development. Later, they expanded their activities to the promotion and protection of fundamental rights in digital environments. Their aim is to raise public awareness and promote debates on issues related to ICTs that have an impact on human rights, as well as to monitor and develop public policies. Since 2003, they have been monitoring the adoption of technologies for electoral processes, including technologies for the allocation and counting of votes for final and provisional scrutiny, as well as voter identification.

**Citizen Power (*Poder Ciudadano*)**[65] was founded in 1989. It is a non-partisan and non-profit organization dedicated primarily to the protection of civil rights by ensuring transparent public administration, good public governance and the commitment to strengthen democratic institutions through the promotion of citizen participation and civic culture that allow citizens to engage in public life more than just by voting. The foundation is the Argentine Chapter of Transparency International. It used to carry out activities related to freedom of expression and public advertising, but ended its activity in those areas. The foundation also stood out for its work on promoting the law of access to public information.

Numerous unions protect media workers' labor rights in Argentina. The main union organizations are the Argentine Federation of Press Workers (*Federación Argentina de Trabajadores de Prensa, FATPREN*)[66], the Argentine Television Union (*SATSAID*)[67], the Press Trade Union of Buenos Aires (*Sindicato de Prensa de Buenos Aires, SiPreBA*)[68] and the Union of Press Workers of Buenos Aires (*Unión de Trabajadores de Prensa de Buenos Aires, Utpba*)[69]. Employers' associations are also key players in influencing communication policies. They include ADEPA[70] (press), ARPA[71] (radio), ATA[72] (television), ATVC[73] (paid-TV), CAPIT[74] (television producers) and CABASE[75] (internet providers). (See more under *Decision-Making Process in this report, page 26*)

The academic sector has also sought to participate in media policy debates, especially universities of communication studies. Two such academic networks stand out for their participation in the public debate: the Argentine Federation of Social Communication Studies (*Federación Argentina de Carreras de Comunicación Social, FADECCOS*)[76] and the Argentine Communication Studies Network (*Red de Carreras de Comunicación de la Argentina, REDCOM*)[77].

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[64] See more at <https://www.vialibre.org.ar>  
 [65] See more at <https://poderciudadano.org>  
 [66] See more at <https://fatpren.org.ar>  
 [67] See more at <https://www.satsaid.com.ar/satsaid/>  
 [68] See more at <https://www.sipreba.org>  
 [69] See more at <https://www.utpba.org>  
 [70] See more at <https://adepa.org.ar>  
 [71] See more at <http://www.arpa.org.ar>  
 [72] See more at <http://www.ata.org.ar>  
 [73] See more at <http://www.atvc.org.ar>  
 [74] See more at <http://capit.org.ar>  
 [75] See more at <https://www.cabase.org.ar>  
 [76] See more at <https://fadeccos.ar>  
 [77] See more at <https://www.redcomargentina.com.ar>

Generally, civil society organizations intervene in debates about specific aspects related to the regulation of the communication sector. During the public debate around the audiovisual communication services law (2009), they actively supported the adoption of the law. Some organizations such as the Coalition for Democratic Communication, FARCO, CELS and AMARC had notable contributions.

ADC and Poder Ciudadano participated more actively in the promotion of the law of access to public information. The Vía Libre Foundation has tried in recent years to influence the debates around data protection, copyright and the incipient regulation of the internet.

Civil society organizations mostly participate in the public debate by disseminating and promoting materials through civil actions and by lobbying the legislative and government bodies. Throughout history, civil society organizations had less power to influence policies than industry players.

Media experts and journalists also play an important role in media policy, contributing to the debate on communication policies. But as media policy does not frequently arise as a topic of public relevance, there are not many cases of specialists fully dedicated to the matter. Nevertheless, some of them have a prominent presence. They include:

- **Henoch Aguiar.** Lawyer specializing in telecommunications and media. Former secretary of communications of the Alliance government (1999–2001)
- **Martín Becerra.** University professor (University of Buenos Aires, UBA, and National University of Quilmes, UNQ) and expert in communication policies
- **Eduardo Bertoni.** Lawyer. Director of the Center for Studies on Freedom of Expression of the University of Palermo. Former OAS Rapporteur on Freedom of Expression
- **José Crettaz.** Journalist and university professor at Argentina University of Enterprise (UADE)
- **Jorge Lanata.** Radio and television host, journalist for the Clarín Group
- **Damián Loreti.** Professor at the UBA and editor of the Audiovisual Communication Services Law
- **Joaquín Morales Solá.** Political columnist for La Nación newspaper
- **Víctor Hugo Morales.** Radio and television host, journalist, sports commentator
- **Carlos Pagni.** Journalist/Columnist for La Nación newspaper and host of a weekly show on TN (news program of the Clarín Group)
- **Graciana Peñafort.** Lawyer. She served in the Senate at the time of writing

## Other Influential Actors

### National Congress

The Argentinian Congress consists of two chambers: the Chamber of Deputies and the Chamber of Senators. Both chambers are based on popular representation: the deputies directly represent the Argentine people, while the senators represent the provinces and the City of Buenos Aires.

Although the National Congress is the institution in charge of regulating and controlling the communication sector, in fact its authority has been subordinated to the interests of the executive branch, embodied by the President. The three most important laws that were promulgated in the communication sector in Argentina were all proposed by the executive branch.

To understand the limited capacity of the Congress in media policy, it is enough to remember that between 1983 (the year when democracy returned to Argentina) and 2009, deputies and senators proposed more than 70 projects aimed at changing the broadcasting law that was inherited from the dictatorship. Yet the new regulation was only adopted when the presidency proposed the bill and asked the congress to approve it. For its part, the government of Mauricio Macri concentrated all its communication policy decisions in its own hands since it was unable to gain majority consensus in Congress.

Another example of the Congress' inability to set an agenda of its own, at least in the media field, is its failed attempt to regulate internet intermediaries. Various initiatives by legislators from different parties resulted in a bill that was approved by the Chamber of Senators in 2016. However, two years later it lost its parliamentary status when it did not receive the approval of the Chamber of Deputies, which proved to be influenced by the lobby of the business chambers around their interests related to copyright<sup>[78]</sup>.

Beyond the limits of Congress action, there are several committees in the lawmaking body that deal specifically with the regulation and control of media systems.

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[78] For more information: <http://papel.revistafibra.info/un-debate-postergado-la-regulacion-sobre-los-intermediarios-en-internet/>

The permanent advisory committees are dedicated to studying all the bills forwarded by the Chamber of Deputies or the Senate. Each committee is focused on a specific topic. In the Chamber of Deputies there are 45 permanent advisory committees, two of which are directly related to media regulation and communication policies:

- Communications and Informatics Committee (Chamber of Deputies)
- Freedom of Expression Committee (Chamber of Deputies)
- Unicameral Committee for Systems, Media and Freedom of Expression (Chamber of Senators)

There are also non-permanent or special advisory committees, which are formed in an extraordinary process to handle cases that exceed the matters dealt with by permanent committees due to their topic or special procedure. Those may be unicameral (composed only of Deputies) or bicameral (composed of deputies and senators).

Such is the Bicameral Committee for the Promotion and Monitoring of Audiovisual Communication, Telecommunications Technologies and Digitization Law 26522 and its amendments 27078 and DNU 267/15. Since 2019, the Bicameral Committee has presented for approval a total of four bills, none of which has reached a resolution[79]. Three of them are related to articles in the Law 26522 on Audiovisual Communication Services referring to the monitoring for disinformation and violence in media and digital platforms, and one refers to the appointment of the Directors of the Argentinian Radio and Television (RTA).

The Committee on Systems, Media and Freedom of Expression has presented for approval a total of 362 bills, of which only 62 were accepted for discussion[80]. They included the incorporation of the mobile telephony service as a public service (approved); free access to high-speed and quality internet service in popular neighborhoods' dining rooms and snack bars (no resolution); the request to carry out a dissemination campaign through mass media aimed at instructing the population on the proper use of Chlorine Dioxide[81] (approved); requests for information related to the installation of the Federal Fiber Optic Network[82], as well as measures taken by the executive branch concerning state companies such as ARSAT[83], among others.

[79] Details available at <https://www.senado.gob.ar/parlamentario/parlamentaria/comision>

[80] Details available at <https://www.senado.gob.ar/parlamentario/parlamentaria/comision>

[81] To consult the full text of the presented project see <https://www.senado.gob.ar/parlamentario/comisiones/verExp/1895.20/S/PC>

[82] To consult the full text of the presented project see <https://www.senado.gob.ar/parlamentario/comisiones/verExp/2987.20/S/PC>

[83] To consult the full text of the presented project see <https://www.senado.gob.ar/parlamentario/comisiones/verExp/876.21/S/PD>

The Communications and Information Technology Committee (Chamber of Deputies) is tasked to decide on any matter or bill regarding concession, policy, management and execution of works, private or public, related to the state’s internal or external communications, post office, broadcasting, television, social media and related activities, as well as any matter or bill related to the automatic processing of information by computers. During the period from March 2020 to October 2021, a total of 387 policy items were handled by this committee: 159 bills, 144 resolutions and 84 declarations.

The Freedom of Expression Committee is tasked to advise and decide on any law or legal norm related to freedom of expression, ideas and beliefs guaranteed by the Constitution. During the period from March 2020 to October 2021, it handled 54 such policy items: one bill, 31 resolutions and 25 declarations.

### **Ministry of Media and Public Communication**

The Ministry of Media and Public Communication is in charge of managing the state-owned media and organizing the government’s public communication.

The ministry’s main functions were modified at the beginning of the mandate of the current President, Alberto Fernández (through Decree 335/2020)[84]. Its main tasks are the following: to intervene in drafting, execution and supervision of public communication policies, to communicate the activities of the public sector, to prepare and disseminate public communication campaigns, to plan and execute implementation of existing regulations, to promote the use of technological tools, to manage the state’s digital assets, to attend to the application of national and international treaties and conventions and to organize the production and distribution of content across the spectrum of media that hold state licenses.

The ministry’s tasks include also the administration of the state media, mainly Radio y Televisión Argentina S.E., which runs Canal 7 and Radio Nacional; the development of Public Content Society of the State, which runs the networks Encuentro, Pakapaka, DeporTV, and Cont.ar[85], and the management of the state advertising allocation process. In Argentina there are no nationwide radio and television licenses, except for Canal 7 and Radio Nacional.

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[84] National Public Administration. Decree 335/2020. City of Buenos Aires, 04/04/2020 available at: <https://www.argentina.gob.ar/normativa/nacional/decreto-335-2020-336062/texto>

[85] Access to the available channels at: <https://www.argentina.gob.ar/jefatura/contenidos-publicos>

The Ministry of Media and Public Communication reports to the Head of the Cabinet of Ministers. The head of the ministry, at the time of writing this report, is Francisco Maritello. It has the following undersecretaries: Public Communication, led by Javier Tomas Porta; Communication and Dissemination Content led by Victoria Banegas; Public Media led by Claudio Daniel Martínez; Operative Management of Public Media led by María Natalia Cabral; and Public Content led by Jorge Meneses[86].

Within the set of tasks of the Ministry of Media and Public Communication, two stand out for their close link to communication policies. The first one is the role in the administration of state-owned media, including Canal 7 (TV) and Radio Nacional. These media are the only ones that have licenses to cover the entire national territory. State-owned media should fulfill a public service function, yet for decades state radio and television stations were aligned with government interests. Their limited autonomy from political power has meant that, with few exceptions, these media have small audiences and their impact on public opinion is negligible. Therefore, the role of the ministry in this area is minor.

The second relevant task is the administration of the state advertising budget. Although at formal level this function is not directly related to communication policy and decision-making, the state is a major advertiser and the discretionary management of the official funds for advertising by the state has a substantial impact on the media market. For years, the state ad allocation system has been operated as a mechanism of rewarding and punishing media outlets according to their support or criticism of government policies[87].

In conclusion, it can be pointed out that the participation of the Ministry of Media and Public Communication is not important in the decision-making process related to the development of communication policies, but it has an indirect impact on the media market through the management of the state radio and television, and the allocation of the state advertising budgets.

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[86] Organizational chart of the centralized-decentralized Administration of the Head of the Cabinet of Ministers available at <https://mapadelestado.jefatura.gob.ar/organigramas/jgm.pdf>.

[87] Santiago Marino, Agustín Espada, "El Gobierno concentró la pauta en grupos tradicionales, con Clarín a la cabeza, seguido por Indalo, Octubre, América y Telefe" (The Government spent most of the funds on traditional groups, with Clarín at the head, followed by Indalo, Octubre, América and Telefe), *El Diario AR*, 23 January 2021, [https://www.eldiarioar.com/politica/gobierno-concentro-pauta-grupos-tradicionales-clarin-cabeza-seguido-indalo-octubre-america-telefe\\_129\\_7068557.html](https://www.eldiarioar.com/politica/gobierno-concentro-pauta-grupos-tradicionales-clarin-cabeza-seguido-indalo-octubre-america-telefe_129_7068557.html); José Crettaz, "Pauta oficial: el Gobierno gastó \$7563 millones en un reparto que tuvo premios y castigos" (Official advertising: the Government spent ARS 7,563 million on rewards and punishments), *La Nación*, 7 October 2021, <https://www.lanacion.com.ar/politica/pauta-oficial-el-gobierno-gasto-7563-millones-en-un-reparto-que-tuvo-premios-y-castigos-nid07102021/>.

# External Influencers

The largest external influence on Argentina’s media policy in recent decades has been exerted by the **Inter-American Court of Human Rights** (I/A Court HR), as some of its rulings have led to changes in Argentine law. The most important case was the case *Kimel vs. Argentina*, in which the I/A Court HR ruled in favor of the journalist, ordering Argentina to adjust its internal law within a reasonable timeframe. As a consequence, in 2009 slander and libel were decriminalized by the Argentinian government<sup>[88]</sup>. In 1994, the Argentine State had reached a friendly resolution with the Court to repeal the crime of contempt. The rulings of the Inter-American Court are mandatory for member states such as Argentina.

At the regional level, there is also the **Inter-American Commission on Human Rights** (IACHR), which is responsible for the promotion and protection of human rights in the Americas. The Commission often lobbies to protect the freedom of expression. Under its orbit is the Office of the Special Rapporteur for Freedom of Expression (RELE), whose general mandate is to carry out activities to protect and promote the right to freedom of opinion and expression. These activities include visits to various Organization of American States (OAS) members, drafting reports and providing technical advice. Unlike the Court, the Commission urges states to respect human rights, but it does not have the same decision-making weight.

Argentina is also a full member of **MERCOSUR**, the Southern Common Market. However, although there have been attempts to coordinate communication policies between the members of the bloc, their influence on media policies has been limited.

The cross-border **media employers' associations** seek to influence the protection of the media entities of their respective countries. Hence, the Inter-American Press Association (IAPA) seeks to exert influence in media policy at national levels. IAPA is an association of owners, editors and directors of newspapers, periodicals and information agencies in the Americas that represent more than 1,300 newspapers and magazines in the region, including the most important media in Argentina. Another major employer organization is the International Broadcasting Association (*Asociación Internacional de Radiodifusión*, AIR), an organization that brings together privately owned radio and television associations from the three Americas as institutional partners, as well as television channels and radio stations as individual partners.

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[88] Damián Loreti, and Luís Lozano, *El derecho a comunicar*, 2104, Buenos Aires: Siglo XXI. p. 122.



**The Regional Alliance for Free Expression and Information** is a network made up of non-governmental organizations from different countries in the region focused on freedom of expression and access to public information. It currently consists of 18 organizations from 16 countries. Its purpose is to facilitate, on the one hand, dialogue between civil societies, and, on the other hand, between civil society, government entities and international organizations through knowledge development, horizontal exchange of experiences and creation of a regional agenda for the protection of civic space.

An external influence that should not be neglected is that of foreign governments tied to companies operating in the sector. The governments of the United States and Spain stand out in this regard. The former has carried out lobbying actions in favor of information technology companies and pay-TV services, protecting the interests of American content channels. For its part, the Spanish government has been actively promoting the interests of Telefónica, one of the largest telcos in Argentina. In his various visits to Argentina, the Spanish Prime Minister included directors of the telecom operator in his entourage.



## **CHAPTER 2:**

# **Funding Journalism**

# Key Findings

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Argentina's media system is anchored in the private sector. From the origins of the written press, through the era of radio and television, all main media companies in Argentina have been privately owned and financed through advertising or sale of copies and subscriptions. It is a dynamic market with numerous media outlets in all media segments. However, there is a big difference between large media groups with a national scope, and the rest of the media outlets targeting smaller, niche audiences.

Among the main corporations, Clarín Group stands out. It has largely dominated the media and telecommunication market in Argentina for the last 50 years, being an influential actor both economically and politically.

If the medium-sized media are considered, various companies from the interior of the country<sup>[89]</sup> occupy a prominent place at the regional level, especially due to their political influence.

Finally, there are numerous community and/or cooperative media in operation in Argentina although their political and economic impact is lower.

State media outlets operate both in radio and television, and have a national reach. However, given their low audience shares, they are not real heavyweights in the media ecosystem. Nonetheless, the government is an important market player given that state advertising has become a key source of financial support for medium- and smaller-size media, both at the national level, as well as at the regional and municipal levels.

Media consumption trends show that analog media has lost its importance in recent years. This situation mostly affects the written press but also begins to have an impact on television operators. On the other hand, digital media are gaining ground, especially in the distribution of information through online platforms, commanding an increasing share of the advertising sales at the expense of the traditional media. Although international tech platforms (especially Google and Facebook) have established some compensation mechanisms for the news media through financial support programs, this aid does not offset their significant income losses, a situation that threatens the country's media diversity.

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[89] As explained above in this report (see footnote 55), the "interior of the country" includes all Argentine provinces with the exception of Buenos Aires. This denomination is linked to the colonial era when Spain decreed that the only city authorized to trade abroad was the city of Buenos Aires.

## The power grid: largest media groups in Argentina

Owner	Name	Free to air TV	Pay TV	Radio	Print media	Digital	Telecommunications
Magneto/ Flia. Herera Noble/ Pagliaro/ Aranda	Clarín Group	Canal 13 (17 channels)	Personal (Main pay tv channel)	Radio Mitre (13 channels)	Diario Clarín (4 dailies)	Clarín.com (9 portals)	Personal (fixed and mobile phone lines) Personal (Internet provider)
Daniel Vila/ José Luis Manzano	América Group	América TV (6 channels)	A24 and other pay tv channels	Radio La Red (10 channels)	El Cronista Comercial	7 internet portals	
Cristóbal López/ Fabián de Sousa	Indalo Group		C5N	La 10 (five channels)	Ámbito Financiero	5 internet portals	
Holding MNMS/ Familia Mitre	La Nación Group		La nación+		La Nación	Lanacion.com	
Daniel Hadad	Infobae					Infobae.com	
Viacom	Telefé	Telefé (9 channels)	5 pay tv channels			Telefé.com	
Disney	Disney		Multiple pay tv channels	Radio Disney		Star+	
National State	Federal Media System	Public Television	Multiple tv channels	National Radio (4 channels)		3 internet portals	
Owner	Name	Free to air TV	Pay TV	Radio	Print media	Digital	Telecommunications
Magneto/ Flia. Herera Noble/ Pagliaro/ Aranda	Clarín Group	Canal 13 (17 channels)	Personal (Main pay tv channel)	Radio Mitre (13 channels)	Diario Clarín (4 dailies)	Clarín.com (9 portals)	Personal (fixed and mobile phone lines) Personal (Internet provider)
Daniel Vila/ José Luis Manzano	América Group	América TV (6 channels)	A24 and other pay tv channels	Radio La Red (10 channels)	El Cronista Comercial	7 internet portals	
Cristóbal López/ Fabián de Sousa	Indalo Group		C5N	La 10 (five channels)	Ámbito Financiero	5 internet portals	

Source: authors, based on Marino y Espada, Media map[90] • Created with Datawrapper

[90] Santiago Marino, Agustín Espada, “Mapa de medios: en esta cancha juega hoy el periodismo” (The media map: on this field journalism plays today), Letra, 6 June 2022, available at <https://www.lettrap.com.ar/nota/2022-6-6-15-19-0-mapa-de-medios-en-esta-cancha-juega-hoy-el-periodismo> (accessed on 15 February 2023).

