



A DEATH THREAT TO FREEDOM

A REPORT ON VIOLENCE AGAINST MEXICO'S PRESS
SEPTEMBER 2012



WAN-IFRA, based in Paris, France, and Darmstadt, Germany, with subsidiaries in Singapore, India, Spain, France and Sweden, is the global organisation of the world's newspapers and news publishers. It represents more than 18,000 publications, 15,000 online sites and over 3,000 companies in more than 120 countries. Its core mission is to defend and promote press freedom, quality journalism and editorial integrity and the development of prosperous businesses.

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PHOTO COVER PAGE

The premises of daily *El Siglo de Torreón*, after an armed attack on 15 november 2011.
The perpetrators are yet to be brought to justice.
Courtesy of *El Siglo de Torreón*

EXECUTIVE SUMMARY

In December 2006, the beginning of President Felipe Calderón's mandate, the Mexican government launched an armed offensive against the powerful cartels that control the shipment of drugs to the United States. This offensive, involving some 50,000 troops, has unleashed a wave of violence at a level unparalleled in the country's recent history. The cartels are engaged in a war against the authorities, but also between themselves as they vie for control over vacant drug trafficking routes. The cartels also manage crime rings involving extortion, kidnapping, prostitution, sexual slavery, people and organ trafficking. According to press reports, this conflict has resulted in the deaths of almost 50,000 people, many of them civilians¹. 39 journalists are amongst these statistics². Over the past six years, the situation for the Mexican media has severely deteriorated.

On 12 October 2011, during the 63rd World Newspaper Congress in Vienna, the Board of the World Association of Newspapers and News Publishers (WAN-IFRA) issued a resolution expressing concern over how "the government's current offensive against organised crime, and the deep-rooted culture of impunity that prevails in the country, are jeopardising the very existence of journalism in Mexico." It also called on President Felipe Calderón to "ensure media professionals can conduct their work without fear of violence or retribution, and to take vigorous measures to end the impunity that protects those who murder and intimidate."³

1. Mexican daily *Reforma* estimates that 44,604 people have been killed in relation to the current "war" on drugs, during Felipe Calderón's mandate: <http://gruporeforma.reforma.com/graficoanimado/nacional/ejecutometro2012/> The homicide rate in Mexico has exploded. According to the INEGI, the national statistics body, it rose from eight murders per 100,000 inhabitants in 2007, to 24 per 100,000 in 2011. This 300% increase makes it the fifth deadliest country worldwide. <http://www.inegi.org.mx/inegi/contenidos/espanol/prensa/Boletines/Boletin/Comunicados/Especiales/2012/agosto/comunica29.pdf>
2. WAN-IFRA journalists killed data: <http://www.wan-ifra.org/node/50976/>
3. <http://www.wan-ifra.org/articles/2011/10/08/wan-ifra-board-press-freedom-resolution-mexico-october-2011>

This report examines the impact of the violence on the country's written press, and includes recommendations for action. The report is based on interviews with journalists, editors, academics and civil society experts from Mexico, most of which were conducted during a WAN-IFRA press freedom mission to Mexico in March 2012 as well as during a workshop organised in conjunction with the Office for Mexico and Central America of ARTICLE 19 and the Institute of the Americas⁴. Supplemental interviews were conducted during WAN-IFRA's 2012 Asmérica Latina Conference, which took place in Santiago de Chile, in April⁵.

This report focuses on the following issues:

- The unprecedented increase in violence against the media since 2006, its impact on the profession of journalism, and how the media is reacting to the challenges posed;
- How violence is used to control territory and the flow of information within it;
- The ineffective and inadequate response of authorities at federal, state and municipal levels to the crisis through an analysis of:
 - The Special Prosecutor's Office for Crimes Against Free Expression (FEADLE);
 - The federalisation of crimes against journalists;
 - Law for the Protection of Human Rights Defenders and Journalists.
- Evidence of state-sanctioned violence against journalists;
- How a legacy of authoritarianism, corruption and a lack of transparency from previous governments has a negative impact on the role of the media in Mexican society, and how the current wave of violence is aggravating it.

4. Held in La Jolla, California, 16-19 March 2012: <http://www.wan-ifra.org/articles/2012/04/03/journalists-provide-global-prescription-for-fighting-violence-and-impunity>

5. <http://www.wan-ifra.org/articles/2012/04/27/media-solidarity-key-to-addressing-challenges-faced-by-latin-american-press>

The report examines how the drug cartels aim to control the flow of information through terror; assassination, armed attacks on media outlets, threats and kidnappings. Going into exile or resorting to self-censorship is sometimes the only way journalists can protect themselves. These tactics have been brutally effective: entire regions in Mexico are experiencing a complete information blackout.

