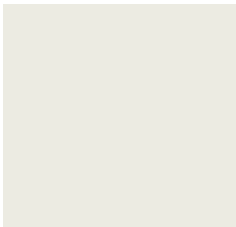


Mexican Journalism, Still in the Line of Fire

BY ROSARIO CARMONA

July 2016





ABOUT CIMA

The **Center for International Media Assistance (CIMA)**, at the National Endowment for Democracy, works to strengthen the support, raise the visibility, and improve the effectiveness of independent media development throughout the world. The center provides information, builds networks, conducts research, and highlights the indispensable role independent media play in the creation and development of sustainable democracies. An important aspect of CIMA's work is to research ways to attract additional U.S. private sector interest in and support for international media development.

CIMA convenes working groups, discussions, and panels on a variety of topics in the field of media development and assistance. The center also issues reports and recommendations based on working group discussions and other investigations. These reports aim to provide policymakers, as well as donors and practitioners, with ideas for bolstering the effectiveness of media assistance.

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ABOUT THE AUTHOR

Rosario Carmona Meza is a Mexican journalist who has worked for more than 20 years in radio, newspapers, and television news.

She was Hubert H. Humphrey/Fulbright fellow at the University of Maryland and as part of that program she did a professional affiliation at the Inter-American Commission on Human Rights and participated in the project "Press Uncuffed" to raise awareness about journalists jailed around the world.

Carmona won the National Prize for Journalism against Discrimination in 2011 and was recognized by the Foundation of the City of Puebla, Mexico, honoring women in journalism. She received a scholarship from the Foundation for a New Ibero-American Journalism (FNPI) to participate in a workshop with Nobel laureate in Literature, Gabriel Garcia Marquez.

She contributed to the book, *La Caravana del Consuelo, Entre el Dolor y el Amor* (2011).



Introduction

The press in Mexico is in crisis. Mexico is the deadliest country in Latin America for journalists, according to Reporters Without Borders, which described in its 2016 World Press Freedom Index “a climate of fear and tension combined with increasing control over newsrooms by governments and private-sector interests.”

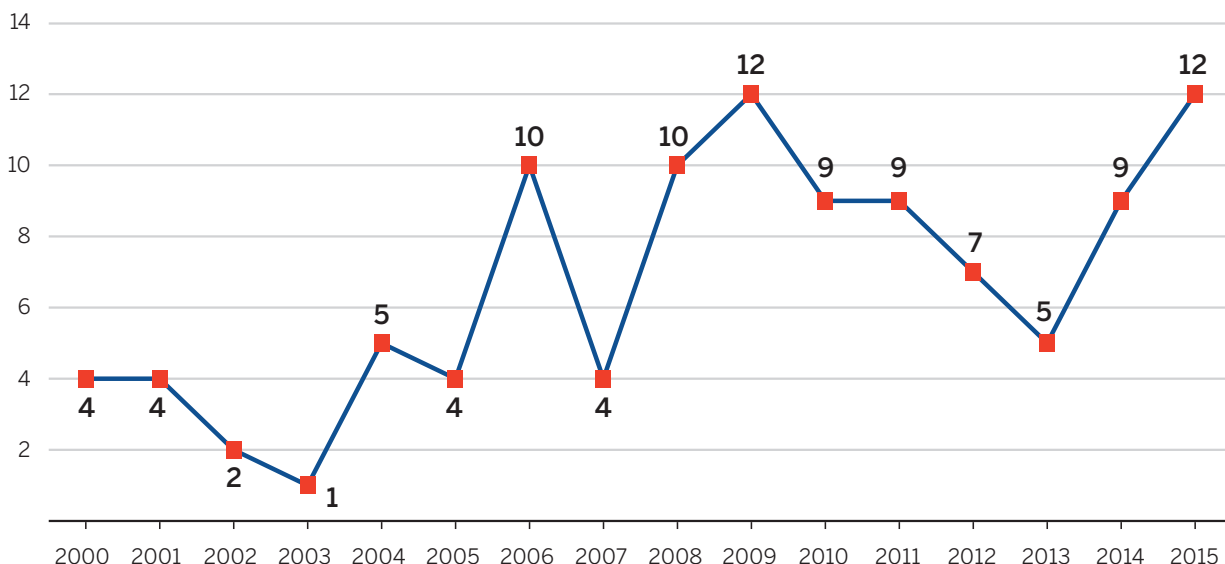
The violence against the press mirrors the situation in the country as a whole. A Mexican government report shows that homicides nationwide are at a two-year high, reflecting the trend in attacks against media. According to the 2015 annual report by Article 19, “MIEDO,” (Media, Impunity, State, Democracy, Opacity—the acronym means “fear” in Spanish) there is at least one attack against the press every day.