# Main Trends

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Historically, Argentina has had a solid media system, boasting a significant market diversity since the 19th century. By 1910, on the first centenary of the country's national independence, the written press was a well-established sector with a high number of newspapers. In fact, Argentina was among the countries with the highest number of newspapers per thousand inhabitants in the world at the time. All that was possible thanks to the early development of the Argentinian public education system, which led to a high level of literacy among the middle and lower classes in urban centers.

The history of radio as a mass phenomenon harks back to 1920, almost coincidentally with the United States, the two countries pioneering the development of this medium. Argentina was also the eighth country in the world to introduce television services. At the end of the 20th century, pay-TV expanded significantly, reaching a penetration of 80% of the country's households.

The advent of the internet in Argentina was slower, nonetheless. Although the percentage of the population with internet access through mobile devices is high in Argentina, the broadband penetration in households stands at only 68%. Moreover, the quality and speed of the service is far from good, with only large cities offering decent connectivity.

The print media sector in Argentina has managed to remain relatively healthy. The number of printed newspapers has remained stable for decades, at around 100 national titles. In the city of Buenos Aires there are seven generalist newspapers, three financial publications, one sports-orientated paper and one weekend publication. Few capitals in Latin America boast such a varied offer. In addition, there are numerous digital news portals, with Infobae standing out among them.

However, at a closer look, the state of the print media is far from ideal. The drop in circulation and advertising revenue continues unabated. Of the 99 newspapers included in the measurement of the Audit Bureau of Circulation (*Instituto Verificador de Circulaciones, IVC*), a total of 77 outlets did not file their financial report in 2021. Of those that did report on their business activity, Clarín Group stands out with a total of 74,588 copies sold in 2021, a massive decline from the annual average of 315,182 newspaper copies sold in 2010. In 2020, the first year of the pandemic, the company sold 107,245 hard copies according to the IVC, a plunge of 76.33% compared to 2010. According to the statistics of the city of Buenos Aires, the net circulation of national newspapers in the metropolitan area fell from 17.7 million copies in 2000 to 5.5 million in 2020.

With a significant drop in sales and advertising revenue, the print media sector is expecting even tougher times. During the first years of coexistence with the digital world, the print media segment was expected to grow. However, the rise of social media dented those prospects. In fact, the latest report on Argentina from a Google-funded project run by Reuters Institute, a research center, shows that social networks are the main source of news consumption (69%), ending the hegemony of television (63%). Print media lags behind with a modest 19%.[91]

Radio reaches 60% of people in the country, according to a 2020 report from Kantar IBOPE Media, a media buyer[92]. Kantar estimates that the average listenership in Argentina stands at 5 hours and 38 minutes a day. Radio broadcasting showcases a high rate of original production, even in the case of broadcasters operating in small towns. Radio consumption among Argentinians takes place mostly at home, in the car and at work. Radio is used more for entertainment and company than as a source of news. Although radio is still mostly listened to through traditional devices, there is a growth in web based consumption, especially among young people. The Kantar Ibope report found that 41% of the population is streaming music on a monthly basis, streaming emerging as a serious alternative to radio music consumption.

The main radio stations in Argentina are located in the city of Buenos Aires. In Argentina, there are no privately owned radio or television stations with national coverage, with the exception of state-owned media. Private media have only local licenses even though several province-focused media broadcast from the country's capital city. Rating measurement is carried out locally. In Buenos Aires, the radio channels owned by Clarín Group have been market leaders for years, both in AM (Radio Mitre, 34.19% market share) and in FM (FM 100, 19.97% market share).

Television is a highly relevant medium for both news consumption and entertainment. It is available free-to-air in Argentina's main cities. However, most households access television channels through paid television packages that include local and state-owned channels. Although more than 100 television channels are technically accessible in most of Argentina's households, free-to-air television channels enjoy the highest audience in the country. The average television consumption time stands at around four hours a day.

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[91] Eugenia Mitchelstein, Pablo J. Boczkowski, "Argentina" in Digital News Report, 15 June 2022, Reuters Institute, available online at <https://reutersinstitute.politics.ox.ac.uk/digital-news-report/2022/argentina> (accessed 1 February 2023).

[92] "Radiografía del consume de radio en la Argentina" (An x-ray of radio consumption in Argentina), Totalmedios, 21 October 2020, available online at <https://www.totalmedios.com/nota/43463/radiografia-del-consumo-de-radio-en-la-argentina> (accessed 1 February 2023).

As in the case of the radio, television licenses are awarded for local coverage, but since production costs are much higher in TV, channels from the interior of the country tend to buy chunks of programming from Buenos Aires. Hence, news bulletins from Buenos Aires-based channels are usually seen throughout the country. Television was for decades the main source of news for Argentinians, but social networks have been shifting the balance since 2021, according to the Reuters Institute. The same study also states that 63% of Argentinians use television to access the news.

Clarín group is the largest television provider, owning 17 television stations throughout the country, followed by Viacom with nine TV stations. However, Viacom’s flagship station (Telefé) has been the leader in terms of rating for several years, leaving Canal 13 (Clarín) in second place. Its main newscast, *Telefé Noticias*, is the most trusted news program in the country, according to the Reuters research group, with a share of 56% of people expressing trust and 19% distrust.

Pay-TV has played an important role in Argentina as it facilitated access to broadcast media in smaller towns. As high maintenance and production costs prevented the spread of free-to-air television stations in such places, pay-TV systems corraling free-to-air television channels from Buenos Aires into television programming packages sold via cable were developed. This was the only media segment that has expanded from the inland to the capital city.

In the 1990s, cable television arrived in Buenos Aires and enjoyed a rapid growth. It reached a penetration of 80% of the households. Yet, in recent years cable television consumption has dwindled because of the emergence of streaming platforms. Nevertheless, for the moment, cord-cutting is low in Argentina compared to other countries.

News channels are still popular on pay-TV platforms in the country. There are now at least eight channels that are distributed nationwide through pay-TV systems. They are among the most viewed stations in Argentina, commonly available in bars and restaurants, and include *Todo Noticias* (Clarín group) and *C5N* (Indalo group) as well as *La Nación+* run by *La Nación*, a company that also publishes an eponymous newspaper.

There were 37.2 million internet users<sup>[93]</sup> in Argentina in 2020, which accounted for nearly 90% of the country’s population. Most users access the internet through mobile phones. Broadband has a penetration of around 68% of the households.

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[93] See more at <https://es.statista.com/estadisticas/1218822/usuarios-de-internet-argentina/> (accessed 3 February 2023).

Considering internet penetration in Argentina, the number of social networks users is high: 82.5% of internet users have an account on social networks, according to a report from the US-based research shop Comscore, dated March 2020, representing more than 32 million Argentinians. Some 97.5% of social media users access these platforms on their mobile phones.

Facebook and Instagram (both owned by the Meta corporation) were the social networks with the largest number of followers in Argentina in 2020: 33.9 million Argentinians had profiles on Facebook, 18.1 million on Instagram and 11.8 million on Twitter.

In terms of usage, Meta amasses 91.5% of the share of interactions on social networks (FB 48.5% and IG 43.0%), according to Comscore. In the first half of 2020, according to the research aggregator Statista, Facebook accounted for almost 84% of social media visits in Argentina. Instagram came second with some 5%.

According to a Reuters Institute report published in 2022, 77% of internet users in Argentina are Facebook users whereas Instagram has a 55% share of them. YouTube reaches 72% of internet users and Twitter 23%. WhatsApp (also owned by Meta) is used by 81% of people regularly growing the internet in Argentina.

# Consumption Trends

## Print Media

The printed press in Argentina has suffered a significant drop in sales in the period 2010–2021. Circulations of print media have experienced a significant drop during that decade.

### Sold circulation of main newspapers in Argentina 2010, 2020-2021

The table features the 11 newspapers with the highest sold circulation in 2010

Newspaper	2010	2020	2021	Dif. 2010-2021
Clarín (Buenos Aires)	315,182	107,245	74,588	-76.44%
La Nación (Buenos Aires)	155,443	63,242	52,112	-66.48%
Diario Popular (Buenos Aires)*	90,402	47,715	n/a	n/a
La voz del Interior (Clarín/ Córdoba)	53,482	16,368	13,266	-75.20%
La Gaceta (Tucumán)	51,922	27,737	23,744	-54.26%
Olé (Deportes/ Clarín)	44,822	9,218	5,737	-87.20%
La Capital (Santa Fe)	38,273	15,342	15,732	-58.89%
Los Andes (Clarín/ Mendoza)	29,644	9,757	7,047	-76.22%
Río Negro (Río Negro)	28,853	7,965	6,110	-78.82%
El Tribuno (Salta)	22,840	9,196	8,558	-62.53%
El Liberal (Sgo. del Estero)	19,008	13,448	12,820	-32.55%

n/a: not available; \*the figure for 2020 indicates data for 2019.

Source: Authors, based on data provided by the Audit Bureau of Circulation. • Created with Datawrapper



All newspapers in Argentina have experienced a decline in their sold circulation. The OLE sports magazine suffered the most significant decline, with an 87.20% decrease in sales. The cancellation of many sporting events due to the pandemic contributed to the fall. Overall, daily newspapers in Argentina registered an average drop in circulations of nearly 65% during the past decade. Decreasing audiences prompted advertisers to pull out from print media titles.

The press sector in Argentina has one of the highest levels of concentration in terms of ownership. Four holdings own the newspapers with the largest circulation in the country and control altogether over 74% of this market segment: Clarín Group has 43.46% of the market (with its titles Clarín, La Voz del Interior, Los Andes and Olé); La Nación Group has a share of 16.52% (La Nación); the Fascetto family (Diario Popular) 8.64%; and Tucumán 5.56% (La Gaceta). Belonging to powerful economic groups helps these newspapers mitigate the effects of falling sales, which are cross-subsidized.

## Online Media

The situation is brighter for digital news platforms. According to a report funded by Luminate<sup>[94]</sup>, a philanthropy managed by the founder of the e-commerce platform eBay, the habit of reading media online is widespread in Argentina. Some 92% of people read news online at least once a week. The pandemic pushed up consumption of online news to 55% of the readers.

News consumers however spend the largest amount of time on traditional channels: television news, news sites and radio. The lowest amount of time is spent on online news sites, yet they are trusted by 72% of readers. Accessing the news site directly or opening links that other people post on social networks are the most common forms of online news consumption.

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[94] “Consumo y pago de noticias digitales: oportunidades y desafíos del modelo de suscripción en América Latina”, Luminate, available online at <https://luminategroup.com/storage/982/Reporte-Consumo-y-Pago-de-Noticias-Digitales-Argentina-%28ES%29---Luminate-2020.pdf> (accessed 15 February 2023)

## Digital media consumption in Argentina, 2021

Name	Aware of (%)	One visit (%)	Usual visits (%)	Trust (%)	Subscription (%)	Number of unique visitors (Dec 2021)
Infobae	90	80	60	45	2	22,788,867
Clarín	89	75	41	33	9	18,952,176
La Nación	86	71	40	40	8	19,606,719
Página 12	70	45	19	20	2	7,860,079
Olé	68	40	17	16	2	
Crónica	64	34	11	9	1	
El destape	28	18	8	7	1	13,583,652
Tiempo Arg	27	13	3	5	1	
Chequeado	10	10	2	5		
Política Online	11	7	3	2		
Anfibia	7	7	3	4		
Mendoza On Line						8,703,144

Source: Authors, based on the Luminate Report and Comscore[95] for unique visitors • Created with Datawrapper

Owned by Daniel Hadad, Infobae leads on the digital news market with 60% of weekly users visiting the portal. Other notable portals are Clarín online, with 41%; and La Nación online, with 40%, according to the Luminate report. In terms of unique visitors, according to Comscore, La Nación takes second place leaving Clarín in third position.

Another particular trend in Argentina’s news market is the low appetite to pay for news. According to the Luminate report, 92% of people in Argentina have no intention of subscribing to a digital medium since they find all the information free of charge online. Clarín and La Nación managed to boost their subscriber bases by offering a discount shopping card: for more than 60% of their subscribers this card is the main reason to sign up, according to the survey.

[95] “El 2021 de los sitios digitales terminó con infobae liderando y la nación consolidado en el segundo lugar” (The 2021 year of digital sites ended with infobae leading and La nacion in second place), Totalmedios.com, 18 February 2022, <https://www.totalmedios.com/nota/48115/el-2021-de-los-sitios-digitales-termino-con-infobae-liderando-y-la-nacion-consolidado-en-el-segundo-lugar> (accessed 10 February 2023).

# Radio

Radio consumption is more difficult to measure since there is no national audience measurement system. The Argentine Cultural Information System (*Sistema de Información Cultural de la Argentina, SInCA*) issues regular reports about the Argentinian radio audience market, based on solid methodologies, yet the number of surveys for carrying out such research remains limited. Kantar Ibope also measures radio audiences, but only in the City of Buenos Aires (and, much less, in capital cities of some provinces).

According to the latest available survey<sup>[96]</sup> carried out by SInCA in 2017, 70% of the population listens to the radio, and 62% of them use the traditional transmitter devices. The average daily listening time reaches three hours and 15 minutes. Between 2013 (when SInCA's previous survey was carried out) and 2017, the number of radio listeners decreased by 17 percentage points. The drop is mainly explained by the significant decline in listenership among young people aged 12 to 17 where it tumbled from 73% to 39%.

According to a 2020 Kantar Ibope report<sup>[97]</sup>, roughly 52% percent of Argentines consume radio on a regular basis. Some 56% of them listen to the radio to be informed and get up to date. Of that group, 69.5% are interested in local and national news. Online radio consumption does not exceed that of the traditional radio but 66% of the Argentinians who listen to online radio do it through the station's website/app and only 17% via YouTube or Spotify.

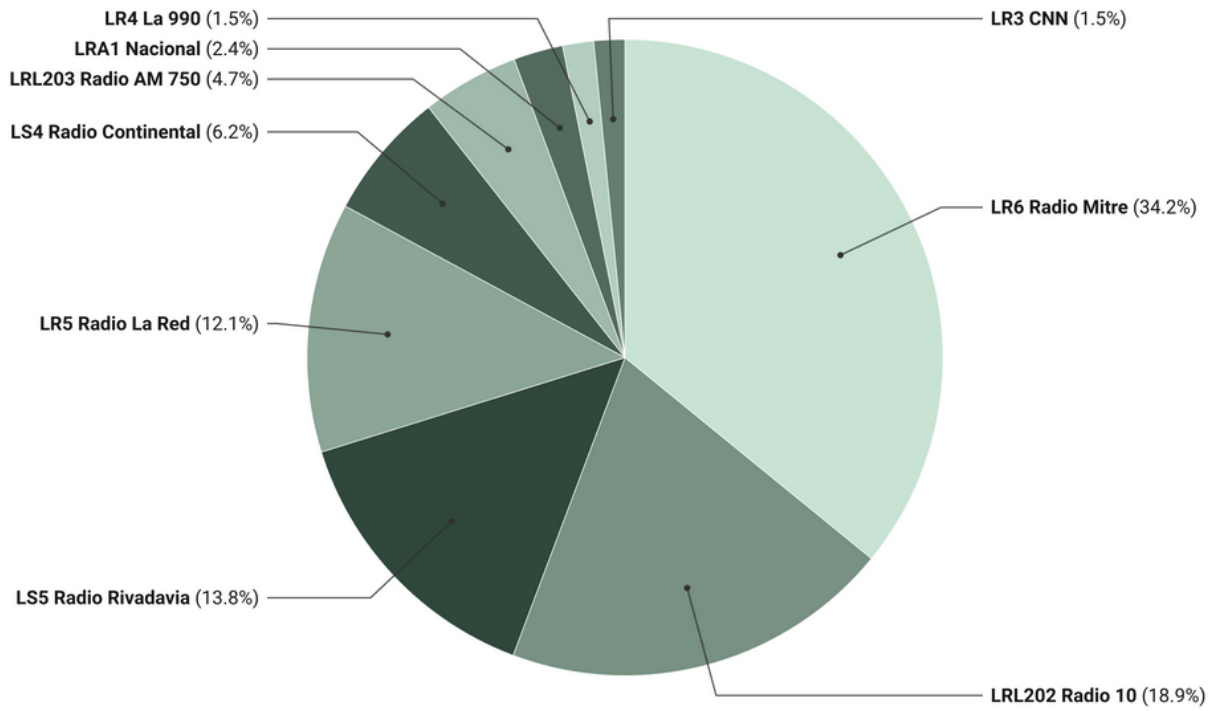
According to 2022 data from Kantar Ibope for the Buenos Aires market where all main radio stations operate, the leading channels belong to Grupo Clarín (Radio Mitre and FM 100).