Faced with this situation, the authorities have responded, for the most part, with indifference. In the worst cases, they act in collusion with criminal groups, ensuring absolute impunity for those who carry out crimes against the media. Edgardo Buscaglia, a researcher for the Mexican Autonomous Technological Institute (Instituto Tecnológico Autónomo de México, ITAM) and an advisor to the United Nations, emphatically affirms: “pieces of the Mexican State belong to organised crime.”⁶ The Mexican government has established mechanisms and institutions to combat the problem, but their ineffectiveness is well documented⁷ and suggests a lack of acceptance, and even willing dissimulation, when it comes to the state’s responsibility to safeguard free expression. Allegations that the authorities themselves are responsible for a great number of attacks against journalists suggest a certain disdain for the important role of the press in society, undermining Mexico’s democratic credentials.

RECOMMENDATIONS

- The LXII Legislature of the Mexican Congress should implement as soon as possible the necessary changes to the Federal Penal Code, the Federal Code on Legal Procedures, and the Organic Law of the Judiciary, so that the federalisation of crimes against the press can finally become a reality;
- The Executive should allocate the necessary financial and material resources as well as personnel to the Special Prosecutor’s Office for Crimes Against Freedom of Expression (FEADLE);

6. Interview published by Mexican weekly *ZETA*, on 14 May 2012, “Brotos de estado fallido que están multiplicándose” (The Multiplying Symptoms of a Failed State), <http://www.zetatijuana.com/2012/05/14/edgardo-buscaglia-brotos-de-estado-fallido-que-estan-multiplicandose/>

7. “Forced silence: the State, an accomplice in violence against journalists in Mexico”, 2011 Report, ARTICLE 19, México D.F., March 2011, p. 57

- Prosecutors' Offices in individual states should be strengthened so they can investigate attacks on free expression;
- The Executive should ensure that the Protection Mechanism is urgently perfected via the following measures:
 - The active involvement of civil society and representatives from media outlets based in the interior;
 - The adoption of practices that address impunity.
- Media companies should invest in security protocols and training and establish editorial practices that enable them to cover the news by promoting editorial excellence and upholding ethical and safe journalism;
- Cooperation should be strengthened between media outlets with the aim of improving the security situation for media professionals.

VIOLENCE, CONTROL AND SILENCE

An unprecedented rise in violence against the media

The first half of 2012 was marked by a significant number of attacks on Mexican journalists and media outlets. From 28 April to 14 June 2012, five reporters were assassinated: Regina Martínez, of *Proceso* magazine, Gabriel Hüge, a photojournalist for the *Notiver* daily, Guillermo Luna, a photojournalist for *Veracruznews* website, Marco Antonio Ávila García, of the newspapers *El Regional de Sonora* and *Diario Sonora de la Tarde*, and Victor Manuel Báez, of *Milenio* daily. From 10 to 29 July, on four occasions assailants used guns and explosives to target media outlets: once against the *El Mañana* newspaper based in Nuevo Laredo, in the state of Tamaulipas, and three times against various subsidiaries of *El Norte* newspaper, in Monterrey, in the state of Nuevo León. *El Norte* is owned by the *Grupo Reforma* media group.



The premises of *Sierra Madre*, one of *El Norte's* subsidiaries, after an attack on 29 July 2012. Courtesy: *Grupo Reforma*

This is a snapshot of the wave of violence against the media that has intensified over the last six years as the “war” against drug trafficking has escalated. WAN-IFRA has documented 39 assassinations of journalists during the six years of Felipe Calderón’s presidency. In addition, at least eight reporters disappeared during this time⁸. Attacks involving explosives and firearms have also become part of this pattern of violence against the media. Of the total number of attacks at national level, 70 percent of recorded cases targeted the print media. Almost three-quarters of these attacks were carried out in northern states bordering the United States of America⁹.

8. “Forced silence: the State, an accomplice in violence against journalists in Mexico”, 2011 Report, ARTICLE 19, México D.F., March 2011, p. 23
9. Coahuila, Tamaulipas, Nuevo León and Sonora: <http://m.flickr.com/#/photos/77679119@N02/7736120702/sizes/l/>

Control territory, control the flow of information

In many parts of Mexico, the state has lost its hold over the territory and its authority is challenged by criminal groups. In certain provinces, regional government departments are infiltrated by organised crime and act in accordance with that criminal group’s interests.

In order for a cartel to control a region it must also control the flow of information. “The drug cartels follow a feudal logic: they need to establish total control over a certain area,” explained Frédéric Saliba, a Mexico City-based correspondent for the French newspaper *Le Monde*. “Naturally, the local media are the ones that are most at risk [as a result].”

Criminal groups care about how the press reports on the murders of rival members, the army or the police. Also of concern is what information is published about the shortcomings of the cartels or their members. The director of a media outlet from Michoacán told WAN-IFRA: “At first they didn’t want us to refer to them as ‘criminals’, later they asked us not to mention the names of their leaders. More recently, they came by and gave us information on an attack that contradicted the version provided by the military.”

As stated by the Inter-American Commission of Human Rights, “the murder, kidnapping, intimidation of and/or threats to social communicators, as well as the material destruction of communications media violate the fundamental rights of individuals and strongly restrict freedom of expression.”¹⁰ Organised crime groups regularly deploy such tactics to control information, a practice that impacts the media on a daily basis.

Many organised crime groups resort to extreme forms of violence to set an example, sending a clear message that terrorises the journalistic community.