The most recent reports of the Inter American Commission on Human Rights and the International Federation of Journalists say that 120 Mexican journalists have been killed since 1990.

Attacks on journalists in Mexico are nothing new. In April 2012, CIMA published *Dangerous Work: Violence Against Mexico’s Journalists and Lessons from Colombia*, a report detailing the violence against the media and recommending steps that the Mexican government could take in order to remedy the situation. This report was commissioned



Homicides of Mexican Journalists 2000–2015



Most Dangerous States for Journalists

MAP OF ATTACKS AGAINST PRESS (2009–2015)



as an update to the earlier CIMA report, which recommended that the government of Mexico:

- Make the killing of journalists a federal crime, rather than a state or local crime, so that investigations are carried out by authorities who are not tied to the local power structure and, presumably, are less subject to coercion and corruption.
- Implement a robust program to protect journalists and human rights workers from organized criminal groups and government officials linked to them.
- Strengthen the office of the special prosecutor that was created to handle crimes against journalists by giving it additional resources, including more staff.
- Successfully prosecute at least one case involving violence against a journalist to end the cycle of impunity and the perception that there are no consequences for killing a member of the media.



Although the law making attacks against journalists a federal crime passed in 2012, the results have not been positive. If anything, conditions for journalists and the news media have only gotten worse.

According to a report by Article 19 on the number of attacks against the media, between 2009 and 2012 there were 779 attacks; from 2013 to 2015 the number of attacks increased to 1,053. Between 2010 and 2012, 25 journalists were killed. Since the law passed, 33 have been killed, seven of them just in the first five months of 2016.



The Failures

The steps that the Mexican federal government took to address the problem resulted in:

- A legal reform, which made the killing of journalists a federal crime.
- A new law that created a mechanism to coordinate Mexican authorities for the implementation of preventive and urgent protection measures and to guarantee the life, integrity, liberty, and security of people who are at risk as a result of the defense and promotion of human rights and the exercise of freedom of expression and journalism.

In June 2012 Mexican legislators approved an amendment to Article 72 of the constitution, which requires federal authorities to investigate and punish attacks against journalists. However, decisions about which cases are transferred to the federal level are left up to the discretion of prosecutors, who often decide that a given attack was not related to the victim's work as a journalist, so many of the investigations remain at the local level.

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In the view of Article 19, it represents the biggest problem: “the arbitrary and capricious use of the power of attraction, leaving the investigations in the hands of the local public ministries,” referring to federal officials’ authority to take over local or state cases. The problem is that frequently they simply don’t do so.

In addition, a report by the Inter-American Commission on Human Rights mentions two obstacles for the judicial process in these cases: “the lack of specific investigation protocols and a lack of cooperation and coordination between local and national agencies.”

In a deep analysis of the legal situation, Rogelio Hernandez Lopez, who collaborated in writing the Law to Protect Journalists, mentions that in Mexico there are 55 different models of laws to protect—but also to criminalize—journalism. That diversity makes journalists vulnerable because each local authority can apply different criteria.

The problems are not exclusive to judicial proceedings; the protection program has also failed.

The Law for the Protection of Human Rights Defenders and Journalists approved in June 2012 created the mechanism for protection, which went into effect in November 2012. The mechanism is under the authority of the Ministry of the Interior, and its structure includes a governing board, a consultative council, and a national executive coordination group.