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[96] See the results of the survey at ENCC 2017 Informe General.pdf

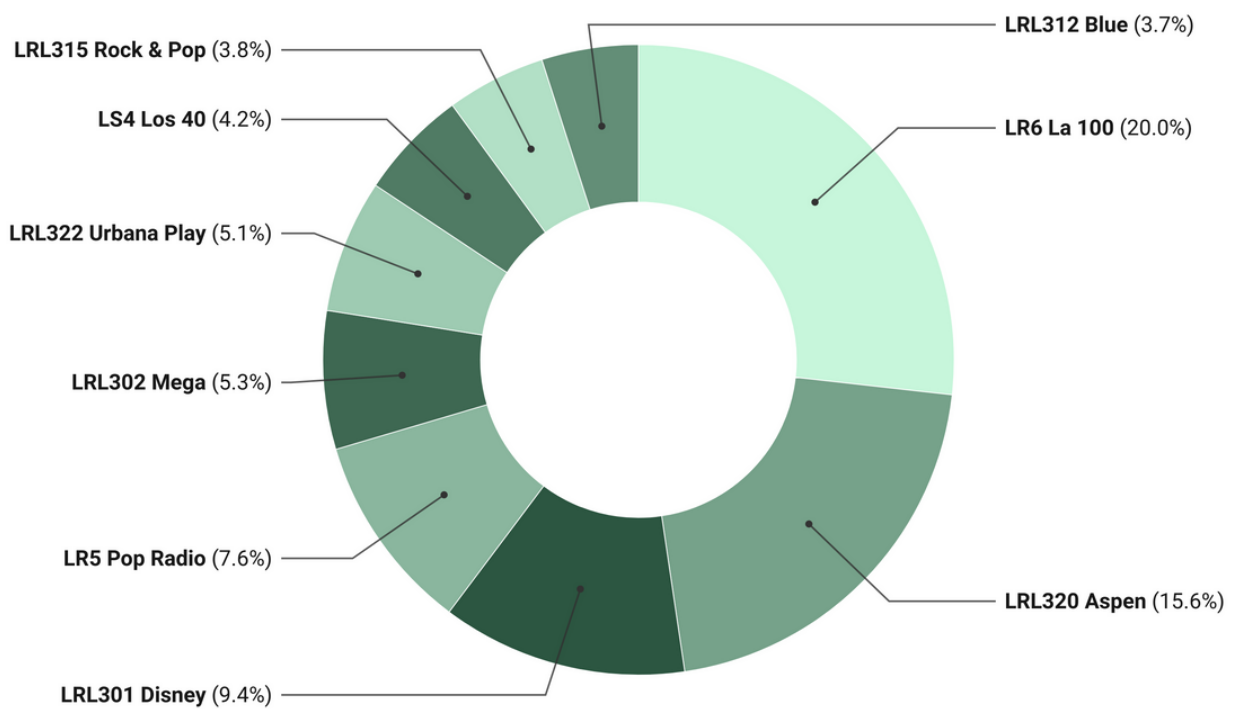
[97] See the report at <http://ceim.org.ar/wp-content/uploads/2020/08/100-anios-Radio-Argentina.pdf>

### Top radio channels in Argentina, AM



Source: Kantar Ibope 2022 • Created with Datawrapper

### Top radio channels in Argentina, FM



Source: Kantar Ibope 2022 • Created with Datawrapper

# Television

## Free-To-Air Television

Television has played a central role in the Argentinian media ecosystem since the 1960s, both in terms of content consumption and advertising sales. However, just like in the case of radio, it is not easy to determine the national television audience share since television audience measurement covers specific regions. The only company that reports such data, Kantar Ibope Media, is the reference in the television industry, both for television operators and the advertising industry. Currently, they track television consumption in nine Argentinian regions: City of Buenos Aires and surroundings, Córdoba, Mendoza, Rosario, Alto Valle, Bahía Blanca, Mar del Plata, Santa Fe/Paraná and Tucumán.

The data is divided in two types: household audience rating, which measures how many households are watching a certain program or channel, and individual audience rating, which measures how many people are watching at a particular time.

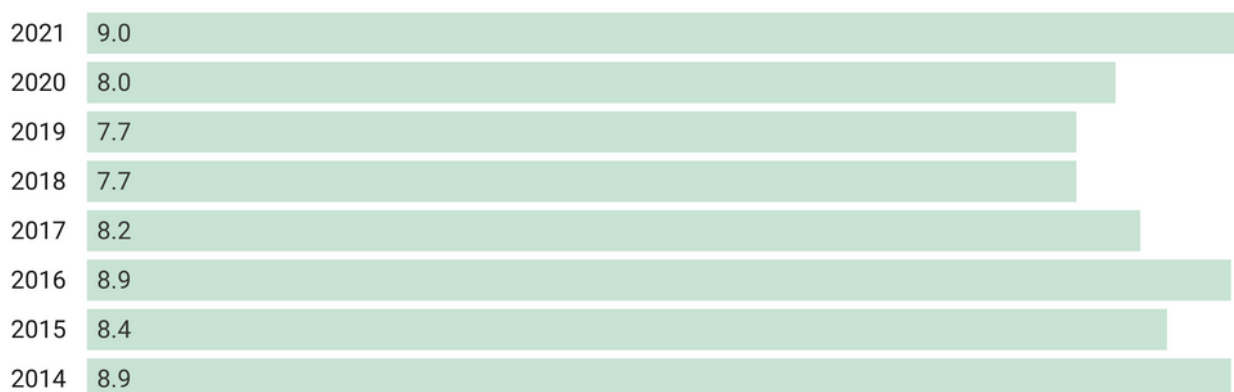
According to Kantar Ibope, for some years now, free-to-air television in Argentina has been losing ground due to the growth of the cable industry and the booming streaming platforms. As a result, free-to-air television has been losing one or two rating points per year (total sum of the rating of the channels on air).

In 2005, free-to-air television had an average of 11.94 rating points (and a 65.55% audience share), compared to 6.28 rating points for pay-TV (and a 34.45% audience market share). Nowadays, cable television outnumbers free-to-air TV channels in terms of audience,. However, when major sport events such as world championships are broadcast free-to-air channels temporarily retake the lead.

Telefe is the most watched channel on free-to-air television, having led the audience market for 26 years, 19 of them consecutively. Channel 9, today El Nueve, led in audience share during the first five years of audience measurement after Argentina's return to democracy, with a record high audience share of almost 45%. El Trece also achieved the highest ratings in Argentina's television market twice.

Telefe is the leader on the online audience market, too, having a bigger impact than the other channels on social networks.

## Rating of Telefé, 2014-2021



Source: own analysis based on Kantar Ibope data • Created with Datawrapper

The Inter-American Observatory of Fiction Television, based on data from Kantar Ibope, points out that in 2020, due to the pandemic, the general audience of free-to-air television in Argentina dropped by 3% compared to 2019. According to Kantar Ibope, audience preferences by sector are divided as follows:

- Free-to-air TV: 19 %
- Pay-TV (cable and/or satellite): 22%
- Streaming platforms: 12%

Analyst and consultant Enrique Carrier points out that traditional television (linear, free-to-air or paid) continues to defend its position although 93% of Argentinian internet users consume audiovisual content through streaming platforms. According to Carrier, only 10% of internet users do not consume traditional television.

## Pay-TV and OTT

Argentina has not yet recorded a significant decline in pay-TV subscribers as it happened in other countries, managing to retain a significant loyal audience. According to Carrier, the main reason for consuming pay-TV in Argentina is access to sports content (33%) and news (29%). If streaming effectively kills traditional TV (and above all, pay-TV), it does so slowly in Argentina. Thus, for the moment, streaming complements rather than replaces traditional television in the country. The Argentinian pay-TV market has remained stable with 8.7 million subscribers thanks to powerful players such as Telecom, Telecentro, Colsecor or Supercanal, as well as to established local cable operators and cooperatives in the interior of the country. The large number of analog television sets still in use across Argentina also contributed to this situation.

Pay-TV had a penetration of 77% of the households in 2020, according to Business Bureau, one of the highest rates in Latin America and the Caribbean. Such a high penetration shows the willingness of the population to pay for television, a factor that explains the expansion of Netflix in the country. Netflix began operating in Argentina in September 2011 and has since managed to establish itself as the main streaming services operator, dominating the subscriber market.

The pay-TV market share percentage, according to Dataxis, is split as follows: 38% for Telecom (Grupo Clarín), with its 3.3 million subscribers, and 26% for DirecTV (2.26 million). In third place is Telecentro with 6.1% of the market and 530,000 subscribers. Red Intercable claims fourth place with a share of 5.2% of the market and 451,000 subscribers, Colsecor is fifth with a share of 4.3% of the market and 375,000 subscribers, while the remaining 20% is divided among several smaller companies.

On the streaming or OTT market, according to Dataxis, out of a total of 5.8 million users, Netflix stands out with 4.4 million subscribers and a 75% market share, followed by Amazon Prime Video with 855,000 subscribers and 14.5% market share, and Disney+ with 227,000 viewers and 4% market share. HBO Go retains 102,000 users and has a 1.7% market share; Clarovideo has 75,000 subscribers and 1.3% market share. These figures, constantly changing as companies lack transparency when it comes to communicating their audience numbers, should be taken with a grain of salt.

## Key pay-TV and OTT operators in Argentina, 2021

Pay TV	Subscribers	%	OTT	Subscribers	%
Telecom	3,300,000	38.0%	Netflix	4,400,000	75.0%
DirecTV	2,260,000	26.0%	Amazon Prime	855,000	14.5%
Telecentro	530,000	6.0%	Disney+	227,000	3.9%
Red Intercable	415,000	5.2%	HBO Go	102,000	1.7%
Colsecor	375,000	4.3%	Claro Video	75,000	1.3%
Total	8,700,000	100.0%		5,800,000	100.0%

Source: Databox, September 2021 • Created with Datawrapper

Netflix does not disclose country-specific data about its subscribers, but according to industry estimates, it has expanded at a fast pace in Argentina. A Digital TV Research report estimated that in December 2011 the company had 57,000 subscribers, a number that grew to 310,000 subscribers by June 2014 and to over four million by 2019.[98]

## Evolution of Netflix subscribers in Argentina, 2014-2020

Year	Subscribers (million)	Change (%)
2014	0.3	
2015	0.9	200
2016	1.8	100
2017	2.4	33
2018	3.1	29
2019	4.0	29
2020	4.8	20

Source: Carrier (2020) • Created with Datawrapper

[98] Data available for paying customers, report consulted by the authors of this study.



Business Bureau, a consultancy, stated in its BB Book 2020 report that four out of ten households with internet connection in Latin America subscribe to Netflix. The company has a dominant position on the subscription-video-on-demand (SVOD) segment. According to figures provided by the Business Bureau, in the first quarter of 2020, Netflix accounted for 68% of the Argentinian SVOD market, while Amazon Prime was in a distant second place with just 7% market share, followed by HBO Go with only 3% share of the market. The remaining 22% was shared by “others”.

Netflix’s dominance is due to its early entry in the market, compared to other platforms. Amazon Prime, for example, only arrived in Argentina at the end of 2016, and it does not offer integrated services as it does in the United States. Hence, its penetration in the Argentinian market has been gradual. In turn, HBO Latin America launched its online subscription HBO Go platform in June 2017, making it independent of its HBO channel, which remains accessible through cable television. For its part, Claro-Vídeo (América Móvil), a major player in several Latin American countries, also began offering its services after Netflix, as part of the Claro mobile phone operator, but has not gained a significant market share.

A particularity of the Argentinian market are the freely accessible state-owned OTT services that were developed as part of a government-supported Digital Terrestrial Television plan, which included various digital platforms such as Contenidos Digitales Abiertos, Conectate, Odeón and Prisma.[99] Of those, Cine.Ar Play, originally named Odeón and known as the Latin American Netflix, stood out[100] with more than 1.3 million registered users in April 2020. Yet, it is viewed more sporadically than pay-TV channels.

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[99] Ezequiel A. Rivero, Video a Demanda: ¿El futuro de los medios públicos o una batalla perdida?, RevCom: 83-98, 2016.

[100] Diego Batlle, “Odeón, “el Netflix criollo” que ofrece gratis 700 horas de películas y series” (Odeon, the Latin American Netflix that offers 700 free-of-charge hours of movies and series), La Nacion, 26 November 2015, available online at <https://www.lanacion.com.ar/espectaculos/odeon-el-netflix-criollo-que-ofrece-gratis-700-horas-de-peliculas-y-series-nid1849074/> (accessed 12 February 2023).

# Most Popular Media

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Argentina has a large, yet highly concentrated media market. Undoubtedly, Grupo Clarín is the main actor, given its economic and political weight. The influence that this corporation has in Argentinian society through its media, and its influence on the political arena as well, are significant. In an attempt to further boost its influence in the country, Clarín has extended its business from the media sector (press, radio, television) to the telecommunication market (pay-TV, internet, fixed and mobile telephony). In 2017, when the group bought one of the largest telephone operators in the country (Telecom-Personal), the strategic refocus of its business model became clear. Today, telecommunication services generate the largest part of the company's income whereas its media assets secure a strong political influence.

All other companies and telecommunication groups in the Argentinian market are much smaller than the Clarín group. On the television segment, Telefé stands out. In 2016 the company was acquired by the American group Viacom. In the digital news sector, the most significant portal is Infobae, owned by the businessman and journalist Daniel Hadad.

## Domestic Players

### Grupo Clarín

Clarín Group is the largest telecommunications and media conglomerate in Argentina. It owns the newspaper Clarín, which has the largest circulation nationwide; its online version (Clarín.com), the second most visited online news portal; two of the most important regional newspapers (La Voz del Interior de Córdoba and Los Andes de Mendoza, and their websites); AM and FM radio stations that are audience leaders (Radio Mitre and FM 100); and the second largest free-to-air TV network in the country whose lead channel is El Trece, from Buenos Aires. The group also owns several cable TV channels, including a highly rated news channel (TN). It co-owns, along with the State and the company La Nación, the sole newsprint factory in the country (Papel Prensa), and holds majority stakes in Argentina's largest cable operator (Cablevisión) and in one of its two most prominent telecommunications operators (Telecom).

During the presidency of Mauricio Macri (2015–2019), the ENACOM and the National Commission for Competition Defense (*Comisión Nacional de Defensa de la Competencia*, CNDC) approved the merger of Cablevisión with Telecom.

## Telecom (Grupo Clarín)

Telecom started its operations on the national market in 1990. The group was able to establish itself as one of the main providers of telephony and internet in Argentina. The merger between Cablevisión and Telecom, two well positioned firms in the national market, meant an overwhelming change for their competitors since, after the merger, the newly emerged company had the technical capacity to offer all key communication services on the market (fixed telephony, mobile, internet and television), in addition to being able to provide bundles of services offering customers numerous benefits, an advantage over its competitors that do not have that capacity.

Grupo Clarín is also an active investor in the following companies: **Impripost**, specialized in printing services; **Event Investor S.A.** (IESA), which owns 50% of Tele Red Imagen S.A. (TRISA), the owner of the TyC Sports channel; **Patagonik Film Group S.A.**, one of the main film producers in Argentina; **S.A. La Nación** inaugurated in 1978 (together with the National State) a newsprint plant; **Expoagro**; **Channel 2 of Mar del Plata**; **Televida** (LV83 Channel 9 of Mendoza); **Fintech**, an investment fund led by David Martínez; The voice; Polka, Rural Channel; Channel 12 of Cordoba; and others.

The main shareholders in Grupo Clarín are:

**Héctor Magnetto:** joined the Clarín newspaper in 1972, along with Lucio Pagliaro and José Aranda. He played a leading role in the negotiations that ended up with Clarín, La Nación and La Razón joining the State, in the midst of the dictatorship, to take over the newspaper printing house Papel Prensa. This was a historical event, immediately following the forfeiture of shares in the company by Liliana Papaleo, widow of David Graiver, its previous owner. As a shareholder and manager, Magnetto led the transformation of the newspaper into a multimedia empire and the entry into the telecommunications industry, making the group the largest conglomerate in the Argentinian economy.

**Felipe Noble Herrera:** son and heir to half of the shares of Ernestina Herrera de Noble, partner of the founder of Diario Clarín, Roberto Noble.

**Marcela Noble Herrera:** daughter and heiress to half of the shares of Ernestina Herrera de Noble, partner of the founder of Diario Clarín, Roberto Noble.

## Grupo América

It is the second most prominent multimedia holding in the country, with 40 companies that are present in 17 Argentinian provinces. The group runs the third most watched free-to-air TV channel in the country and owns more than 15 radio stations in the provinces of San Juan, Entre Ríos and Mendoza.

In its transition to a business conglomerate, two people played a strategic role in Grupo América: the Cuban businessman Jorge Mas Canosa and the Argentinian financier Raúl Moneta.

The latest relevant shareholding change in the group occurred in 2017, with the entry as a majority shareholder of Claudio Belocopitt (40%), owner of one of the largest privately owned health companies in the country (Swiss Medical Group), who bought the stake in the firm from former MP Francisco De Narváez.

The main shareholders of Grupo América are:

**Alfredo and Daniel Vila:** the sons of Alfredo Luis Vila, founder and owner of Dalvian, a construction company that was the developer of the first private neighborhood in Mendoza. Alfredo Jr. is president of Grupo América, and one of the three main shareholders of América TV S.A. Although both sons were the ones who took the lead in the group's media expansion, it was Daniel's friendship and consequent association with the former Minister of Interior during the presidency of Carlos Menem, José Luis Manzano, that helped the rapid expansion of Grupo Uno (One Group as it was called then). Between 1995 and 1997, Vila and Manzano acquired 25 outlets and Supercanal, the first cable operator in the interior of the country. In 2002, Grupo Uno merged its television businesses with those of the businessman Carlos Ávila, and set up the operations of América TV in Buenos Aires, the holding's main company, which currently has 40 outlets.

**José Luis Manzano:** a shareholder and director of América TV, and vice president of Grupo América. Former representative of the Justicialista Party (1983-1989) and former Minister of Interior during the Carlos Menem administration (1989-1992), Manzano is Vila's friend and partner in most of his commercial ventures. They both founded Grupo Uno in 1996, which expanded through the purchase of television channels, newspapers and radio stations in the interior of the country. He is also a shareholder in Phoenix Global Resources, a company operating in the oil and energy sector.

**Claudio Belocopitt:** in 2016 he joined Grupo América through the acquisition of the shares owned then by Francisco De Narváez, businessman and former MP. Belocopitt also owns 76% of Swiss Medical Group.

## Grupo Infobae

Set up by Daniel Hadad in 2012, Infobae quickly became the most popular online portal in Argentina. Following the growth of the news portal, Infobae expanded through websites on other segments such as sports, entertainment and technology, a digital television channel etc. In 2017, Corporación América bought 20% of the group's shares. The owner of Corporación América is Eduardo Eurnekian, who has one of the largest fortunes in Argentina according to Forbes, and business ventures in a variety of industries.

**Daniel Hadad:** prominent media businessman. With the support of the government of Carlos Menem (1989-1999), Hadad began as a media businessman and then created a multimedia company that he later sold to Grupo Indalo. Nevertheless, he kept Infobae.com, which had already become one of the most visited portals in the country.

**Tomás Eurnekian:** director of Corporación América and nephew of the company's owner, Eduardo Eurnekian. He bought 20% of Infobae's shares in 2018.

## Grupo La Nación

La Nación newspaper has a long history. It was launched in 1870 by the then president Bartolomé Mitre, who gave the newspaper the name of his political party. In 1874, the publication was closed for six months by the government of Domingo Faustino Sarmiento, as its founder carried out an armed uprising against his government. In Argentine political life, La Nación has a notorious history of denunciations of political power.

In 1909, the sons of Bartolomé Mitre created SA La Nación, a company that became the owner of the newspaper, which for more than a century was going to represent the land-owning, conservative groups of the country's society, with the highest influence in the nation's political history, given its impact.

Mitre's descendants continue to control the company to this day. Starting with the newspaper, the second most read in the country, they developed a multimedia holding that owns a digital TV channel (LN+), various magazines, and a stadium in the city (Buenos Aires Arena). The company is also a partner of Grupo Clarín in Papel Prensa and in Exponenciar, the company that runs the main agribusiness fair, Expoagro, in Argentina.

The group also developed Club La Nación, a benefits card that aims to retain the audience by granting discounts and prizes to its subscribers, a model that was later replicated by other media. Together with Clarín, the company was also a shareholder, between 1998 and 2008, in the Communication Media Investment Company (Cimeco), a company that controlled the newspapers La Voz del Interior, in Córdoba, and Los Andes, in Mendoza, and the news agency Diarios y Noticias (DYN), which closed in 2017.