The murder of Valentín Valdés Espinosa, a reporter for the daily *Zócalo*, based in Saltillo, in the state of Coahuila, exemplifies this *modus operandi*. The newspaper reported on the capture of the leader of an organised crime group and various accomplices at the Marbella Hotel in Saltillo, during the week of 29 December 2009 to 6 January 2010. That same night of 6 January, Valdés Espinosa and two other journalists were kidnapped.

10. Inter-American Declaration on Principles of Freedom of Expression issued by the Inter-American Commission of Human Rights: <http://www.iachr.org/declaration.htm>

His colleagues were released but Valdés Espinosa's body was found in front of the hotel, with five bullet wounds and a message that read: "This will happen to all those who don't understand. The message is for everyone." Similar incidents frequently occur in other parts of the country and are extremely effective in instilling fear and silencing the media.

Less brutal methods are also used that highlight the power and influence of organised crime in certain regions and signal the intent to not only silence the media but to use it to publicise their message. A criminal group will usually communicate with the media via an interlocutor tasked with relaying what and how information should be reported. "They come to the editorial offices, these 'spokespeople', and they speak with the [editors]," explained the Michoacán-based journalist. Each group uses different methods to impose censorship or ensure that its message is communicated.



"Armed group shoots at premises of "El Debate" of Mazatlán", 5 October 2010. Courtesy: *El Debate*

"Armed groups sometimes kidnap journalists, give them a mobile phone and use it to send instructions about how certain information should be reported or about what should not be covered," explained María Idalia Gómez, a journalist and expert in journalists' security for the Inter American Press Association (IAPA). Often, a drug cartel will infiltrate a newspaper's editorial office, endangering everyone at the paper; during WAN-IFRA's press freedom mission to Mexico, civil society groups warned the organisation's representative to avoid visiting certain provincial newspapers as it was impossible to guarantee that their staff had not been infiltrated.

Organised criminals have fully understood that they can use the media to send messages to their rivals, the authorities and the public.

On 13 November 2011, *AM* newspaper, based in Michoacán, was forced to publish an anonymous message calling on the state's residents not to vote for the National Action Party (Partido de Acción Nacional, PAN) in a local election, nor use any of its "T-shirts or publicity materials." Alongside the note, the newspaper's editors printed a clarification explaining that they had published the message out of concern for the safety of the paper's staff¹¹.

In summary, numerous media outlets based in Mexico's interior feel that criminal groups have become yet another actor on the political scene that they are obliged to deal with, while at the same time struggling with the violence such groups use to curtail their right to free expression.

Vulnerability, impunity and silence



Journalists protest in Xalapa, Veracruz, after the death of their colleague Regina Martínez. Credit: Yahir Ceballos, *Proceso* magazine.

"We feel like we are alone in this jungle," declared Javier Valdez, a columnist and co-founder of the weekly *Río Doce*, in Culiacán, Sinaloa. On 7 September 2009, the publication was targeted in a grenade attack. In its quest for territorial control, organised crime has managed to terrorise the press in many parts of Mexico. "It is terrible and very unfortunate what we are dealing with. There is a great deal of anxiety, it is difficult to bear, not knowing if you are going to return to your office or to your home alive," said Érika Ramírez, a journalist for Mexico City-based *Contralínea* magazine. "It is a campaign of terror," another journalist, who wished to remain anonymous, confirmed, describing what the press is going through in the northeastern Mexican state of Tamaulipas. "It must be one of the most dangerous regions in the world for those who work in the media."

11. ARTICLE 19, op. cit., p.40

Impunity perpetuates the violence and authorities at every level have drastically failed to prosecute those responsible for crimes against journalists and media outlets. The state has also failed to guarantee the right to information, as enshrined in Article 6 of the Mexican Constitution¹².



Journalists protest in Xalapa, Veracruz, after Regina Martínez's death. Credit: Miguel Angel Carmona.

In response, media professionals resort to self-censorship or flee into exile to protect themselves, which in turn has a negative effect on society as information is simply not reported. The Committee to Protect Journalists (CPJ) estimates that 10 Mexican journalists have gone abroad into exile since 2007¹³. This is also a reality at state level; for example, at least 13 journalists have fled Veracruz to other parts of Mexico.

In its March 2010 report, the Special Rapporteur for Freedom of Expression of the Inter-American Commission on Human Rights (IACHR) noted that in states such as Chihuahua, Coahuila, Durango, Guerrero, Michoacán, Nuevo León, Sinaloa or Tamaulipas "there are communities that have been completely silenced by the paralysing effect of the climate of violence and impunity."¹⁴



Javier Valdez attending WAN-IFRA's workshop in La Jolla, California. Credit: Luis J. Jiménez.

The violence, which is exacerbated by the war between government troops and members of organised crime groups is fed by the complete state of impunity that silences entire regions. The media find themselves in an impossible situation: they have to confront a force that challenges the role of the state, as well as the state itself, which is tasked with protecting them. The authorities have not only abandoned them - in many cases they are reportedly the ones who are targeting them.