The mechanism to protect journalists and human right defenders has a trust fund of around \$20 million and a catalogue of actions to be taken, depending on the level of risk, such as:

- Training courses intended to provide self-protection tools
- The creation of protocols, the provision of cellphones, satellite phones, bulletproof vests, and armored cars
- The installation of surveillance cameras
- In urgent cases, the evacuation, temporary relocation, or provision of bodyguards or protection of property

Officials tasked with implementing the mechanism did not get access to the trust fund until 2014. At that time, the mechanism was already in crisis because of a lack of resources and the resignation of part of its staff over poor working conditions and an environment of high pressure. After that, it started a reorganization process with the cooperation of the United States government and the collaboration of Freedom House in an advisory capacity.

Activists and journalists interviewed for this report think that the new measures are inadequate. Among the problems they mention are the criteria for risk assessment and delays in evaluating cases.

A second problem is inadequate safeguards. For instance, journalists who have a “panic button”—specially issued mobile phones loaded with numbers to call in an emergency—said they have been receiving threats through these devices, and when they need help nobody answer the call. For instance, journalist Enrique Juarez, who was abducted in February 2015, met with mechanism officials in Mexico City in April. “At that meeting we agreed on measures such as the famous panic button... and also they offered me surveillance patrols that I have never sensed. To be honest, I do not want to continue the simulation of these supposed security protocols,” he said.

The fact that under the mechanism a private company is in charge of security management further reduces trust among journalists.

Journalist Jade Ramirez was the victim of threats in Guadalajara, where she covered government corruption. She later became a member of the mechanism as a consultant but had to quit because she was threatened again. “It was clear that someone had access to my personal information and somehow that person disagreed with my work in the mechanism. Mine is just one more case.”

“As a consultant I studied more than 400 request of protection, and I can’t remember one where the mechanism reacted quickly and effectively,” she said.

The clearest example of the lack of results from the mechanism is the situation in Veracruz, the most dangerous state in Mexico to be a journalist. Daniela Pastrana, director of the organization Periodistas de a Pie (meaning journalists on foot or in the streets), says that three years after the creation of the federal mechanism, the situation has become even worse. “It is not a financial or legal problem behind the lack of results because the mechanism and the prosecutor have big budgets, Mexico has laws and a judicial system ... the biggest problem is still political will.”

The budget of the special federal prosecutor’s office grew from around \$176,400 in 2012 to more than \$1.7 million in 2015.

“Sometimes the mechanisms increase the risks more than solve it. We can’t think that we are doing well when we have 90 journalists killed and 23 disappeared,” Pastrana says.



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The Problem of Impunity

For journalists, activists and international organizations, impunity and corruption are the reasons why it has been impossible to stop the spiral of violence. Basically, if there is never punishment for any killing, anyone can attack a journalist.



Mexico has among the highest number of missing journalists in the world. The continuous disappearances imply a cycle of crime and indicate that justice is far from being guaranteed.

— DARÍO RAMÍREZ,
former director for Mexico and
Central America for Article 19

"Mexico has among the highest number of missing journalists in the world. The continuous disappearances imply a cycle of crime and indicate that justice is far from being guaranteed," says Darío Ramírez, former director for Mexico and Central America for Article 19.

The National Commission on Human Rights reports that 90 percent of the attacks against the press are unpunished. The report mentions cases where investigations have taken five or even 15 years to close. In fact, this is the case in 45 of 176 crimes against journalists denounced at the local level as well as the office of the special federal prosecutor.

The data from local institutions supports the analyses by international organizations such as Reporters Without Borders, which says that Mexico is a land of drug cartels where "murders of journalists are typically carried out in cold blood, like executions, and almost always go unpunished. This impunity accounts for the widespread corruption. Some elected officials are directly linked to organized crime."

Other Types of Threats Against Journalists

Journalists in Mexico have to face many threats: violence from the drug cartels, attacks from the state, precarious working conditions, and financial harassment.

Daniel Lizarraga, former director of the investigative team for Aristegui Noticias, notes that after the publication of the report *Peña Nieto's White House*, which showed conflict of interest and corruption around the construction of a luxurious house for the Mexican president, he and the whole team lost their jobs.

"The authorities blocked all ways for us to receive indemnification or to find new income. The problem was that the owner of the radio station where we were working fired us, causing us enormous personal, professional, and even family damage," Lizarraga says.