In 2007, the group founded the company Dridco, which was later acquired by Navent, leader in online classifieds in Latin America with websites such as Zona Jobs, Zona Prop and Bumeran. In this undertaking, La Nación partnered with Tiger Global Management, an investment fund controlled by the American magnate Chase Coleman III, and with Riverwood Capital.

In 2012, the company acquired control of Impremedia, the largest Spanish-language newspaper and magazine publishing company in the United States.

The main shareholders of the La Nación group are:

**Saguier family:** Julio and Alejandro Saguier are president and vice president of the board of SA La Nación. They joined the company in the 1990s through the purchase of a large number of shares from the Mitre family. His mother, Matilde Noble Mitre de Saguier, is also a shareholder and director of the company, and the niece of Roberto Noble, founder of the Clarín newspaper. His other children, Luis María Julio Saguier and Fernan Luis Saguier, also sit on the company's board.

Heirs of **Bartolomé Mitre:** Bartolomé Luis Mitre was the director of the newspaper and formed the board of SA La Nación. He was great-great-grandson to Bartolomé Mitre, president of the Argentine Republic between 1862 and 1868 and founder of the newspaper La Nación in 1870.

## Grupo Indalo

The Indalo Group emerged at the beginning of the 2000s as a group of companies managed by Cristóbal López, operating in a variety of economic sectors including transportation, casinos, oil and fuel. In 2010, Indalo Group entered the media industry through the purchase of two radio stations (FM Del Mar 98.7 and FM 90.3), a newspaper (El Patagónico), a magazine (Polar) and a television channel (Canal 9), all in the city of Comodoro Rivadavia.

In 2011, it acquired the news portal Minuto Uno. However, the company's greatest expansion in the media was when it bought Daniel Hadad's group of five radio stations (FM Vale, One, Mega and Pop together with AM Radio 10) and his news channel C5N.

In 2013, the group entered a partnership with the well-known television host Marcelo Tinelli in the content production company Ideas del Sur. Later in 2015, the holding acquired the content production companies La Corte and Pensado Para Televisión. That same year, the group also purchased a majority stake in the newspapers *Ámbito Financiero* and *The Buenos Aires Herald*.

The following year, the group acquired part of the extinct Veintitrés media group and completed the purchase of the CN23 pay-TV channel, the free newspaper *El Argentino* and 50% of FM Vorterix.

Since 2016, the group's shareholders have faced lawsuits for tax evasion in the business of sales and distribution of fuels worth over ARS 8bn (US\$ 44m). After spending time in prison, the main shareholders Cristóbal López and Fabián de Sousa have regained control of the group.

The main shareholders of the Indalo group are:

**Cristóbal López:** the mentor and founder of Grupo Indalo since its first companies began to operate in southern Argentina. The core original business activities were oil and gambling. In 2010, Cristóbal López decided to launch a broad diversification of the group's businesses, which forced him to increasingly interact with various governments (at provincial, municipal and national levels).

**Carlos Fabián de Sousa:** joined Grupo Indalo as a minority shareholder in 2001. He is the director and the public face of the Grupo Indalo media units although he owns shares in most of the group's companies, with the exception of the holding's casino and gambling companies.

## Grupo Perfil

Perfil Group was established in 1976 following the merger of the publishing houses run by Alberto and Jorge Fontevecchia, father and son, respectively, that led to the creation of Editorial Perfil SA, a company specialized in the publication of magazines catering to local and regional audiences. The group publishes close to 50 magazines around the world, focused on both news and entertainment. Alberto Fontevecchia passed away in 2022.

In Brazil, Perfil has a 21% market share, according to the company's data. Its flagship magazine there is Caras, a very strong brand in the Brazilian market. The magazine owns an island where they make television productions. In 2014 and 2015, Perfil bought 17 popular magazines from Editorial Abril, a renowned publishing house that runs a string of best-selling magazines in Argentina. Thus, Perfil became the largest magazine publisher in Latin America in terms of copy sales, with all its titles combined.

The company's footprint includes Portuguese-speaking markets such as Portugal and Angola, and recently China, where the group bought four magazines from German-owned publisher Bauer, and a media portal focused on women.

In Argentina, the company currently runs the biweekly Perfil magazine and a dozen of other magazines and portals. The company also makes television productions for its own television channels Net TV, Bravo TV and KZO, in association with Kuarzo Entertainment Argentina. It also owns the radio station Radio Perfil.

### **Fontevecchia family**

Alberto and Jorge Fontevecchia are the founders of Editorial Perfil SA. Shareholders of the Grupo Perfil companies include Nelva Elvira Balbina López de Fontevecchia, Antonio's wife and Jorge's mother.



# Main Regional Media

The power exerted by large media owners in society, and, above all, their interference with politics, are worrying trends that have an impact not only at a central level, in Buenos Aires, but also at the regional level.

For example, Ick Group exerts a strong influence in Santiago del Estero, a province in Northern Argentina where the most powerful businessman is the owner of said business group: Néstor Ick. As an important player in the energy and construction sectors, in the media and financial markets, hotels and tourism, and also some local services, the group has gained a significant influence in the province. They hold the license for Channel 7, which has 30 retransmission broadcasters, and own Radio Meridiano and Radio Panorama, with 10 retransmission outlets, which makes them number one in the competition for audiences, according to the company’s own web page. The group also owns El Liberal, one of the main newspapers in the north of the country, the online newspaper Panorama, and Tele Imagen Codificada S.A., a cable television provider with more than 40,000 subscribers in the province.

The broadcasts from Buenos Aires are available via cable television in all the Argentinian provinces, but this doesn’t happen in reverse. Argentina’s audiovisual entertainment market is dominated by U.S. giants and its journalism is controlled mostly from Buenos Aires. Yet, there are media groups operating in the provinces that divvy up the country by building local conglomerates with interests and influence in various economic sectors. Most of the Argentinian provinces have at least one prominent multimedia group that has the capacity to push an agenda matching their own interests.

For example, Cadena 3 is a radio network that, following a privatization process carried out in the early 1990s during the mandate of former president Carlos Saúl Menem, was granted to Gustavo Defilippi (its majority shareholder today), Carlos Ferla (a successful lawyer from Córdoba), the Bischoff family (with businesses in the automotive sector), and journalists Mario Pereyra and Jose Vargas. During that same time, the government also granted them six radio licenses throughout the country, which makes Cadena 3 the second largest regional radio network in Argentina.

## List of main media groups in the interior of the country

**Central Radio Station** (Cadena 3): LV3 Radio Córdoba AM 700, FM 92.3 La Popu, FM Córdoba 91.9, FM 90.7 from Río Cuarto, FM 99.1 from CABA, LRJ 387 FM 97.7 from Mendoza, LRF 336 FM 103.1 from Río Gallegos, LRI 752 FM 101.7 from Santa Fe, LRF 337 FM 106.1 from Ushuaia.

**Caputto Family:** in addition to their shares in the media group led by Gustavo Scaglione (La Capital Multimedios), the Caputtos own the newspaper El Litoral and the CyD Litoral cable channel (both media outlets from Santa Fe). Also, El Litoral owns 50% of Artes Gráficas del Litoral and the Caputtos have shares in Onda 9 S.A., which controls the stations LT9 AM 1150 and LRM 749 Laser FM 92.5 in Santa Fe.

**Multimedios La Capital de Mar del Plata** (Aldrey family): AM 1500 in Mendoza, newspaper La Capital de Mar del Plata, newspaper La Prensa (AMBA), LRI 444 FM 96.7 from Bahía Blanca, Lavozdetandil.com.ar, AM 1560 Tandil, FM 99.5 in Mendoza and LU6 Mar del Plata (AM 760 and FM 93.3), all owned through the company Editorial La Capital S.A.; LRI 437 FM 93.9 from Villa Gesell and FM 96.1 from Mar del Plata owned through the company Deportes y Espectáculos S.A. In addition, the company controls AM 1620 Mar del Plata, La Capital Cable and Channel 2 of Mar del Plata (the last two in partnership with Grupo Clarín). In 2020, Difusora Austral (owner of AM 670 and FM 103.3 in Mar del Plata), linked to Aldrey Iglesias, was sold to Juan Manuel Infante.

**Gustavo Scaglione–Josefina Daminato:** through La Capital Multimedios S.A., the couple owns the newspaper La Capital from Rosario, Diario Uno from Entre Ríos, and the Rosario radio stations Del Siglo FM 99.5 and LT8 AM 830 La Ocho. Through Televisión Litoral S.A., the family controls LT83 Canal 3 de Rosario, the Rosario3.com portal and Rosario stations LT2 Radio 2 AM 1230, Vida FM 97.9 and Frecuencia Plus FM 93.1 (whose license does not formally belong to it, but which the company still represents commercially). They are also linked to Alejandro Cartasso (General Manager of Diario Uno de Entre Ríos and president of Multiportal Medios S.A.), involved in the management of LT39 Radio Victoria (AM 980 and FM 90.3) and LT15 Radio Concordia (AM 560 and FM 89.3).

**Grupo Ick:** newspaper El Liberal, LW81 Channel 7, AM 1440, LRK 342 Panorama FM 100.1, LRK 344, FM 101.1 (all in Santiago del Estero); and AM 1430 from San Fernando del Valle de Catamarca.

**S.A.P.E.M.** (Government of Misiones province): LT 85 Channel 12 Posadas, LT 17 Radio Province of Misiones AM 620, LT 46 Radio Bernardo de Irigoyen FM 96.9, FM Top 107.3 of Misiones.

**Neomedia:** LU82 Channel 10 Mar del Plata, LRI 450 Channel 9 of Paraná.

# Foreign Owned Media

Foreign owned media have an important presence in the Argentinian market, although they have less political influence. As mentioned above, they largely dominate the streaming television (OTT) market. Most of the foreign companies come from North America and are protected by an investment protection treaty between the Argentina and the U.S.[101]

Groups with foreign capital have also an important presence in the pay-TV sector. Turner is the division through which WarnerMedia controls a number of channels available on cable television, including CNN and the premium signal TNT Sports. Home Box Office (HBO) also belongs to WarnerMedia, whose shareholding is in the hands of the telecommunications giant AT&T. This global-scale conglomerate owns the satellite television operator DirecTV, making it an indirect partner of Grupo Clarín in the management of TyC Sports.

The Walt Disney Company is another major player in the Argentinian broadcast market. After the acquisition of the Fox channels (now renamed Star), Disney added not only series and movies, but also the Fox Sports channels and their rights to broadcast sporting events[102]. The company founded by Walt Disney thus managed to “transfer” content from Fox Sports to ESPN (80% Disney, 20% Hearst Corporation), obtaining the broadcast rights for international competitions such as the Libertadores and Sudamericana competitions. In addition, it became a partner of Warner Media in broadcasting the Argentinian First Division football matches.

Viacom has fewer pay-TV channels compared to AT&T/Warner Media and Disney, but it has the license for nine free-to-air TV channels in Argentina, more than any other local or foreign media group. With the acquisition of LS84 Canal 11 Telefe in 2016, Viacom also took over other channels that belonged to Telefónica: LU84 Canal 7 from Neuquén, LRI486 Canal 8 from Mar del Plata, LT84 Canal 5 from Rosario, LV85 Canal 8 from Córdoba, LW82 Channel 11 from Salta, LU80 Channel 9 from Bahía Blanca, LRK458 Channel 8 from Tucumán and LT82 Channel 13 from Santa Fe.

Other foreign media groups in the pay-TV market in Argentina are Discovery (merged with Warner Media in 2022), NBC Universal, Sony and AMC Networks.

[101] The laws on audiovisual communication services restrict the participation of foreign owned companies in the Argentinian media, with the exception of countries that have investment protection treaties.

[102] During 2022, the Argentinian competition authority obliged Disney to disinvest from Fox.

Viacom (Argentina) is the owner of Televisión Federal (Telefe), which is the company that operates the license for Channel 11 of Buenos Aires (with studios in the Buenos Aires Metropolitan Area) and eight channels in the rest of the country's territory: eight in Córdoba, five in Rosario, eight in Mar del Plata, nine in Bahía Blanca, seven in Neuquén, 11 in Salta, 13 in Santa Fe, eight in Tucumán, as well as repeaters such as Channel 9 in Mendoza, Channel 11 in Formosa and Channel 13 in Rio Cuarto. It is the largest audiovisual content producer in Argentina, with more than 70% of its own production and 5,100 hours of its own content generated every year on average.

Telefe also has an international division, dedicated to the sale of formats and content abroad, broadcast as a pay-TV channel that reaches nearly 25 million subscribers in 22 countries. Viacom (Argentina) also airs pay-TV channels such as MTV, Nickelodeon, VH1 and Comedy Central.

# Most Influential News Outlets

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Grupo Clarín is by far the most influential media corporation in Argentina. Its leading positions in the telecommunication and media markets allow it to control the country's journalistic agenda. Although the Clarín newspaper saw a decline in audience, it continues to be the best-selling nationwide newspaper and remains the most cited daily publication by radio and television channels in the country when shaping the news agenda of the day. The newspaper's influence over the last 50 years has been discussed in numerous scholarly and journalistic reports.

If only the television segment is included, the most viewed and most influential news producer is *Telefe Noticias*, belonging to Viacom, which has been leading the ratings for news and information programs on television for many years.

On the radio segment, Grupo Clarín stations (*Mitre* in AM, *La 100* in FM) are leading, achieving reach in many cities across the country through their retransmission units.

Radio Cadena 3 from Córdoba is worth mentioning not only as an influential medium but also as one of the few media outlets that expanded from one province to the entire country, managing to even penetrate Buenos Aires and to seriously challenge the power of the capital city in the media.

Although the Argentinian state owns media in almost all segments (with the exception of the written press), its news influence is negligible, a result of its low audience. Moreover, they almost entirely lack credibility. State media have been constantly pro-government and therefore failed to attract a significant audience, except for some sports or fiction programs aired on their channels.

Most of the media conglomerates in Argentina have a presence in each of the market segments: audio (radio), audiovisual (television) and publishing (online or print). Even large groups that did not have a strong foothold in the written press segment ended up landing in that submarket, as it happened to América with the purchase of *El Cronista*, for example. The Buenos Aires giants are decidedly multimedia conglomerates.

Doubtlessly, the power of traditional domestic media is being challenged by the large global platforms that dominate the market in terms of time spent on digital platforms: Alphabet (Google and YouTube), Meta (Facebook, WhatsApp and Instagram), Netflix, Twitter and Amazon (Twitch). The tech giants attract a rapidly growing audience and, as a consequence, an ever-larger part of the advertising pie.

# Main Sources of Financing

## Non-Governmental Funding

Advertising revenue represents the main source of income for most of the Argentinian media. Gross advertising revenue recorded a sustained growth between 2010 and 2021, yet the ad spend figures are affected by the high inflation and currency fluctuations in Argentina.

The average advertising spending on the Argentinian market reached US\$ 1.11bn in 2010, US\$ 738m in 2020 and US\$ 645m in 2021, according to data from Zenith Media calculated based on the average annual exchange rate.

### Advertising spending in US\$ million

Year	Total	Daily newspapers	Magazines	TV	Radio	Cinema	Outdoor advertising	Internet
2010	1,113	219	88	458	51	17	248	34
2011	1,366	285	111	533	64	20	293	59
2012	1,521	314	121	619	84	23	281	78
2013	1,662	318	120	702	98	24	302	98
2014	1,521	263	91	615	107	22	238	184
2015	1,961	306	100	772	150	28	273	333
2016	1,498	257	60	582	123	16	160	300
2017	1,854	236	55	761	146	23	187	445
2018	1,248	153	36	506	105	16	121	312
2019	1,054	102	24	415	96	10	122	285
2020	738	44	10	299	56	1	62	266
2021	645	44	4	261	49	1	54	232

Source: Zenith Media · Created with Datawrapper

The drop in advertising spending in print media has been to some extent offset by the growth of ad revenues in the digital sector, which in the last two years has begun to threaten the dominance of the television segment in the advertising market. The traditional news media sector (including press publishers, and radio and television broadcasters) has witnessed a migration of ad-spending dollars to digital platforms, many of which do not produce content. If this trend continues, the media revenue model is likely to change tremendously in the future.

In the case of print media, the drop in revenue is steeper than in other media segments because of the collapse of the sales of hard copies. The radio and television segments have managed to defend their ad market shares. However, if the digital market continues to grow, it will do so by eating into the shares of those two media segments.

One of the authors of this report, Agustín Espada<sup>[103]</sup> estimated that online advertising accounts for approximately 50% of the total advertising revenue in Argentina.

That share is growing at all levels, locally, regionally and globally. Google and Facebook are amassing an increasing amount of power within this market. According to Admetricks, a website covering trends in the digital market, Google accounts for between 35% and 40% of the total ad sales in Argentina, acting as a sales intermediary and thus taking a cut of the sale of programmatic ads on third-party sites. According to Havas, an ad agency, in 2021 the online market accounted for 53% of the total advertising revenue. In the same year, the share of the television sector in the ad market fell from 41% to 32%.

Thus, although advertising continues to be the main source of financing for the news media, the sector is facing a high level of uncertainty.

Since 2010, when social media platforms began to beef up their market positions, the news ecosystem has undergone a major transformation as part of the process of digital convergence, with advertising revenue being increasingly absorbed by tech giants, mainly Google and Facebook.

These transformations led to heated debates all over the world on the need for state regulations to “balance the playing field”. The European Union adopted the Copyright Directive (2019) that, among other things, obliges digital platforms to pay for the use of content produced by news media. The News Media Bargaining Code (2021) in Australia, in spite of strong resistance from the digital platforms, obliges Google and Facebook to pay media outlets for the licensing of their content.

Such debates also take place in Argentina. Journalistic organizations and professional associations in the country such as the ADEPA and FOPEA want tech platforms to recognize the economic value of media content, often discussing this issue in the context of copyright.

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[103] Agustín Espada, “La otra pauta: radiografía de un botín privado de U\$D 900 millones” (The other pattern: radiography of a private booty worth US\$ 900m), *LetraP*, 6 June 2022, available online at <https://www.lettrap.com.ar/nota/2022-6-6-16-2-0-la-otra-pauta-radiografia-de-un-botin-privado-de-u-d-900-millones> (accessed 15 January 2023).

At the same time, these groups have agreed to participate in programs aimed at supporting quality journalism productions that are financed by tech platforms, including the Google News Initiative (GNI), a program that funds journalistic projects, Web stories, a Google-financed program that remunerates producers of media content, or most recently, the Google News Showcase, an aggregation program opened to publishers willing to showcase their content, a reaction triggered by plans by authorities in other countries, such as Australia and France, to coerce tech platforms in paying for content featured on their websites. Facebook, as part of its Journalism Project, works with ADEPA and FOPEA in running Impulso Local, a program whose purpose is to support local, regional and national media to achieve sustainability.