12. <http://info4.juridicas.unam.mx/ijure/fed/9/7.htm?s>

13. <http://cpj.org/exile/>

14. 2010 Annual Report of the Special Rapporteur for Freedom of Expression of the IACHR, 7 March 2011, p.259.

THE ROLE OF THE MEXICAN STATE: INDIFFERENCE, PRETENCE AND COMPLICITY

The solution to the violent crisis that is currently afflicting the Mexican press can only be provided by the state. The government, operating via each of its three levels, should put an end to the impunity that prompts attacks against the media and media professionals. The main problem lies in the inability of the Mexican state to confront the magnitude of organised crime.



Military check-point in Michoacán, August 2012. Courtesy: *Grupo Reforma*

Evidence suggests this is not simply a matter of the government being powerless to act because of the ongoing conflict. The authorities have put into place mechanisms and institutions to protect journalists; their glaring ineffectiveness, however, shows that they are nothing more than a pretence, which masks a real lack of willingness on behalf of the government to address the problem. Perhaps even more worrisome is the fact that Mexican authorities are behind the greatest number of attacks against the media. This points to a prevailing intolerance of the important scrutiny carried out by the media, as well as, in certain cases, the potential complicity between the state and organised crime.

Institutionalised pretence

Over the last six years, various committees, prosecutors' offices and mechanisms aimed at protecting journalists have been set up at the state and federal levels. In 2006, the Attorney General's Office (Procuraduría General de la República, PGR) created a Special Prosecutor's Office for Crimes Against Journalists, later renamed the Special Prosecutor's Office for Crimes Against Free Expression (Fiscalía para la Atención de Delitos cometidos contra la Libertad de Expresión, FEADLE). With this effort, the federal government was demonstrating its willingness to put an end to the violence against journalists by creating

an institution specifically designated to address the problem. Nevertheless, in the last six years only one case investigated by FEADLE has led to a conviction¹⁵. In Veracruz, the State Commission for the Defence of Journalists received the not insignificant sum of 13.7 million pesos (approx. US\$1 million) over the five years that it existed (2006 to 2011)¹⁶. Despite this investment, the problem remains as bad as ever: in the past 12 months, at least six journalists have been killed and at least 13 others have fled Veracruz.

Crimes against journalists fall mostly under the purview of local and state, not federal, authorities; they tend to involve homicides, threats, physical attack, or abuse of authority. As a federal institution, however, the Special Prosecutor's Office for Crimes Against Free Expression is unable to investigate crimes against journalists. Moreover, some local officials, notably state police forces, are often behind the assaults, insults and threats to journalists, while many government departments throughout the country are infiltrated by drug trafficking groups¹⁷. Additionally, a separate budget was not allocated to FEADLE as it falls under the Sub-Prosecutor's Office for Human Rights, Attention to Victims and Community Services.

The belated federalisation of crimes against journalists

Calls for the federalisation of crimes against journalists have been constant since 2006. On 6 June 2012, the authorities belatedly approved an amendment modifying Article 73 section XXI of the Constitution allowing federal authorities to investigate crimes against freedom of expression. On 22 June, the President enacted a decree making this constitutional amendment a reality. Still pending are certain changes to the Federal Penal Code, the Federal Code on Penal Procedure, and the Organic Law of the Federation's Judiciary.

These changes will have to be approved by Congress before the law becomes operational. Once they have been approved, FEADLE will be able to start investigating crimes against free expression. The Executive, however, must ensure enough resources are allocated to FEADLE so that it can carry out these investigations.

15. ARTICLE 19, op. cit., p.57

16. ARTICLE 19, op. cit., p. 18

17. See page 10.

An inadequate and inappropriate security mechanism

On the same day, 22 June 2012, the President enacted the decree on the Law for the Protection of Human Rights Defenders and Journalists, commonly referred to as the Protection Mechanism for journalists and human rights defenders. The law stipulates the creation of three institutions that would receive formal complaints (a.), instigate various security measures (b.), and administer a budget allocated for the implementation of such measures (c.)¹⁸.

a. The implementation of security measures for human rights defenders and journalists is carried out by three institutions:

- A Governmental Committee, made up of four representatives of the Executive, a member of the National Human Rights Commission, and four members of civil society;
- A Consultative Council, made up of nine civilians, four of whom will also sit on the Governmental Committee;
- A National Executive Coordinating Body.

b. Designing security and safety measures:

- Urgent security measures, such as the evacuation or temporary transfer from a certain region of journalists or activists who are under threat; assigning bodyguards, security teams, securing a property;
- Safety measures, which may include the use of communications equipment; the installation of cameras and secure locks in the person’s home or office; travelling in vehicles with bullet-proof windows and using other bullet-proof materials;
- Preventive measures, such as instruction manuals, personal safety courses, or the accompaniment of human rights observers and journalists.

c. Setting up a Fund for the Protection of Human Rights Defenders and Journalists so that certain measures can be implemented in accordance with the law. The fund is made up of:

- Resources provided by the federal government;
- An annual allocation from the Expenditures Budget;
- Donations from businesses and private individuals;
- Goods and funds provided by other federal institutions.