Digital harassment and cyber-attacks represent another front in the war on journalists in Mexico. Officials in the state of Quintana Roo launched Internet campaigns against journalists who criticized the governor, Roberto Borge.



World Press Freedom Day 2016 posters, reading “Why am I a journalist?”

They also created a fake version of an independent magazine *Luces del Siglo*. The false version of the print magazine was distributed at points of sale and political events. Moreover, the digital version was altered more than 35 times, changing reports about corruption or material critical of the government to content favorable to the government.

Often, the media themselves contribute to the problems. Roberto Rock, former editor of the daily *El Universal*, acknowledges that media companies are apathetic when it comes to protecting their journalists. “I believe that companies should have a much clearer and more prominent role, but they are the first to avoid responsibility, the first to expose their journalists... Also, they send them to cover stories without the necessary tools, without insurance, without internal security control policies. But when a journalist is killed, is attacked, or is threatened, the company is the first to turn its back.”

Attacks against journalists aren’t even investigated by the media. In worst cases, the media re-victimizes journalists such as Anabel Flores Salazar who was killed last February. After her murder, the owner of the media company where she worked accused her of being part of a criminal group. Many other media outlets picked up that version of the story, but none bothered to investigate further or interview her family.

As if the violence they face isn’t bad enough, media in Mexico are under stress for economic reasons. This is precisely the second biggest problem for the Mexican press: the business model. Most of the media remain allies of the government and living on government advertising.

Jose Gil, writer and journalists for the magazine *Proceso*, says, “The authorities have influence or total control over the editorial line in most of the media. There are many reports that confirm this theory. For instance, the report of the organization Fundar, which shows that in just 12 states, 80 percent of the media depend on the official budget. This means, it says, that as companies, the Mexican media never entered into the process of transition to democracy. On the contrary, they kept the political-commercial relationship with the political parties in power.”

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A Ray of Hope

However, in the middle of this catastrophe, there are some bright spots for Mexican journalists. While traditional media has responded with limited investigative journalism, there are independent, digital media and freelance reporters who have been doing research, showing the faces and stories of victims of the violence and confronting officials. For instance, in writing about a massacre in Apatzingan, Michoacan, journalist Laura Castellanos revealed that federal police killed unarmed people.



There have been some attempts to work together on projects such as Iniciativa Mexico, a project in which more than 700 members of the media signed up to cover violence and stand against the attacks.

Daniel Moreno, director of the digital newspaper Animalpolitico.com, says independent journalists working in the digital space have never done more or better journalism. Mexican journalists are among international prize winners of narrative and investigative journalism.

This division between traditional media and independent journalism is growing deeper. In fact, one of the obstacles to building a common front to protect journalists from attacks is precisely this separation by difference of interest.

Mexican journalists interviewed for this report such as Jose Gil, Wilbert Torre, Alejandro Almazan, Yazmin Ferreira, Yazmin Quiroz, Lemic Madrid, and Enrique Juarez mentioned that being in the line of fire forced them to redefine their reasons to be reporters. Most of them recognized that telling stories, hoping to change the situation for people being watchdogs, and defending the rights of ordinary people are enough reasons to continue working despite risks. Spreading this profile of journalists could help to create an alliance with the community and to recover credibility for Mexican journalism.



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There have been some attempts to work together on projects such as Iniciativa Mexico, a project in which more than 700 members of the media signed up to cover violence and stand against the attacks. But it was led by the two major television networks, Televisa and TV Azteca, and was seen as a pact with the federal government. The initiative ended up focusing on civil society projects and NGOs rather than on standing up to attacks against journalists.

More recently, projects like Mexicoleaks, and Journalists at Risk Online Platform, and networks such as Periodistas de a Pie, Red de Periodistas de Juarez, and Colectivo Voz Alterna de Veracruz, are just some examples of coordination and attempts to strengthen investigative reporting.

These could help empower independent journalism in Mexico. Toward that end, the media development community should support new models of journalism to improve media coverage and should help build supporting institutions, such as a collegial body of professional journalists and a media observatory or watchdog.

And journalists in Mexico should not give up on the idea of forming a common front against the violence, something that international organizations should also support.

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