The Google journalism program Showcase in Argentina features 80 publishing groups from 18 Argentinian provinces that have already joined their projects. They include: Télam, Perfil, Infobae, Clarín, Página 12, La Nación, La Gaceta, Ámbito Financiero, El Economista, El Liberal, El Litoral, El Popular, El Territorio, Grupo América, Grupo Chronicle, Grupo Indalo, Grupo Octubre, La Arena, La Nueva, La Opinión Austral, LMNeuquén, La Capital S.A., Argentine News, Nueva Rioja, Tiempo Sur, Popular, El Cronista, Diario Huarpe, Diario Río Negro, El Ciudadano, El Chubut , El Día de La Plata, El Diario de La Pampa, Diario Crónica, El Eco, Diario Democracia, Mirador Provincial, Diario El Libertador, IP digital and La Opinión de Rafaela.

Officials in media corporations welcomed with open arms the initiative. For example, the CEO of Clarín, Héctor Aranda, said: “We are pleased to be able to continue building a mature and productive relationship with Google in Argentina. As the owner of several of the most visited journalistic websites in the country, Grupo Clarín adds significant value to the ecosystem and to the consumption of digital content in the country, and the possibility that this value is recognized and prioritized by a relevant platform such as Google is an auspicious sign.”

Francisco Seghezzo, CEO of La Nación, the second most prominent newspaper in Argentina, said: “Google products are an important source of traffic for La Nación and we are sure that Showcase will allow us to show some of our articles in an attractive fashion for Google News users. Without a doubt, it is a new step forward in building the link between La Nación and Google, for the benefit of our audiences.”

Yet, there were a few critical voices as well. For example, an editorial in LetraP, a digital news website, criticized programs such as Google News Showcase for contributing to growing media concentration and depriving audiences of easy access to news due to the non-transparent use of algorithms in presenting the news content. However, none of the critics in the business community called for state intervention in the matter.



Small and large media outlets generally embrace such projects as they consider them a step forward in their development, yet they admit that such programs are not sufficient for them to achieve full sustainability. Some question how fair tech companies are when designing such programs, as they must know that media companies that agree to participate in the program generate significant value for the tech giants, both in terms of substantial amounts of content to use in training their algorithms and development of new products, as well as eye balls and audience data, and advertising revenue.

Google boasts on its GNI website that since 2018 it has spent a total of US\$ 26m on supporting projects carried out by 1,190 media outlets in Latin America. In Argentina, it is estimated that Google has spent roughly US\$ 2.2m on supporting a total of 229 media outlets, according to a public survey, whose results are still unpublished, conducted by Netzpolitik, a German website focused on digital rights. Thus, the Argentinian media is estimated to have received 8.4% of the total financing offered by Google in Latin America, which accounts for less than 1% of the total Argentinian advertising market, or 0.01% of Google’s overall ad revenue in 2021 (US\$ 257.63bn).

The leading Argentinian media businesses, in fact, seem to seek new opportunities. Clarín has stopped considering its print segment to be the group’s flagship business. Now, the main source of its income is outside the media sector. One of the most successful players in the digital market, Infobae has focused on expanding its business across Latin America, a sign that the local, Argentinian market, is insufficient.

Other media outlets have decided to embrace the subscription model after realizing that maintaining a web page is important for brand awareness, but totally insufficient to generate the necessary income to offset the drop in sales of hard copies and advertising revenue. Such trends are likely to boost the position of some of the country’s large media, such as Clarín and La Nación, or of various small-size media that operate with frugal cost structures. However, the survey carried out by the Reuters Institute indicates that only 15% of users are willing to pay for news access in Argentina. Clarín and La Nación are successful in that respect but mostly because of a series of marketing tricks (a discount shopping card that subscribers receive if they sign up) rather than their willingness to pay for content.

Pay-TV (cable and satellite) has maintained its subscriber base and, as a result, its income has not been affected. According to data from the regulatory body for the audiovisual sector in Argentina, ENACOM[104], the annual income of the sector was worth ARS 223m in 2021, which represented 40% of the total advertising spend in the country. Most of this spending is gobbled up by foreign broadcasters rather than outlets specialized in the production of local journalistic content.

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[104] See more at <https://datosabiertos.enacom.gob.ar/dashboards/20002/television-paga/>.

# Government Funding

In Argentina, there are no public policies on financial support for the media, except for two minor exceptions, which have little impact on the overall media system.

The first is the Competitive Promotion Fund for Audiovisual Communication Media. This fund was created through the 2009 Audiovisual Communication Services Law to redistribute part of the revenues collected by ENACOM through levies and fines. Its aim is to promote community broadcasters by offering funds for the purchase of equipment, program production and personnel training, among other things. According to data from the ENACOM, 522 projects run by 216 broadcasters, totalling ARS 429m (approximately US\$ 4m), were funded through this program in 2021.

Secondly, the Government of the City of Buenos Aires subsidizes neighborhood-focused media. Yet, the amounts provided by the Buenos Aires municipality to these outlets are small, contributing little to their wellbeing or sustainability.

On the other hand, state advertising, which some local experts in Argentina do not consider to be government funding, is a key resource for media outlets, especially for small- and medium-size media that have restricted access to the private advertising money spent by large advertisers. A trend that can be noticed in the Argentinian media market is the much higher incidence of state advertising in local, smaller ad markets across the country.

The government of Alberto Fernández spent some US\$ 180m on advertising between December 2019 and August 2022, which was less than what the regime of his predecessor, Mauricio Macri, spent over a full four-year period, during his mandate in 2015–2019. During Fernández’s time, state ad expenditure accounted for 5% of the total advertising market. The spend excluded ad spending by large state-owned companies such as YPF, Aerolíneas Argentinas or Aguas Argentinas.

When awarding state advertising cash, the Fernández government favors the most prominent media groups in the country, especially media outlets known for their friendly editorial coverage. Hence, during Fernández’s regime, Clarín Group received 12% of the state advertising funds, followed by other media groups close to the government such as Indalo, Octubre or América. On the other hand, 27% of the government ad funds go to television outlets, another 22% is spent on ads on websites, radio stations receive 20% of the advertising money, 11% is spent in print media, another 11% goes to outdoor advertising, some 7% is spent on ads places on social networks and the remaining 2% is divided between cinema and events.

In addition to being concentrated in the main media groups (12 companies account for 53% of the total state ad spending a year), government advertising spending is also geographically concentrated in the media that are produced and broadcast from Buenos Aires.

There is little transparency when it comes to how state advertising is spent. Anecdotal evidence shows that some journalists directly receive ad money from the government. On the other hand, non-profit media (cooperative, community or indigenous media) have almost no access to state ad funds, only sporadically receiving insignificant amounts of cash from the state budget.



## CHAPTER 3:

# Technology, Public Sphere and Journalism

# Key Trends

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Information and communication technologies occupy a prominent place in people's daily lives in Argentina. Although the country cannot boast state-of-the-art technological developments, it does have a high penetration of tech devices (mainly mobile phones) as well as use of applications (for example, social networks).

Argentina is currently undergoing a process of change and transition of the communications market. Fixed telephony no longer represents a widespread technology in the country's households. At the same time, broadband penetration is growing fast whereas the mobile telephony market has become the largest communications segment by size. However, the pay-TV segment is the most stable, enjoying high penetration. It has not yet felt the sharp impact of subscribers' migration to on-demand audiovisual platforms and has strong roots in the old, widespread tradition of paying to watch television as a response to poor development of free-to-air analogue television.

Internet use in Argentina has also experienced changes when it comes to access. The computer was the main internet connection device until some five years ago, but today, mobile phones are the main devices used to access the internet in the country. Online activities are mainly focused on the search for information and educational content whereas spending time on social networks is only a transitory activity.

In this technological development context, with the media and communication market concentrated in the hands of fewer and fewer players and influenced by a strong presence of foreign capital, distribution of news and information content is almost entirely controlled by large digital platforms. Google and Meta are major gatekeepers, uninterested in negotiating with local content producers.

# Overview of the Tech Sector

## Consumption Patterns

Fixed telephony is the longest-lived communications technology in Argentina and yet the one facing the steepest decline in terms of penetration and number of subscribers. The official figures provided by the ENACOM<sup>[105]</sup>, the local media regulator, show that the number of total fixed lines fell by 29% between 2014 and 2021, meaning that the land-line telephony sector lost nearly three million customers in that period. For the first time in decades, less than half of the Argentinian households use a fixed telephone line.

### Fixed-line telephony in Argentina, access and penetration, 2014-2021

	2014	2015	2016	2017	2018	2019	2020	2021
Access (in million)	9.69	9.98	10.19	9.77	9.81	7.76	7.36	6.90
Penetration (% of inhabitants)	22.61	23.03	23.27	22.09	21.95	17.20	16.16	15.01
Penetration (% of households)	74.16	75.17	75.76	71.74	71.07	55.55	52.03	48.16

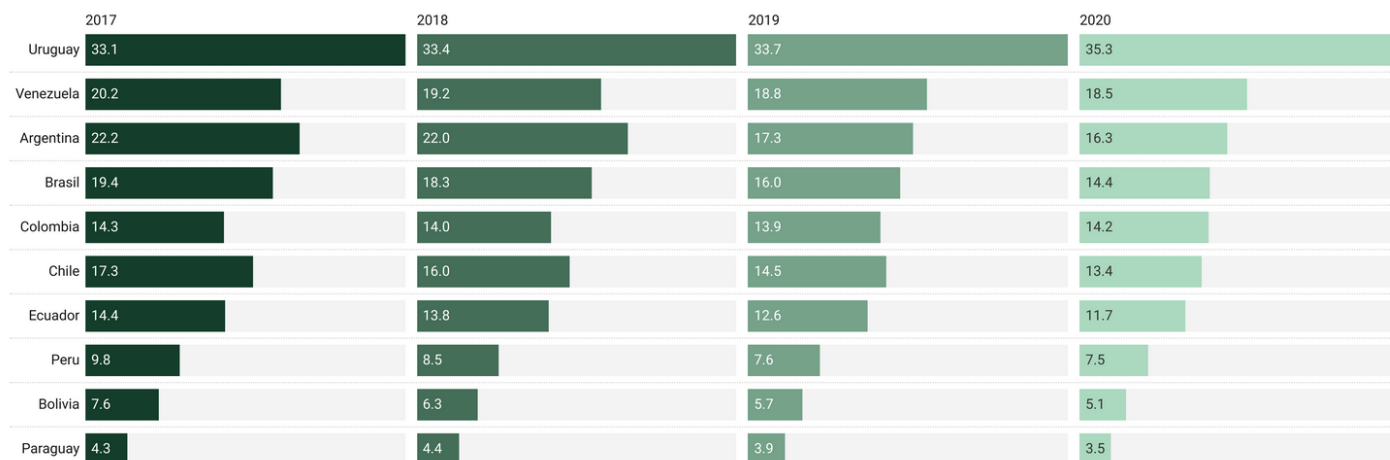
Source: ENACOM • Created with Datawrapper

In the Latin American region, however, Argentina is one of the countries with high fixed-line penetration, surpassed only by Venezuela and Uruguay. The latter is the only country in the region where access to fixed telephony has grown in recent years. World Bank data shows that the penetration of land-lines has fallen the most in Argentina among the countries in the region in a four-year period, reporting a drop of 27% measured by the total number of inhabitants.

[105] All the statistics for the fixed-line and mobile telephony, fixed internet connection and pay-TV have been sourced from the Annual Market Report of 2021 issued by ENACOM, available online at <https://indicadores.enacom.gob.ar/files/informes/2021/T4/2021-00%20-%20Indicadores%20de%20Mercado%20IMPR.pdf> (accessed 23 November 2022).

### Fixed-line telephony penetration in Latin America, 2017-2020

per 100 inhabitants



Source: World Bank[106] • Created with Datawrapper

The fixed-line telephony market, in a country where landline access is considered a public service, charged on fixed rates regulated by the State, has remained stable in Argentina despite successive waves of inflation and currency devaluation that the country has experienced since 2014. Between 2014 and 2021, inflation reached 864.39% in Argentina, according to the local statistical office. The total turnover in the sector grew by 736% during the period, below the inflation rate. On the other hand, the monthly average revenue per user (ARPU) grew by 1,033% (in Argentinian pesos or ARS) during the same period, an indication that the drop in revenues on the landline telephony market is not due to the economic crisis the nation has been faced with, but rather to the declining number of subscribers.

### Fixed-line telephony market in Argentina, 2014-2021

	2014	2015	2016	2017	2018	2019	2020	2021
Total income (ARS million),	12,336	14,092	18,834	25,529	35,273	60,146	76,015	90,797
Monthly ARPU in ARS	106.09	117.78	154.08	217.72	299.76	647.52	860.21	1,096.09

Source: ENACOM • Created with Datawrapper

[106] World Bank report available at <https://datos.bancomundial.org/indicador/IT.MLT.MAIN.P2> (accessed on 23 November 2022).

Mobile telephony shows higher penetration than fixed telephony and it keeps growing. Although between 2015 and 2019, the Argentinian mobile market experienced a period of fluctuations that led to a decrease in the number of mobile users of all the three companies that provide the service, since 2020 a steady growth in penetration (measured as a percentage of all of the country's inhabitants) has been recorded. These trends are characteristic for an unstable economy in a nation grappling with a high poverty rate (37% in July 2022, according to the local statistical office).

### Overview of mobile market in Argentina, 2014-2021

	2014	2015	2016	2017	2018	2019	2020	2021
Access (per 100 inhabitants)	143.00	143.00	146.00	140.00	131.00	125.00	120.00	128.00
Total number of mobile accounts (million)	61.12	61.84	63.71	61.89	58.59	55.93	54.76	59.06
Total number of prepaid mobile cards (million)	53.09	54.24	56.08	54.78	52.11	50.13	49.20	52.87

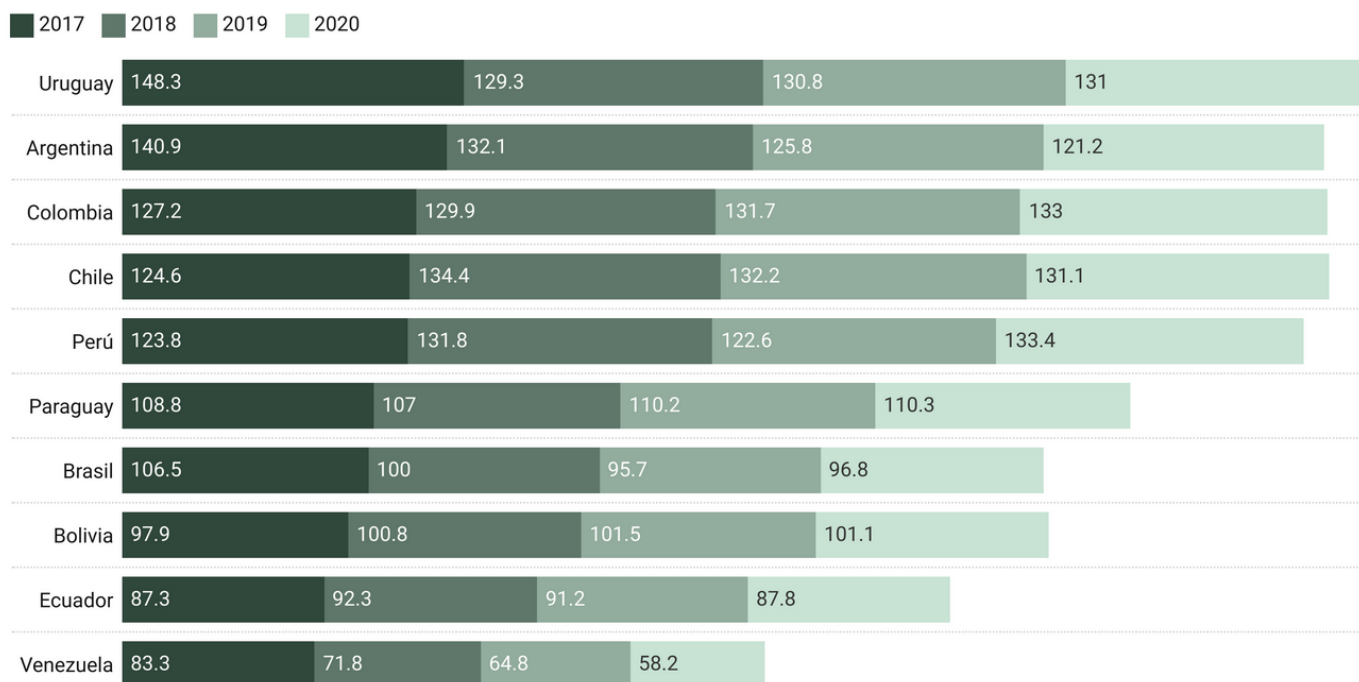
Source: ENACOM • Created with Datawrapper

Compared to other countries in the Latin America region, Argentina has an average mobile telephony penetration, yet still higher than the continent's major power, Brazil. According to the World Bank, Argentina is among the countries with a relatively high market contraction along with Uruguay, Brazil and Venezuela.



## Mobile subscriptions in Latin America, 2017-2020

per 100 inhabitants



Source: World Bank[107] • Created with Datawrapper

In the mobile telephony segment, Argentina has registered a significant decline in recent years both in outgoing calls, which have fallen by 30%, as well as in text messaging, which seems to be moving towards extinction following a drop of 82% in volume of texts sent.

## Mobile telephony use in Argentina, 2014-2021

	2014	2015	2016	2017	2018	2019	2020	2021
Total number of outgoing calls (billion)	34.545	36.061	36.268	33.022	30.825	30.130	25.576	24.684
Total number of text messages sent (billion)	-	-	32.961	23.490	16.788	10.933	7.376	6.193

Source: ENACOM • Created with Datawrapper

[107] World Bank report available at <https://datos.bancomundial.org/indicador/IT.CEL.SETS.P2> (accessed 23 November 2022).

The mobile telephony market registered a decrease in 2021 compared to 2014. The market value in local currency was higher by 610% whereas inflation was 864%. This means that the value of the mobile telephony market fell by 37% in constant prices during the period. The ARPU in the mobile telephony segment registered a decline of 30%, in constant prices, also because of inflationary pressures. In other words, the mobile market drop has not been directly related to the decreasing number of users, but rather to declining profit margins.

### Financial performance of mobile market in Argentina, 2014-2021

	2014	2015	2016	2017	2018	2019	2020	2021
Total income (in million ARS)	72,608	85,950	109,849	138,537	181,401	234,139	309,541	443,036
ARPU (monthly) in ARS	99.90	115.84	143.66	186.51	257.97	348.85	471.02	625.06

Source: ENACOM • Created with Datawrapper

The home (or fixed) internet connection industry is one of the fastest growing sectors in the country. The number of connections has grown by 60% in the last seven years, pushing up fixed internet penetration to 73% in 2021.