Source: Presidency of the Republic and Ministry of the Interior

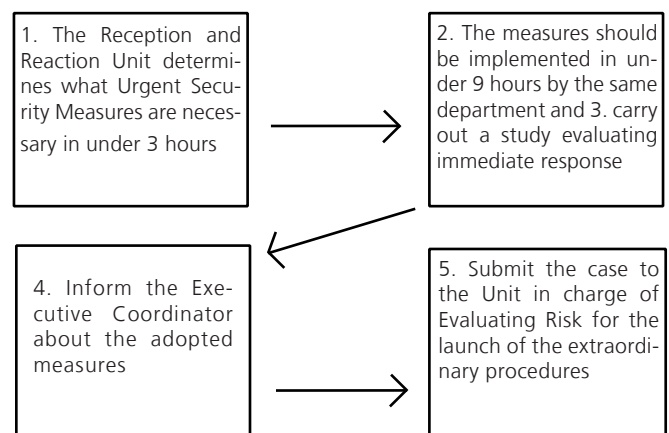
18. It should be noted that this mechanism will replace one that was already in place, stemming from the “Coordination agreement for the implementation of preventative action and protection for journalists”, signed into law on 3 November 2010. This agreement was a delayed and insufficient response to the urgent need for security measures for journalists, a need which had been expressed by various international freedom of expression groups since 2008.

Some positive aspects of this system are in evidence, as regards journalists. The Protection Mechanism has taken into account the filing of complaints, risk evaluation, implementation of security and preventative measures, making a distinction between emergency situations and ordinary cases, as well as the monitoring of attacks. Members of civil society are involved in many of the institutions that were established. Moreover, specific resources have been allocated for the protection of journalists and human rights defenders via the “Fund for the Protection of Human Rights Defenders and Journalists”. In addition, there has been consideration of what would occur in circumstances where security measures are not implemented in time or are deemed insufficient.

All these aspects of the mechanism are a positive and a significant improvement on what was previously available. Nevertheless, despite consistent lobbying on the part of national and international media and civil society groups, delays in implementing the measures have led to a great deal of unnecessary suffering and loss of life. The fact that this was finally passed during an election year will probably lead to yet further delay.

The project’s biggest shortcoming, however, is that it fails to address the main cause for attacks against journalists and the media: the fact that assailants are not brought to justice and that the resultant impunity only perpetuates such crimes. While measures aimed at anticipating or reacting to attacks have been considered, the project fails to specify any concrete solutions aimed at ensuring attacks come to an end. The only reference to addressing the high level of impunity appears in the document that introduces the law (Annex 2, page 22) - the fourth preventative measure states “Condemn, investigate and punish the assailants of attacks against Human Rights Defenders and Journalists.”¹⁹

Extraordinary Procedure



Source: Ministry of the Interior

19. http://derechoshumanos.gob.mx/es/Derechos_Humanos/Leypara_la_Proteccion_de_Personas_Defensoras_de_Derechos_Humanos_y_Periodistas

Criticism also surrounds the procedures for implementing the security measures (see diagram above). Many of the measures cannot be implemented on the ground and are therefore ineffective. The law stipulates: "In cases where the petitioner declares that his/her life or physical safety... is in imminent danger, then the case will be considered high risk and the procedure for implementing Urgent Security Measures will be initiated."²⁰ A "Reception and Rapid Reaction Unit" is in charge of receiving the information, analysing the request for protection and determining if the case is urgent: Urgent Measures should then be adopted by this unit in under nine hours. Nevertheless, nine hours may still be too long to wait for protection to arrive. Moreover, the system does not take into account the fact that most attacks take place without warning; if there is prior warning, attacks tend to be carried out within a few hours²¹. How the implementation of Urgent Security Measures would work in relation to a kidnapping, murder or armed attack on a media outlet remains to be seen.

Another important shortcoming of this approach is that "in order to ensure that the suggested measures are effective" there must necessarily be "coordination agreements" with federal institutions - in other words, a coordinated approach with the state level authorities via: "the exchange of information, precisely following certain procedures, and developing strategies, actions, systems and methodologies based on the best practices for prevention and protection (...)"²². Organised crime groups have infiltrated many state and local police departments; therefore, to assign these security measures to such institutions severely risks condemning them to failure, or in the words of Javier Garza, editorial director of the Coahuila-based newspaper *El Siglo de Torreón*, "it is like putting the wolf in charge of the hen house."²³

State sanctioned violence

The media are not only targeted by organised crime. Authorities at all levels (municipal, state and federal) are behind most of the attacks on the media: research shows that from 2009 to 2011, 54-percent of attacks on journalists were carried out by government employees²⁴. It is important to note that the state police are responsible for half of these attacks, followed by military, local police and federal police²⁵. Rarely do attacks from government employees involve murders, kidnappings or disappearances.