### Fixed-line internet penetration in Argentina, 2014-2021

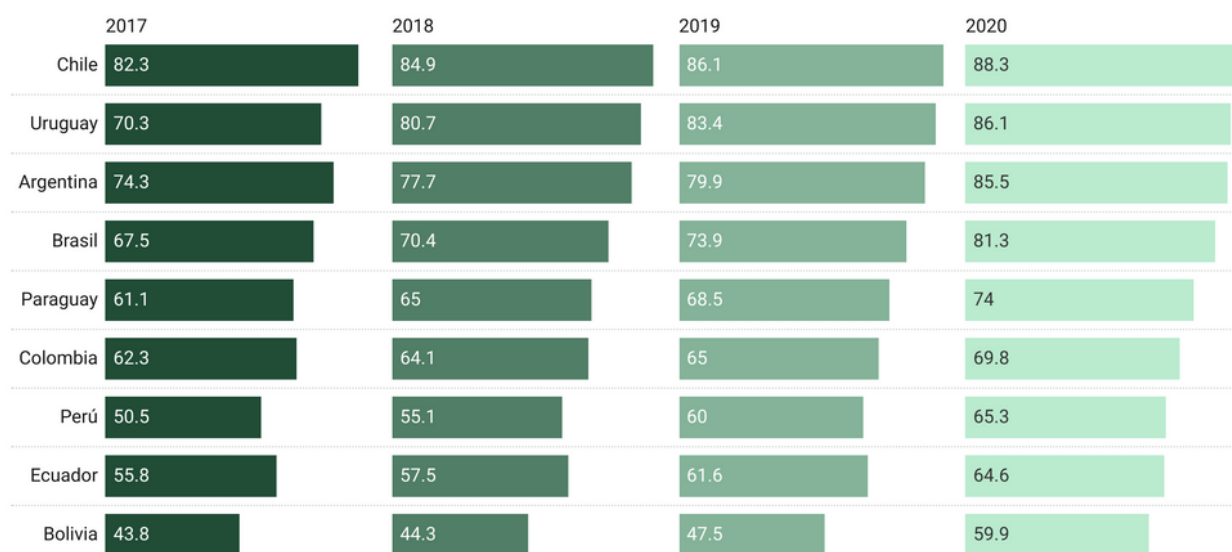
	2014	2015	2016	2017	2018	2019	2020	2021
Number of connections (million)	6.60	6.98	7.25	7.87	8.47	8.79	9.57	10.49
Penetration (% population)	15.39	16.12	16.56	17.79	18.97	19.49	21.01	22.81
Penetration (% households)	50.50	52.63	53.94	57.78	61.42	62.92	67.62	73.18

Source: ENACOM • Created with Datawrapper

In the Latin America region, Argentina is ranked third after Chile and Uruguay in terms of fixed-line internet penetration. On par with Uruguay, Argentina has experienced a steady growth rate in internet penetration compared to other countries in the region.

### Internet penetration in Latin America

% of inhabitants



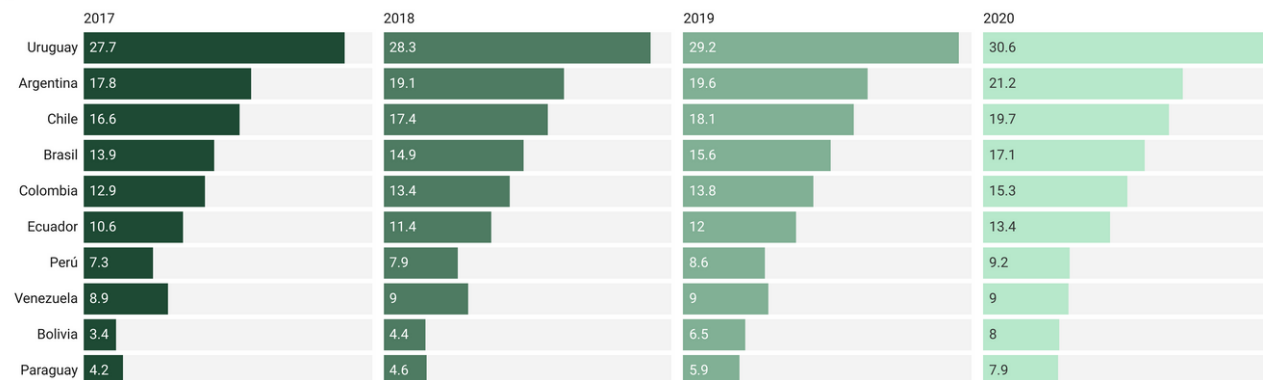
Source: World Bank[108] • Created with Datawrapper

The main home internet connection technology used in Argentina is broadband (99%). In terms of broadband penetration, Argentina comes second in the region although far behind the leader, Uruguay, but with a much higher penetration than countries like Brazil and Colombia.

[108] World Bank report available at <https://datos.bancomundial.org/indicador/IT.NET.USER.ZS> (accessed 23 November 2022).

### Fixed broadband internet penetration, 2017 - 2020

per 100 inhabitants



Source: World Bank[109] • Created with Datawrapper

The average home internet download speed is 52 Mbps at the national level in Argentina. However, there are many regional gaps, the best connection speeds being recorded in the city of Buenos Aires and its surroundings whereas users in the rest of the country have access to much slower internet connection. Outside of Buenos Aires, the average speed stays below 30 Mbps. Despite the uneven geographic distribution, the internet connection speed has doubled in the last two years.

### Internet speed connection in Argentina, 2021

Speed	1-6 Mbps	6-10 Mbps	10-20 Mbps	20-30 Mbps	+30 Mbps	Other
Buenos Aires metropolitan area (connections)	400,083	413,191	363,431	262,776	4,407,732	74,063
Rest of the country	1,012,998	832,142	613,108	295,582	1,624,590	190,098

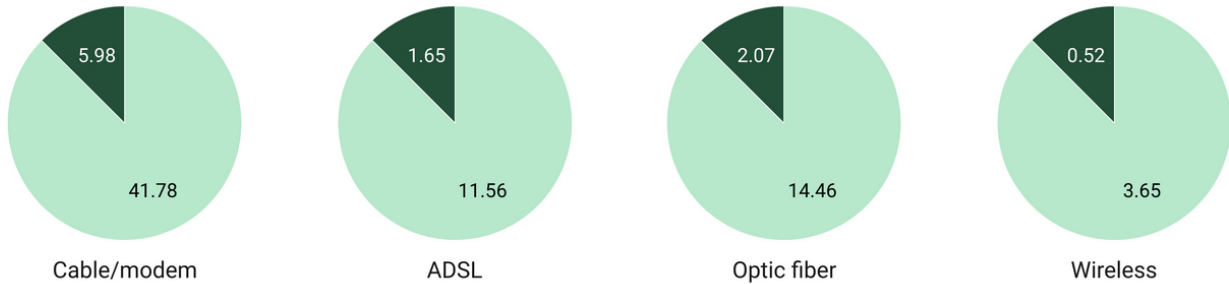
Source: ENACOM • Created with Datawrapper

On the other hand, Argentina is behind in the penetration of fiber optic internet connection technology, with only 14% of the country’s households using this technology. Cable modem continues to be the main connection technology while ADSL and Wireless technology are in decline.

[109] World Bank report available at <https://datos.bancomundial.org/indicador/IT.NET.BBND.P2> (accessed 23 November 2022)..

## Internet access technology in Argentina, 2021

Percentage of households    Number of connections (million)



Source: ENACOM • Created with Datawrapper

These figures put Argentina in a lagging position when it comes to fiber optic internet connectivity, behind Brazil and Mexico and on par with other countries in the region such as Chile, Colombia and Ecuador.

## Fiber optic connected households and active subscriptions (million) in Latin America, 2020

Country	Connected households	Suscriptions
Argentina	7.6	1.1
Brasil	38.5	15.4
Costa Rica	0.4	0.9
Chile	6.3	1.3
Colombia	3.7	1.0
Ecuador	1.8	1.0
Peru	1.8	0.4

Source: FBA Latam Chapter via DPL News[110] • Created with Datawrapper

Pay-TV reaches 67% of Argentine households, which is the lowest figure registered in the last eight years. Yet, pay-TV penetration remains stable and there is no significant sign of decline in the use of this service.

[110] Data available at the following link: <https://dplnews.com/cobertura-de-fibra-optica-en-america-latina-crecio-48-en-2020/> (accessed 1 November 2022).

### Pay-TV penetration in Argentina, 2014 - 2021

	2014	2015	2016	2017	2018	2019	2020	2021
Number of connections (million)	8.94	9.04	9.18	9,39	9.39	9.76	9.65	9.61
Penetration (% population)	20.87	20.88	20.98	21.23	21.01	21.62	21.19	20.89
Penetration (% households)	68.45	68.14	68.31	68.93	68.03	69.81	68.20	67.02

Source: ENACOM • Created with Datawrapper

The total turnover in the Argentinian pay-TV industry has steadily grown since 2014. The overall annual ARPU indicates that the subscription cost has fallen in the past eight years. The price of the satellite television service has remained constant, better than the price of the cable television subscription.

### Financial performance of pay-TV industry in Argentina, 2014-2021

	2014	2015	2016	2017	2018	2019	2020	2021
Total turnover (ARS m)	26,348	36,531	49,442	66,536	86,438	120,743	153,788	212,425
Annual ARPU (ARS)	2,946	4,039	5,383	7,087	9,209	12,376	15,932	22,112
Number of cable television subscribers (in million)	6.48	6.51	6.55	6.83	6.91	7.30	7.33	7.60
Number of satellite television subscribers (in million)	2.47	2.54	2.63	2.56	2.47	2.46	2.32	2.01
Annual ARPU cable television (ARS)	2,592	3,572	4,776	6,222	7,964	10,820	13,839	18,465
Annual ARPU satellite television (ARS)	3,876	5,238	6,896	9,393	12,687	16,993	22,544	35,894

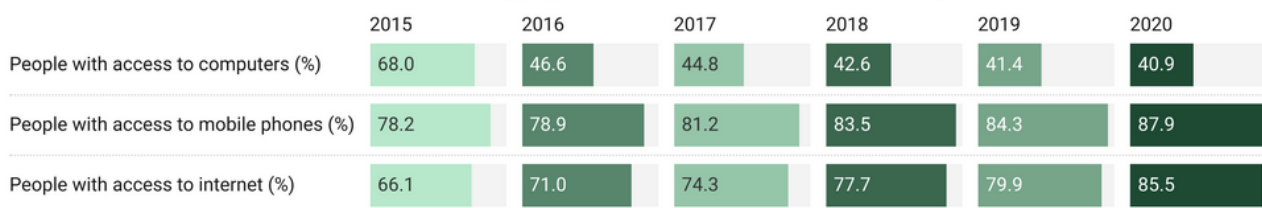
Source: ENACOM • Created with Datawrapper

The penetration of satellite technology has declined in recent years, having lost some 20% of its subscribers since 2014. In contrast, the cable television industry has gained the same amount of subscribers in absolute terms. Thus, the satellite service saw its market share down from 27% in 2014 to 21% in 2021, possibly because of the inability of the main provider to offer attractive subscription packages of pay-TV combined with internet or phone services.

## Use of Technology Devices

The share of the population that has access to the internet has significantly grown in the last five years in Argentina, according to data from the World Bank. Yet, the use of computers is in decline in the face of the steady advance of mobile telephony, mainly of smartphones, as the main access device to websites and social platforms. This trend has deepened greatly in recent years despite public policies introduced by the government that has been seeking to expand access to computers among pupils and students.

### Access to information technology goods and services in Argentina, 2015-2020



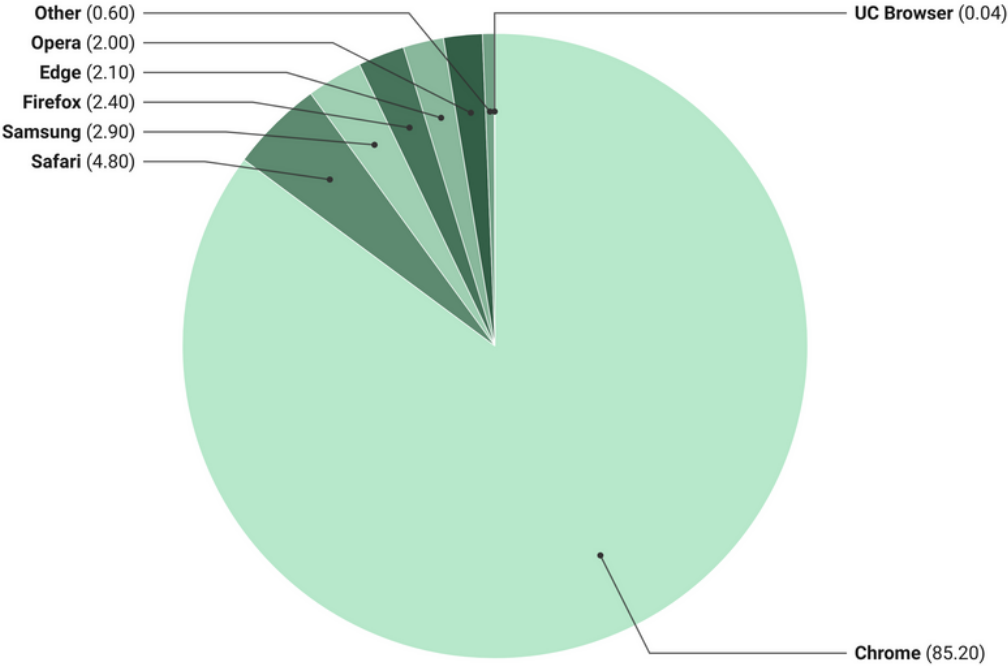
Source: INDEC[111] • Created with Datawrapper

Google-owned browser Chrome is the most used internet browser in Argentina. The engine is almost ubiquitous on computers and smartphones that use Android as their operating system, having a total of 85% market share. Its closest rival, Safari only accounts for some 5% of usage and works exclusively on Apple mobile devices (that use the iOS). The market penetration of other major browsers such as Firefox and Edge (from Microsoft) is marginal.

[111] Data available at [https://www.indec.gov.ar/uploads/informesdeprensa/mautic\\_05\\_213B13B3593A.pdf](https://www.indec.gov.ar/uploads/informesdeprensa/mautic_05_213B13B3593A.pdf) (accessed 4 November 2022).

### Use of internet browser in Argentina, 2022

Market share (%)



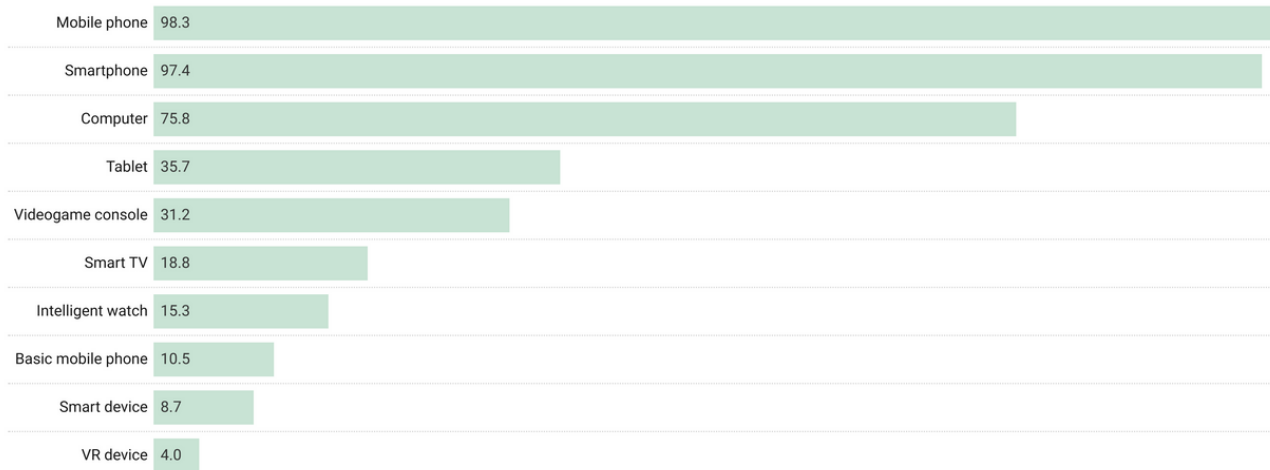
Source: Digital Report 2022 – Argentina made by We Are Social • Created with Datawrapper

Smartphones are by far the main devices used for internet connection, more than computers (laptops and desktops), still retaining a good percentage of use (75%). The use of tablets is in decline while the use of video game consoles (mainly for playing online games individually or as a team) and Smart TVs (mainly for consumption of on-demand platforms) is growing. Other technologies, which are more common in Europe or the United States, such as smart watches or smart speakers, have poor penetration on the Argentinian market.



## Use of tech device in Argentina, 2022

Share %

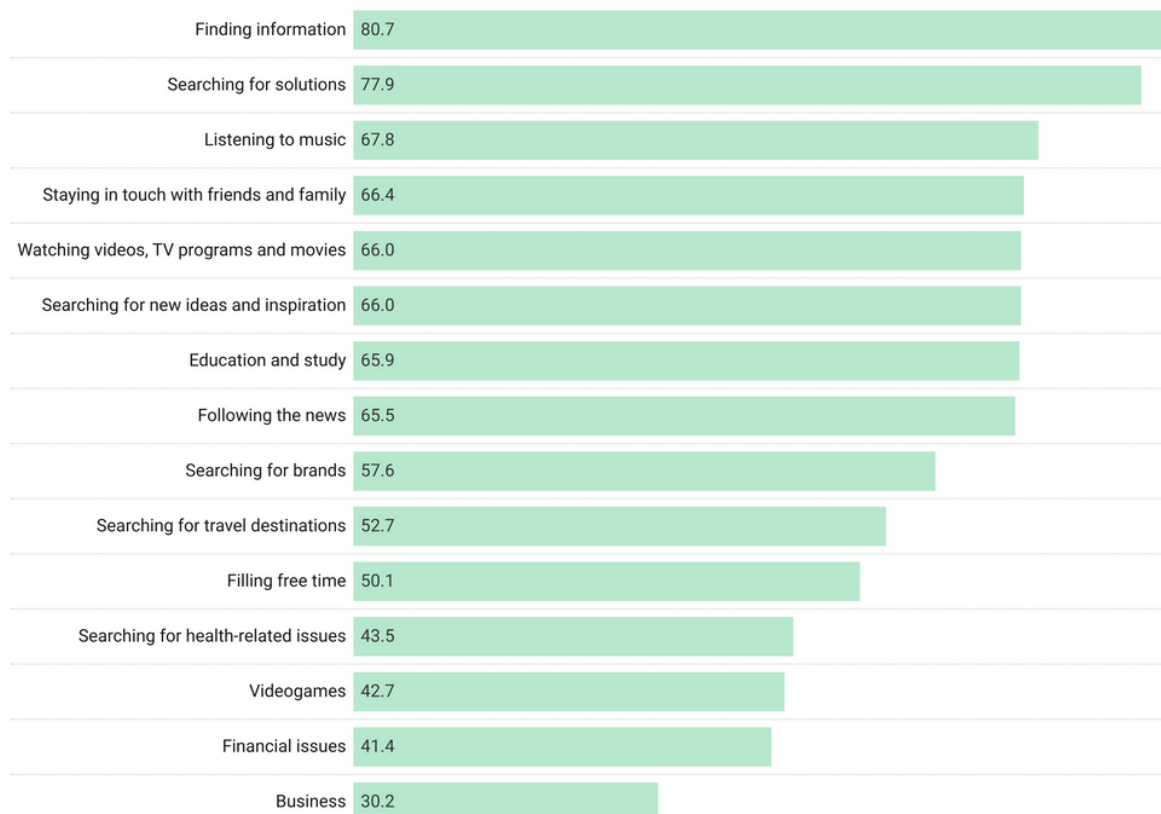


Source: Digital Report 2022 – Argentina made by We Are Social[112] • Created with Datawrapper

The main motivations for the use of the internet in Argentina are search for information, finding solutions for daily issues, socialization, audiovisual and musical consumption. Study, tourism, health and finance are also on the list, although at lower levels of priority.