20. Ibid.

21. "Mecanismo que no protege" (A mechanism that does not protect), Javier Garza, 26 July 2012, a column commissioned by Animal Político. <http://www.animalpolitico.com/blogueros-blog-invitado/2012/07/26/mecanismo-que-no-protege/>

22. Ibid.

23. "Mecanismo que no protege" (A mechanism that does not protect), Javier Garza, 26 July 2012, a column commissioned by Animal Político. <http://www.animalpolitico.com/blogueros-blog-invitado/2012/07/26/mecanismo-que-no-protege/>

24. ARTICLE 19, op. cit., p. 24

25. ARTICLE 19, op. cit., p. 25

Most of them constitute insults, physical assaults, threats and intimidation through criminal defamation legislation.

These attacks take place whenever media professionals attempt to cover corruption, links between authorities and organised crime, and other illicit activities. Perceptions of the levels of corruption in Mexico have risen consistently in the period 2007 to 2011²⁶. According to journalist and academic Eugênio Bucci, "a judiciary that does not stand in judgement, a police force that does not investigate, governors who shirk their responsibilities, drug traffickers who bribe politicians, militias that carry out massacres: all these are different parts of the same machine that is undermining the State of Law and threatening freedom."²⁷



Members of the military in reinforcement operation in Guanajuato, August 2012. Courtesy of *Grupo Reforma*.

Institutions have been created and mechanisms established to address impunity and violence against journalists. Their failures are highly apparent, but their very existence owes more to national and international pressure or electoral and political opportunism rather than any genuine belief in the importance of the key role an independent media plays in society. The fact that government employees, notably state police and military, are the main aggressors suggests there is an enormous challenge that must be faced by the Mexican media and those responsible and honest politicians who are trying to address the problem.

The state's indifference and the complicity of certain government employees can also be understood by the predominance of a lack of transparency. There is very little tolerance for scrutiny, a by-product of 71 years of authoritarianism and corruption in the regimes of the Institutional Revolutionary Party (Partido Revolucionario Institucional, PRI). This is reinforced not only by politicians but also by the press and society. The tragic end result is a simple lack of awareness of the important role the press plays in guaranteeing democracy.

26. <http://mexico.cnn.com/nacional/2011/11/30/en-4-anos-mexico-baja-28-sitios-en-indice-de-percepcion-de-la-corrupcion>

27. Article published by the Brazilian newspaper *Estado de Sao Paulo*, on 3 May 2012, World Press Freedom Day, "¿Por qué matar periodistas?" (Why kill journalists?) <http://www.wan-ifra.org/es/articles/2012/05/18/por-que-matar-periodistas>

LEGACIES, CHALLENGES AND HOPE?

The story of the Mexican press is much more than an account of murders, self-censorship and impunity. There are the ravages of the current conflict, but also serious structural, ethical and professional challenges and a legacy of years of corrupt, authoritarian and self-interested government meddling. Despite all this, however, many media outlets are responding to the violence and impunity by increasing cooperation, and a certain “journalism of resistance” is emerging. All this is reason to hope that, at the end of this crisis, a stronger Mexican press could emerge.

Damned legacies

A number of the individuals interviewed by WAN-IFRA emphasised the fact that the relatively recent arrival of democracy in the country has had serious implications for the current state of the press. Mexico was governed by the PRI for 71 years. Until the early 1990s, the party maintained control over society via its corporatist relationships with the majority of sectors, through corruption and an authoritarian exercise of power. In 2000, the PRI was replaced from power and a new political force emerged with the election of the National Action Party, PAN, to the presidency. On 1 July 2012, the PRI candidate, Enrique Peña Nieto, won presidential elections and regained power on behalf of the PRI, ending the two consecutive six-year terms of the PAN governments.

Over the last 12 years there have been important changes to the country’s media environment, most notably through an increase in the number of online media and the use of social networks²⁸, particularly in Mexico City and the larger cities. Despite this, twelve years after the change in government, the two largest television companies, *TV Azteca* and *Televisa*, still overwhelmingly dominate the media scene. In 2009, the two companies had more than 99 per cent of the audience in the country²⁹, whereas the circulation of the printed press and the penetration of the Internet are still limited³⁰. At the same time, extensive links between both stations and the Mexican authorities have raised questions about their independence³¹.

28. “17% expected increase in social media use in Mexico”: <http://www.animalpolitico.com/2012/04/preven-crecimiento-de-mas-de-17-en-uso-de-redes-sociales-en-mexico/>

29. *Los dueños de la palabra (The Owners of Speech)*, Martín Becerra & Guillermo Mastrini, Ed. Promoteo Libros, 2009, p. 135

30. <http://www.internetworldstats.com/am/mx.htm>

31. *The Guardian*, 7/6/12, ‘Computer files link TV dirty tricks to favourite for Mexico presidency’: <http://www.guardian.co.uk/world/2012/jun/07/mexico-presidency-tv-dirty-tricks>

Despite the handover of power between the two political parties some of the more critical observers say that the PAN governments simply carried on with the PRI’s methods. “The governments that replaced the PRI, cloned the neo-corporatist relations that the PRI maintained with many sectors of society, including the media,” explains Marco Lara Khlar, a journalist and academic. At every level, the authorities use harassment, intimidation, direct censorship and co-opting strategies to drown any criticism. In the southern state of Chiapas, for example, “the governor rewards and punishes the media through the arbitrary allocation of official advertising contracts,” explained a local correspondent for a Mexico City-based media outlet. “He also gives prizes and gifts to journalists who are close to the governing party, and launches defamation campaigns to discredit those who criticise him.” The practice of a “chayote”, via which a journalist receives financial compensation for favourably covering the activities of an official or an institution, “continues to be a reality in many provinces.”



Journalist and academic Marco Lara Khlar at WAN-IFRA’s workshop in La Jolla, California. Credit: Luis J. Jiménez.

The fact that journalists are poorly paid does not help put an end to these practices. The end of the PRI signified the end of many neo-corporatist relationships, but it did not bring about an improvement in journalists’ working conditions. For years the government exercised control via the labour unions. As a result, journalists developed a disdain for any professional organisation. “Right now in Mexico there is a ‘vaccine’ against labour unions because during the reign of the PRI, when you joined a syndicate you didn’t exist as an individual, but only as a group, as part of the state,” explains Lara Khlar. “I think engraved in each Mexican journalist’s DNA there is a natural resistance to participating in a collective.” The reality is that this resistance leaves journalists in a very vulnerable situation.

Structural challenges

Even though the PRI reign in Mexico came to an end in 2000, a number of practices and anti-democratic reflexes appear to have not shifted. "In Mexico, there was a changeover, but the institutions did not become any more democratic," says Frédéric Saliba. The press can be included among these institutions. A Mexico City-based journalist had a very critical viewpoint. "The Mexican press and the Catholic Church are the two places in Mexican society where there has been no democratisation," she argued.

According to Lara Khlar, media outlets themselves are responsible for the fact that journalists are in such a vulnerable position. "The average journalist earns less than US\$400 a month, while some of them are not even paid, or only paid in kind. With this little amount, they have to cover their transportation, communication, security needs and also support their families. If the media themselves are sending the message to the authorities and to the drug trafficking cartels that journalists are dispensable and a source of cheap labour, how can one begin to protect them?"

Evidence also revealed there is a huge gap between media outlets based in Mexico City and those that are based in the interior, a gap which has been only further accentuated by the violence. For the media in the provinces violence is a daily reality. In contrast, the media in the capital are further removed and have a difficult time gauging how much danger journalists and media outlets are exposed to in certain regions. "Journalists in Mexico City have a serious debt with provincial journalists," said María Idalia Gómez. "The violence has not reached the streets of Mexico City," explained Javier Garza. "When they start to witness shootouts and regular kidnappings from restaurants, then they will be more careful and more supportive of the media in the interior."

Correspondents for Mexico City-based media outlets who are working in the provinces may be exposed to danger as a result of how their employer presents a story, based on information that they have provided. There is also this phenomenon of 'criminalisation', whereby media in the capital sometimes surmise that journalists who are murdered in the interior may have been linked to illegal activities and targeted for that reason.

The violence exacerbates the challenges many media outlets face in terms of ethics and professionalism. During WAN-IFRA's La Jolla workshop³², Colombian journalist and academic Javier Darío Restrepo warned: "when one does not act ethically, one stops being part of the solution and aggravates the problem."

32. <http://www.wan-ifra.org/articles/2012/04/03/journalists-provide-global-prescription-for-fighting-violence-and-impunity>

During the same workshop, Marco Lara Khlar lamented the fact that "the press tends to reproduce the state's violence" by not questioning the information contained in official press releases and by committing many of the same abuses the authorities commit; for example by systematically failing to uphold the right of detained individuals to be presumed innocent until proven otherwise. "A lot of editorial policies are based on the criminalisation and ridicule of individuals, thus creating gratuitous targets of violence," he explained. The journalist accused the press of regurgitating the discourse of the assailants and organised crime groups, even copying their slang words: "In Mexico there are no cities anymore, there are *town squares*, they are not dangerous, they are *hot*, people are not kidnapped but *taken away*, not killed but *executed*." At the end of the workshop, Javier Valdez noted: "self-protection may entail being self-critical, watching the language one uses and developing one's own vocabulary."

The media comes face-to-face with organised crime

Despite this complicated scenario, many media outlets do what they can to adapt to the situation and still get the story out in the safest way possible. Faced with operating newspapers in regions where the authorities fail to provide protection and in many cases are themselves responsible for attacking or harassing the media, a number of titles have opted to directly address criminal groups through their editorials.

On 2 September 2010, the Sinaloa-based newspaper *El Noroeste* responded to an attack on its offices with an editorial entitled, "We are not going to give up", in which the publication denounced the authorities for failing to fulfil "their obligation to prevent and investigate all attacks against freedom of expression - not only are a great number of attacks against the media and journalists going unpunished, but the violence against these entities and their employees is only increasing (...)". The newspaper informed its readers: "under these conditions, it becomes very difficult to practice journalism responsibly and professionally as the profession warrants. Despite all this, we cannot turn our backs on the people of Sinaloa, and we are telling you that we will keep fighting here in the trenches and will not surrender our right to inform."³³

On 18 September 2010, *El Diario* based in Ciudad Juárez addressed organised crime groups in an editorial entitled "What do you want from us?" The piece asked for a response from the drug trafficking groups: "We don't want any more murders (...) It is impossible for us to continue our work under these conditions."