## Reasons for accessing the internet in Argentina, 2022

Percentage of population (%)



Source: Digital Report 2022 – Argentina made by We Are Social • Created with Datawrapper

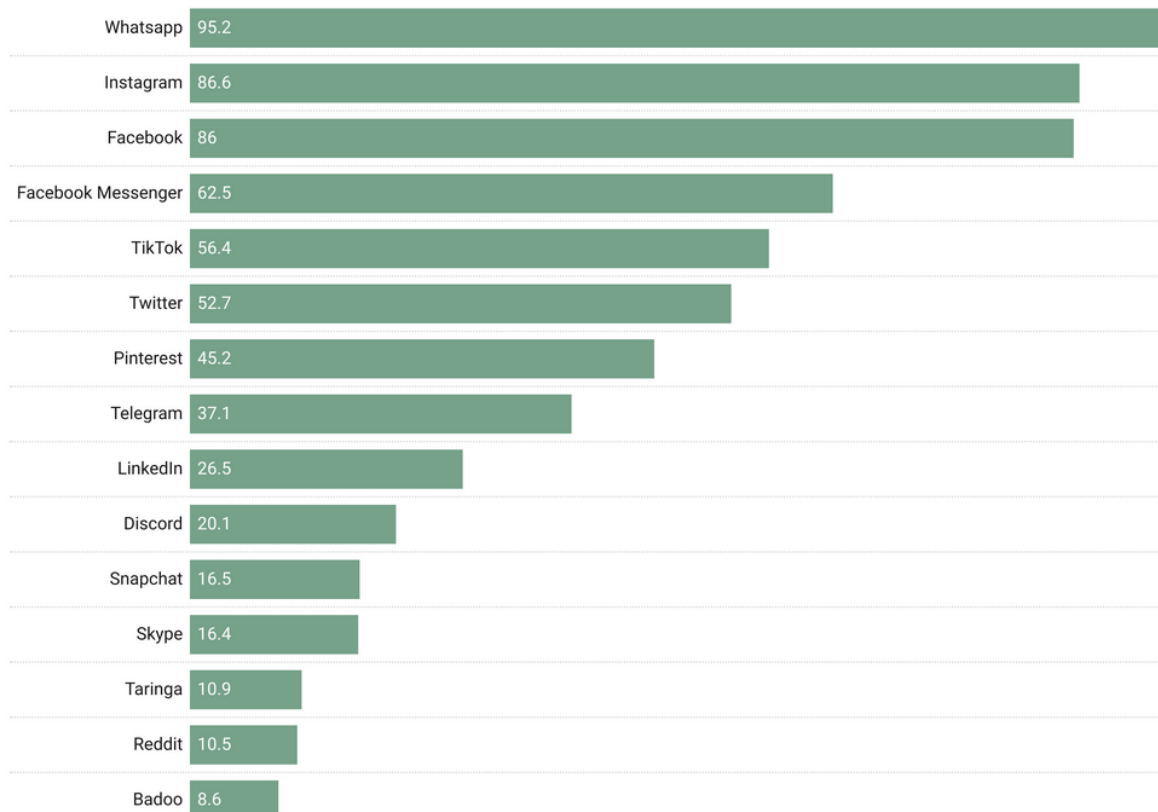
# Online Platforms

Internet users in Argentina almost all use WhatsApp as an instant messaging platform. Followed by Instagram and Facebook, the three most popular platforms in the country belong all to Meta company. For the first time in a long time, Instagram has recently surpassed Facebook in overall use. Facebook was the largest social network in the country for the last 15 years. The fourth platform in terms of popularity in Argentina is Facebook Messenger, Meta’s messaging service.

TikTok and Twitter are the other social networks with high penetration in Argentina. In a very short time the Chinese-funded platform TikTok managed to outclass networks such as LinkedIn and Pinterest. The third messaging service with high penetration on the Argentinian market is Telegram, which reaches 37% of internet users. At the same time, the use of Discord has grown in recent years mainly due to the increased penetration among gamers.

## Penetration of social networks in Argentina, 2022

Share (%)

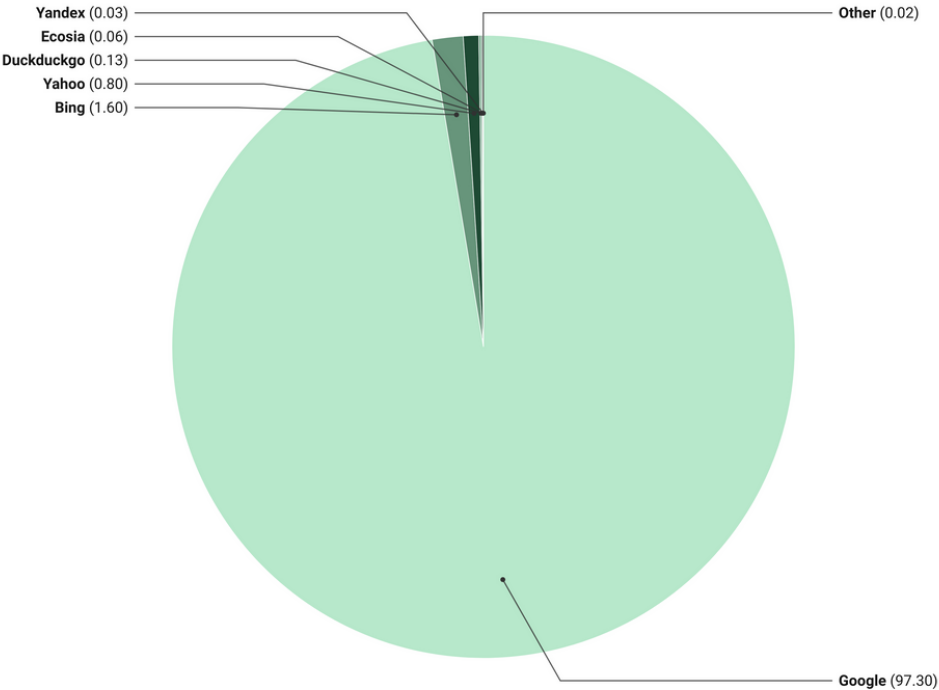


Source: Digital Report 2022 – Argentina made by We Are Social • Created with Datawrapper

Google has enormous power in the internet search engine market in Argentina (both on mobile and desktop), having no competition and enjoying a share of over 97% of the market. Neither Bing nor Yahoo pose any threat to Google's dominance.

**Use of search engines in Argentina, 2022**

Share of people using it (%)

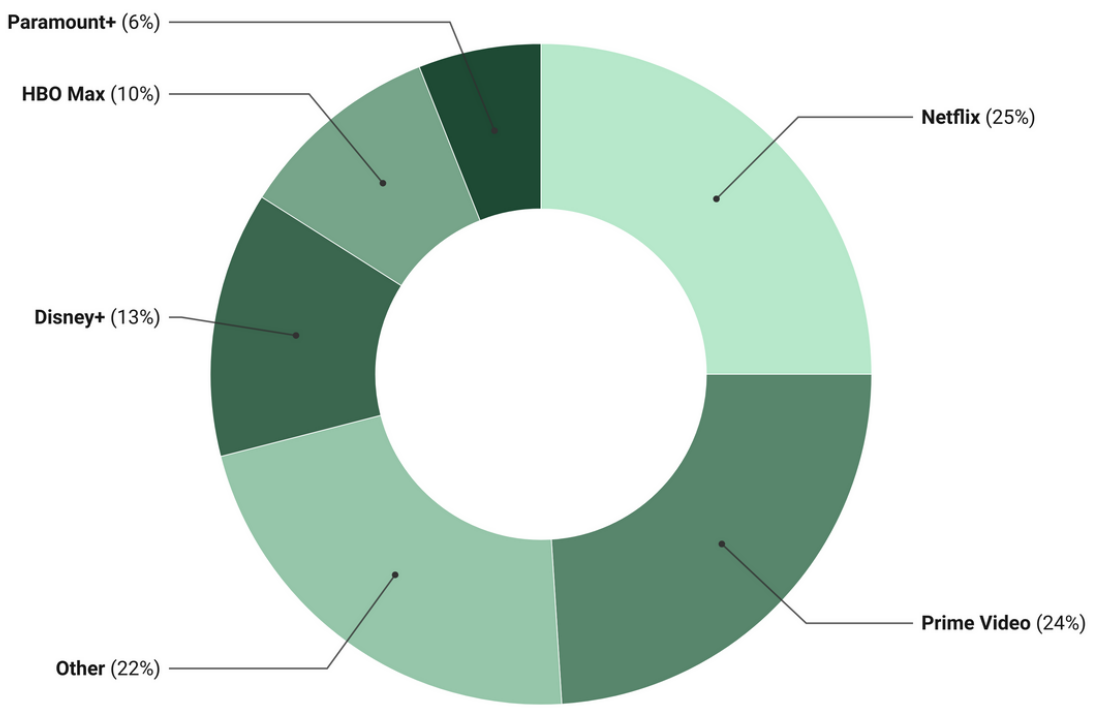


Source: Digital Report 2022 – Argentina made by We Are Social • Created with Datawrapper

When it comes to the audiovisual streaming platform market, Argentina follows the worldwide trend of increased competition. Netflix is the most popular platform in the country, commanding a quarter of the market, the same as its strongest competitor, Amazon with the Prime Video streaming service.

## Key players in the OTT market in Argentina, Q3 2021

Market share



Source: Media Landscape 2022 - by Havas Group Agency[113] • Created with Datawrapper

In 2021, Argentina experienced a disruptive moment on the video-on-demand (VoD) market with the emergence of three new players (HBO, STAR+ and Paramount+) and the consolidation of a fourth one (Disney+). The market share gained by the emerging platforms ate into Netflix's dominance.

Netflix entered the Argentinian VoD market in 2011 when it also began its expansion on the larger Latin American market. Since then, it has led in the preferences of subscribers to audiovisual platforms. Netflix is today one of the main audiovisual producers in the country. The first Netflix television series produced in Argentina was *Edha* in 2016. The same year, Netflix made the first purchase of the distribution rights for a television series produced and financed by the Argentinian state, namely *El Marginal*, which was initially aired on the Televisión Pública Argentina.

[113] Data available here: <https://www.anunciantes.org.ar/archivos/informes/Havas-Panorama2022.pdf> (accessed 2 December 2022).

Following the series' success, Netflix boosted its role in the development of the following seasons until it became the exclusive producer of the series (in the fourth and fifth editions). In 2022, Argentina was one of the first five countries where Netflix introduced its pilot project "add a home", a feature that allows customers to enable access from a second home for an additional monthly fee (less expensive than full standalone membership).

Amazon Prime Video unfolded in Argentina in 2016, and later beefed up its position on the market through an alliance with Movistar, a telecom operator, which embedded the cost of the streaming service, in local currency, in its bill. Amazon's own productions, made in association with local directors and producers, were not released until 2022.

The operation of other market players on Argentina's VoD market, including Disney+, HBO Max, Paramount+ and Star+, is linked with the history of the Argentinian audiovisual market. Co-productions between HBO, Fox (currently Disney and integrated into the Star+ catalog) and Disney with Argentinian audiovisual production companies and television channels have become a common practice in the country. One of the most important production companies in Argentina, Pol-ka has been co-producing fiction with Disney since 2012, with Fox since 2018 and with HBO since 2017. The launch of digital platforms by these players between 2020 and 2021 was followed by a change of their brands' position on the local pay-TV market. Paramount+ is different from the other pay-TV players in Argentina as also owns a free-to-air channel, Telefe, the most watched television channel in the country.

Finally, on-demand platforms belonging to telephone companies, such as Movistar+ and Claro Video, had a higher market share until five or six years ago, but the lack of their own productions and a clear commitment to develop their online services, dented their expansion. Something similar happens today with Apple TV, which has no local productions and does not reach too many people as its own devices are not very popular in the country.

# Main Telecom Players

**Telecom** is the largest telecommunications company by revenue in Argentina. It is majority owned by Cablevisión Holding, the other main shareholder being the Fintech Investment Fund, with North American capital, founded and managed by the Mexican investor David Martínez Guzmán. Cablevisión Holding belongs to Grupo Clarín, which is the main media group in Argentina whose main shareholder is Héctor Magnetto.

Telecom was created through the privatization of Argentina's former state-run telephone company in the early 1990s. Initially, it was co-owned by French and Italian companies. At the beginning of the century it was passed to Argentine and American owners. In 2018, the main provider of pay-TV and home internet connection services in Argentina, Cablevisión of Grupo Clarín, bought a majority stake in the company. In 2021, the company reached a net profit of US\$ 91.5m. A year earlier, it had registered losses of US\$ 70.9m. The company has a total of 32 million customers of services provided in Argentina as well as the mobile telephony service provided in Paraguay and pay-TV services available in Uruguay (the countries in the region where it expanded its operations).

**Movistar (Telefónica)** is a multinational telecommunications company with Spanish capital. It is one of the two largest telecommunications companies across Latin America along with América Móvil. Until 2019, it was present in 15 countries in the region but in the meantime it sold all its shares in the Central American market. Following a full financial reorganization, it also got rid of its content production units that it operated in the region. It currently concentrates its operations on telephone, internet and pay-TV services under the Movistar brand. Telefónica's main shareholders are the BBVA and Caixa banks, and the BlackRock investment fund. In 2021, the company had a total of 110 million customers in the Latin American region (which excludes Brazil), a turnover of €8.36bn and a profit of €978m, which was 5% higher than in 2020. In Argentina, the company has some 22 million customers for all its services.

**Claro (América Móvil)** is a Mexican-capital company and one of the two leading companies in the region in terms of communication and connection services. According to the latest data published by its mother company, América Móvil, it has more than 270 million subscribers in 18 Latin American countries with services on the pay-TV, mobile telephony and internet market segments. Its owner is one of the world's richest men, the Mexican-born Carlos Slim. His Grupo Carso operates in many markets including construction, trade, industry and energy, among others. In Argentina, he is present on the mobile telephony market and, in recent years, on the pay-TV and fixed internet markets (together accounting for approximately 1.8 million customers as of 2021). The company in Argentina has 25 million subscribers and a turnover of about US\$ 1.54bn (data for 2021), 25% less than in 2020, according to data from the company.

**Telecentro** is a company that belongs to the businessman and former Argentine politician Alberto Pierri. Telecentro is a home internet and pay-TV provider and has some 1.5 million customers, located mainly in the most populated towns of the province of Buenos Aires. The Telecentro Group also has two cable signals and a radio station.

**DirecTV** is one of the three main pay-TV providers in Latin America with a 15% market share of the regional market (or a total of some nine million households). In all the countries where it operates, DirecTV provides the service using satellite technology, which is why it is the preferred option (and in many cases the only one available) in towns or medium-sized cities. Until 2021, its main shareholder was the American-owned giant AT&T. It was taken over that year by the Argentinian business Grupo Werthein that kept its participation in the Latin American market (in Brazil, through the Sky brand and in Argentina, Barbados, Chile, Colombia, Curacao, Ecuador, Peru, Trinidad and Tobago, and Uruguay, through DirecTV). The Werthein Group belongs to the eponymous family that also operates in the agricultural, food, financial and energy industries. They owned Telecom between 2003 and 2017 (prior to the entry of Grupo Clarín).

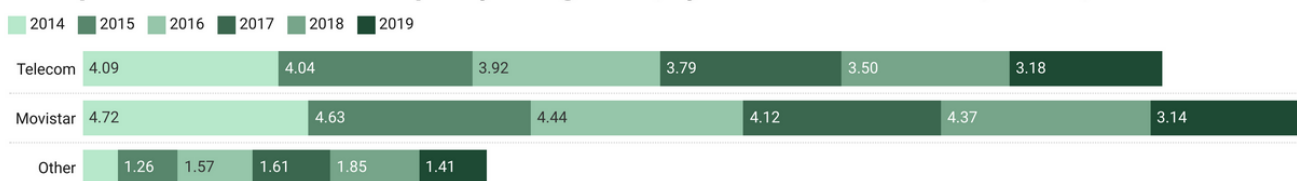
**Supercanal** is the largest home television and internet provider in the areas outside of Buenos Aires. It has clients in 14 out of the 24 provinces of the country although the focus of its operations is in the provinces of Mendoza, San Juan, San Luis and Neuquén, in the Cuyo region. It provides its services to a total of 1.5 million households. In 2018 Supercanal was sold by its founder, the company Grupo América co-owned by Daniel Vila and José Luis Manzano, to the iCondor firm whose owner was Carlos Joost Newbery, a pioneer of telecommunications in Argentina. In 2020, the majority of the shares in the company were bought by Facundo Prado, president of the CarVal Investor fund, which has businesses in the agriculture and energy sectors.

# Market Size and Distribution

The communications market in Argentina has three major players that provide four main services: landline telephony, home internet, mobile telephony and pay-TV: Telefónica from Spain, Telecom of Argentina and Claro belonging to Mexico’s Telmex.

In the field of fixed telephony, Telecom and Movistar (Telefónica) had an established duopoly until well into the 2000s. This meant that they divided the country equally (the northern part taken by the former, the southern one by the latter). Today they have a similar share of the market. The players that emerged following the opening of the telecom market, mainly public service cooperatives operated in sparsely populated areas, have gained increasingly relevant market share in recent years. However, the landline service is losing ground among all types of customers.

**Main providers of fixed-line telephony in Argentina, by number of customers, million, 2014-2019**



Source: Telesemana[114] • Created with Datawrapper

The landline telephony providers along with the pay-TV companies helped grow the market of home internet connection services that made Telecom and Telefónica dominant players on this segment. Until 2017, there was a third prominent player on that market, namely Cablevisión. However, the situation changed when Cablevisión’s mother company, Grupo Clarín merged with Telecom and kept the majority of the shares. Thus, the first and third largest market players merged and consolidated their dominance.

Two other companies that come from the pay-TV segment retain a relevant part of the market: Supercanal (12%), mainly in the Cuyo area, and Telecentro (7%), mainly in the Buenos Aires suburbs. As in the case of fixed telephony, the fixed internet market is dominated by a large group of mid-size and small companies and public service cooperatives that provide those services outside the large urban centers of the country. This group of companies quintupled their market share in the last five years.

[114] The report “Overview of the Telecommunications Market–Argentina” issued by the specialized portal Telesemana is available on the following link: <https://www.telesemana.com/panorama-de-mercado/argentina/> (accessed 4 December 2022).



## Main providers of fixed-line internet services in Argentina, by number of customers, million, 2014-2021

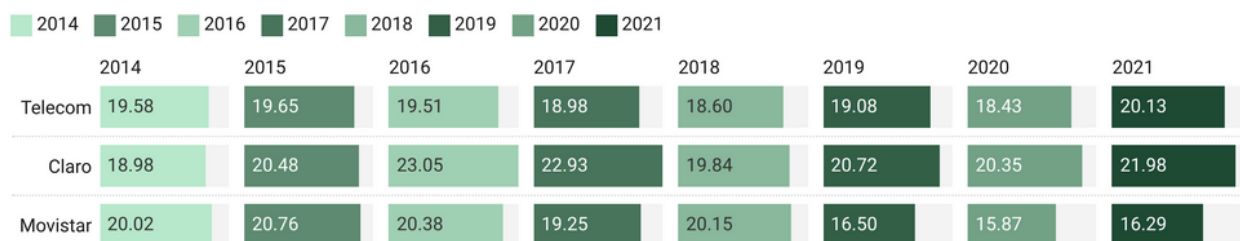
	2014	2015	2016	2017	2018	2019	2020	2021
Telecom	1.77	1.81	1.73	1.74	4.10	4.12	4.14	4.24
Movistar	1.87	1.88	1.85	1.70	1.84	1.37	n/a	n/a
Cablevisión*	1.82	2.01	2.18	2.33	-	-	-	-
Other	0.92	1.00	1.42	2.06	2.51	3.28	5.42	n/a

n/a: not available; \*as of 2018 merged with Telecom

Source: Telesemana • Created with Datawrapper

The mobile market has frozen for many years, without any new players emerging. Claro, Movistar and Telecom share almost equally the market. However, as in the case of the fixed telephony and home internet segments, Telefónica has lost a large number of mobile phone customers in recent years and, as a result, it is falling much behind the market leaders. Claro, the Telmex-owned company, is the operator with the highest customer growth in recent years.

## Main mobile phone operators in Argentina, by number of customers, million, 2014-2021



Source: Telesemana • Created with Datawrapper

In the pay-TV sector, Cablevisión (which belongs to Telecom) is dominant while DirecTV, a satellite television company, is experiencing a decline mainly because it does not offer a package of service bundling together pay-TV, telephone or internet connection. Movistar and Claro have made the first steps towards bundled services, offering this service as of 2018.

**Main pay-TV operators in Argentina, by number of customers, million, 2014-2021**



Source: Telesemana • Created with Datawrapper

# Technology Companies and the Government

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The regulatory framework for information and communication technologies in Argentina has been shaped by the interaction between the most prominent players on the market, which are lobbying to fulfill their business needs, and the interests of the governments in power. In 2014, the Argentina Digital Law (No. 27078) was adopted, one of its main objectives being to end the separation of the distribution or service provision market from the content production market. Before the Argentina Digital Law was introduced, during the administration of Cristina Fernández de Kirchner, president between 2007 and 2015, the Law on Audiovisual Communication Services prevented telecom providers from entering the audiovisual, including pay-TV, service market. Similarly, it prevented audiovisual operators from entering the telecom industry.

The Argentina Digital Law authorizes telephone and internet service providers to also offer audiovisual communication services, yet not via the digital technology they use for service distribution (i.e., the technology used by Telefónica and Claro in Latin America to provide pay-TV services, which would allow them to quickly enter the market). For that reason, the cross-opening of the various telecommunications sub-markets did not really change the old state of play since telephone service providers, for example, do not have the necessary physical network technology to integrate audiovisual services.

One of the main provisions of Argentina Digital Law is Article no. 15, which defines the use of and access to telecommunications networks for and among licensees of ICT services as an essential public service. The law supports the definition of public service for fixed telephony but did not advance further definitions or regulations for mobile telephony and home internet services. Nevertheless, the law stipulates the necessity to regulate trading in the wholesale network sharing and leasing market.

Another important provision introduced by the Argentina Digital Law covers network neutrality. Article no. 56 in the law states that “each user has the right to access, use, send, receive or offer any content, application, service or protocol through the internet without any type of restriction, discrimination, distinction, blocking, interference, hindering or degradation.”

The rise to power of the Mauricio Macri government brought about fast and significant changes in the country's communication market. In the first days of his administration, Macri altered the regulatory framework on communication services through a presidential decree, barring telephone providers from entering the audiovisual market, but allowing television service suppliers to enter the telephone market. The decree also established a single regulatory authority for the communication market. Before the decree, Argentina had two distinct regulatory bodies for ICT services, one covering mobile and fixed telephony, internet and infrastructure, and another one regulating audiovisual service providers, covering radio, open television and pay-TV. The newly created entity, ENACOM, was established as a body highly dependent on the government, which consults very little, if at all, with the business sector or civil society.

The decree also excluded the pay-TV service from audiovisual regulation and included it under the regulatory regime for ICT services, eliminating the set of limits on market concentration that were established through the previous audiovisual law as well as the obligation for pay-TV suppliers to include their own programs and production in the service package.

In 2018, at the end of its first year in office, through another decree (1340/16), the Macri government authorized telephone companies to provide pay-TV services via physical networks (cable), ushering in the era of the quadruple play, a term describing the combination of the triple play service of broadband internet access, television and telephony, with wireless services.

The regime of discretionary decisions in the technological and communication services market culminated with the approval of the merger of the largest cable operator and internet service provider in the country, Cablevisión of Grupo Clarín, with one of the three largest mobile and fixed telephone companies, Telecom. As a result of this merger, the telecom market became highly concentrated as a dominant player in all markets emerged.

The Covid-19 pandemic, which shook the Alberto Fernández government in its early days, prompted the enactment of another series of changes on the communications market. A presidential decree adopted in mid-2020 froze the price of mobile telephony, home internet and pay-TV services, classifying those services as "competing public services" and giving the state the power to regulate the prices of subscriptions to those services as well as the conditions for offering them in the market. Those provisions were questioned by all players, large, mid-size or small, on the ICT services market. Therefore, their implementation proved to be difficult. The bill eventually froze following opposition from companies and the government's inability to negotiate and impose its rules.

In conclusion, the Argentinian telecommunications market is governed by a regulatory framework that classifies all services in the market as public services. However, the government finds it difficult to impose those regulations on the most lucrative sectors of the industry, namely mobile telephony, home internet and pay-TV.

On the other hand, the state is a key player in the communications market, not only as a regulator, but also as a provider. Through the state-run company Arsat, the government controls a fiber optic backbone network that is used in the wholesale market, covering the entire country. As an owner of that network, the government is in a great position to influence the cost of connection services. Arsat is also the sole manufacturer of satellites in the country, providing wholesale services based on this technology. In addition, through programs such as *Argentina Conectada* (Connected Argentina), the state provides computers to secondary school students. Lastly, the government also manages the Argentinian Digital Television service, which offers a package of 30 free-to-air, high-definition television channels across the country.

# Technology Companies and Journalism

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Media companies in all segments, press, radio and television, have not only made their content available online, taking advantage of the distribution capacity and ease of dissemination that the internet offers, but have also started to create content specifically designed for the online medium. In doing so, media content providers have to focus on multimedia forms of content and interactivity.

Digital convergence, understood both as a networked environment where technology and content come together in an integrated system of multiple media forms and formats, has significantly altered the journalistic profession and practices. With more connected mobile devices than fixed internet access points, hyperconnection has led to the proliferation of social networking applications and technologies that facilitate instant communication through different channels.

Generally, new technologies changed the media ecosystems in three areas: the platforms where the news is consumed, the distribution of news content and trust in the new platforms, and the impact on the practice of journalism.

The Digital News Report 2022<sup>[115]</sup> shows an enormous increase in the consumption of news via smartphones in Argentina, which went up from 62% of all online news consumption in 2017 to 75% in 2022 (yet, a decline from 80% in 2020). The steepest decline was recorded by news consumption on computers: down to 27% in 2022 from 62% in 2017. The internet has become the main source of news for Argentinians although overall, news consumption has fallen in recent years, according to the same study. Nevertheless, 84% of news portals and social networks have had a more stable market share than traditional media outlets such as television broadcasters or print publications.

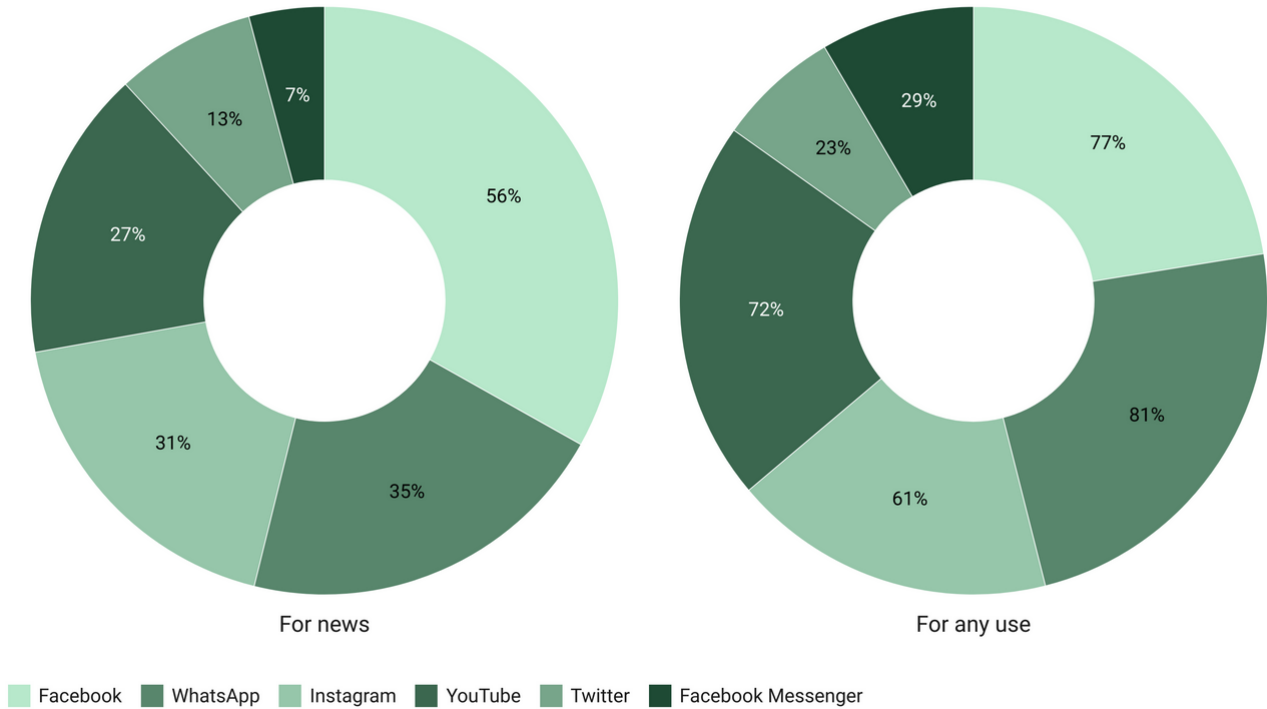
Facebook is the leading network in terms of news consumption with a 56% share, according to the Reuters study. WhatsApp comes second. The social networks that have grown the most in recent years in terms of news consumption are Instagram and YouTube with shares of 31% and 27%, respectively.

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[115] The report is available on the following link: <https://reutersinstitute.politics.ox.ac.uk/es/digital-news-report/2022/argentina> (accessed 4 December 2022).

## Main social networks and message apps in Argentina, 2022

According to the usage purpose



Source: Digital News Report 2022 • Created with Datawrapper

The changing patterns of news consumption and the growing use of social networks for accessing news have been accompanied by a drop in general trust in news: only 35% of people in the country trust the news, and 42 % trust only the news they consume, according to the Reuters study. In 2021, the latter figure was 46%, four percentage points higher than in the following year. The media with the highest level of credibility in Argentina, according to the Google-financed Digital News Report, are television channels. Regional or local media are trusted more than nationwide media. Only 15% of the people surveyed by Reuters consider the media to be independent of political influence and 18% of them find the media to be independent of business influence.

When it comes to how the journalists' work environment has changed because of new technologies, first, journalists have lost their centrality in the process of dissemination and production of the news, the criteria of objectivity and veracity that guide the newsgathering process being severely disrupted.

Second, the journalistic content has become dynamic, the information being obtained and provided in real time, which requires a permanent update of the news product. News is disseminated seven days a week, 24 hours a day, which has led to a significant increase of the overall news output, even though this content in many cases consists of repetitions, additions or even discussions and debates of the same piece of news.

Another change is personalization, a process that allows media outlets to tailor the news products according to particular situations or matching the interests of specific users. That means an additional system of news filtering by theme, geography and ideology.

With the successive technological advances, the linearity in the news dissemination process has disappeared, opening more opportunities for feedback or active participation in discussing the news received.

## New Forms of Reporting

The new methods made available by the internet to present the news, consisting of the hyperlink leading to more contextual information, networked structure of the news sources and the use of multimedia tools, have transformed the development of news content into an interactive process with the public, but also with the information itself, which is updated almost permanently through various applications and in different formats.

Overall, mobility has played an immense role in the transformation of the news ecosystem. Producing news content from the mobile telephone requires developing specific skills in the use and integration of applications. Recording, writing, editing, connecting, and publishing from the device requires multitasking skills, including the ability to move deftly between different formats.



The use of the term MoJo (contraction for Mobile Journalism) can be traced back to the year 2006 or even earlier. It describes a new form of journalism, which is halfway between professional reporting and citizen journalism. Characterized by ubiquitous connectivity, on-site editing and dissemination, and increased attention to hyperlocal news, mobile journalism has fundamentally changed the nature of news reporting. For teams of reporters working with traditional news media, getting to the place where the news happens and starting to broadcast from there requires time and incurs costs. The mobile journalist, on the other hand, armed with light equipment, can start the transmission of news content in a matter of seconds without as many costs as those borne by a broadcast crew.

The new forms of journalism have also led to changes in the audience structure. The mass audience as a central concept in the news media industry has started to disappear as an increasing number of media outlets have been focusing more on targeting distinct groups of users. As a result, news producers identified a need to generate specific content for each group of consumers targeted. Also, as consumers of content now demand to have a say in the news production process, large media houses have to diversify and adjust to compete with smaller media groups that appear at a rapid pace. Large multimedia companies today fight for primetime audiences with content productions disseminated by small companies, which see the audiences as groups of individuals who demand specific content according to their tastes and needs. Overall, all these changes have led to diversification of content.

As part of these overall trends, Argentinian journalism has experienced a series of disruptions. Infobae is a good example of those trends: it has grown into the most visited news website in the country without any backing of a traditional news outlet (it neither has a paper version nor operates other forms of media, i.e., broadcasting).

Another novel news project that exemplifies these trends is Cenital, which uses newsletters as the main distribution channel for its content. All its news offer is organized around weekly editions of newsletters sent via email. The use of newsletters as a journalistic product has been embraced by other media, both traditional and emerging news outlets: all popular news portals in Argentina offer their audience the option to sign up for a newsletter.

Another novel journalistic format is the news snippet designed for consumption on social networks. The Envica Instagram account produces content solely for that platform. In a similar manner, FiloNews was created as a news product designed specifically for Vorterix, a communication medium, and for a mobile phone company, Claro, that offers audiovisual content specifically designed for social networks such as Instagram, Twitter and YouTube.

When it comes to video streaming platforms, Argentina has seen the emergence of some successful content producers including LuzuTV, which broadcasts 10 hours of programs a day; The Rebord Method, a talk-show similar to The Joe Rogan Experience; Caja Negra, a FiloNews talkshow; Gelatin, a daily program by Pedro Rosemblat; and other forms of content generated by radio stations such as FutuRock, UrbanaPlay, RadioConVos or ElDestape. Experts also say that Twitch has gradually entered the traditional media market through streamers such as Lucas Rodríguez, Martín Pérez Di Salvo or Gerónimo Benegas.

In a separate development, podcast production is also growing in Argentina, albeit in a poorly organized way. Spotify is the main player on the podcast market, both in content generation and distribution. Some independent production companies have been consolidating their position in the podcast industry, with a substantive offering of news content and documentaries such as Posta and Anfibia Podcast. Some of the mainstream media such as La Nación or Infobae have their own podcast production, but they are not very popular.

Finally, the news media in Argentina have been experiencing numerous hurdles in establishing audience subscription programs. In spite of some relative success stories such as FutuRock or ElDestape, the media companies with the largest audience in the country, including Clarín, La Nación, Perfil or Página 12 have found it difficult to build a strong base of subscribers that can generate a flow of revenue, which can improve their financial sustainability.

# The Role of Google and Facebook in Promoting Journalism

Mainly driven by political and regulatory tensions in countries such as France, Germany, Australia or Spain, the world's two largest tech platforms that dominate the digital advertising market, Google and Facebook, have launched in recent years programs aimed at supporting local media in Latin America, some of those programs being implemented in Argentina, too.

The most important of them is the Google News Showcase belonging to Alphabet's Google News Initiative (GNI). In 2022, this program reached some 80 media outlets in 23 Argentine provinces, a double figure compared to 2021. The program consists of payments to media outlets for making their content available, personalized and recommended on a Google-owned interface and offered as a new service to its customers. Google has not disclosed how much it has invested in the News Showcase project in Argentina. According to estimates from local market insiders, their contribution per local media outlet per month must vary between US\$ 1,000 and US\$ 4,000, depending on their size and traffic.

Between 2018 and 2020, according to the GNI Impact Report in Latin America<sup>[116]</sup>, Google provided funding to the tune of US\$ 26m (or roughly US\$ 8.5m a year) to media and journalists in the region. The figure does not include the Google News Showcase program in three countries in the region, namely Brazil, Argentina and Colombia.

Meta has a newer relationship with the Argentinian media. Its most recent initiative was launched in 2022, a US\$ 1m project aimed to support and promote local and hyperlocal media in the country. In 2021, it implemented a project called Local Impulse, which had a fund of US\$ 1.5m used to finance media development programs and journalists in 30 large commercial media that received grants ranging between US\$ 5,000 and US\$ 25,000.

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[116] Available on the following link: <https://newsinitiative.withgoogle.com/impact/docs/GNI-Impact-en-LatinoAmerica.pdf> (accessed 2 November 2022).

# Future Outlook

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The Argentinian communication system is undergoing a major transformation. Currently, there is uncertainty about the economic model that allows content producers to continue their work and remain sustainable. The migration of audiences and advertisers to platforms jeopardizes the production capacity of the sector. The most pronounced crisis is felt in the print media sector, but the threat is starting to become visible in the television market, too.

The digitization of the Argentine advertising market has accelerated in recent years especially starting with the Covid-19 pandemic. Half of it is captured by the internet (networks, platforms, and portals). Although tech platforms, especially Google and Facebook, have established some mechanisms of compensation towards the news media through economic aid programs, those do not offset the loss of income. This situation puts the media diversity in the country at risk.

Thus, while the communications market and its services are concentrated in fewer and fewer hands, with a strong presence of foreign capital, the circulation of news and information is trapped in its distribution through digital platforms where Google and Meta act as true gatekeepers with little willingness to negotiate with content producers.

In this context, the dispute between the main producers of journalistic content in the country and the tech platforms has not made it to the top of the public agenda. The prolonged economic crisis of the Argentine economy as a whole aggravates this situation.

First, that happens because consumers restrict their consumption. Second, it is because the issue of media financing is far from being a priority. And third, the reason are political parties that do not seem to understand these shifts.

Therefore, while communication and connectivity are central to social life for Argentinians, the concentration of profitability in the system is weakening the economic sustainability of content producers.



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