33. <http://www.noroeste.com.mx/publicaciones.php?id=615243>

Tell us please, what you expect from us as a media outlet.” Rocío Gallegos, a reporter for *El Diario*, explained to WAN-IFRA why the newspaper went ahead with this editorial: “Two days earlier, one of these groups killed one of our reporters. This is the second reporter we’ve lost since 2008. It was a very difficult moment for us, a time of hopelessness. War reporters follow certain rules. Every war has its rules. But not our war, there are no rules of any sort, or else we are not aware of them, and this is costing us the lives of our journalists. By speaking to the ‘narcos’, we were addressing the de facto authorities at that time and asking them to inform us what the rules were, because *El Diario* was not prepared to lose any more journalists.”³⁴



Raúl Gómez Franco editor of *El Diario* of Ciudad Juárez, at WAN-IFRA’s workshop in La Jolla, California. Credit: Luis J. Jiménez.

More recently, on 13 May 2012, *El Mañana*, based in Nuevo Laredo, Tamaulipas, published an editorial telling its readers that “(...) we appeal to the public for their understanding as for a certain amount of time, as deemed necessary, we will refrain from publishing any information related to the violent conflict plaguing our city and other parts of the country (...). [We have taken this decision] because of the lack of a proper environment for the free exercise of journalism (...)”³⁵.

Covering violence

Beyond such measures by individual media outlets in response to the violence and the power vacuum they face, there have also been a number of joint actions.

On 24 March 2011, an Agreement on the Coverage of the Violence (*Acuerdo para la Cobertura Informativa de la Violencia*) was signed by 46 media groups, which between them own more than 700 newspapers, radio and television stations³⁶. The agreement outlined certain basic principles editorial offices should follow, such as how to respectfully report on the victims of violence, how to report responsibly on the legal rights of those accused of crimes who should be presumed innocent until proven otherwise, and how to prevent a media outlet from becoming a mouthpiece for members of organised crime.

Some have criticised the agreement, arguing that it curtails freedom of expression and is an attempt to standardise the coverage of violence. It is also said to tacitly support the government’s policy in relation to combating organised crime. Others have said that the guidelines are too broad and often not easily applicable to the reality of each media outlet.

WAN-IFRA considers this a positive initiative and believes that the media should do what it can to respect the agreement. Of course, this agreement is not enough to address the entire problem; the media have to adopt other measures as well, according to their own realities. WAN-IFRA was able to ascertain that many local newspapers are taking concrete and worthwhile measures so that they can continue to report the news and at the same time ensure their offices and reporters are safe.

THE EDITORIAL GUIDELINES OUTLINED IN THE AGREEMENT:

- 1) Take a stand against the violence perpetrated by organised crime.
- 2) Do not become an unintentional spokesperson for organised crime. Avoid using the language and terminology used by the criminal groups.
- 3) Present the information in its full complexity.
- 4) Be explicit when assigning responsibilities for a crime.
- 5) Do not presume that individuals are guilty without any evidence.
- 6) Protect the rights of victims and minors involved in the violence.
- 7) Encourage citizens to play a role and report on crime.

34. <http://www.wan-ifra.org/rocio-gallegos-what-do-you-want-from-us>

35. <http://www.elmanana.com.mx/notas.asp?id=285418>

36. <http://www.milenio.com/cdb/doc/noticias2011/7124535617041c8e5402057a537215e1>

- 8) Set up protective measures for journalists.
- 9) Express support when a reporter or media outlet is targeted or under threat.
- 10) Do not interfere in the fight against crime.

A journalism of resistance

“Despite the current crisis, there is a new culture of ‘journalism under risk’ in Mexico,” said Frédéric Saliba. “As the media in the north are the ones that are most aware, that’s where we are seeing the change, that’s where a journalism of resistance is emerging,” explained María Idalia Gómez. Violence linked to organised crime has been a reality in northern Mexico for years, and in some cases, decades. As the violence has increased, a number of media outlets have found ways to address the problem, developing certain tools that enable them to cover the conflict in a more secure manner despite the prevailing risks and the unrelenting influence of organised crime.

Some media companies have had to invest in security measures such as reinforced doors, bulletproof windows, secured entrances and surveillance cameras. Many of the practices being adopted by the media working amidst the violence are aimed at lessening the vulnerability of journalists. Articles on crime and the police beat are published without a by-line. Reporters who cover the police beat are often moved around to cover other types of stories. Media outlets try to find ways to collaborate with media in other states, national media based in Mexico City, or even international media. At the same time, media may resort to publishing official government releases more frequently, which may result in the information being very superficial, or extremely scant, as is the case in Tamaulipas, Nuevo León or Veracruz. The more sensational and graphic news stories on armed conflicts and deaths are pushed to the back pages of the newspaper, or presented in a smaller format and without any accompanying images. Finally, some media try to cover the conflict from a different angle that may be less risky, analysing, for example, the social impact of drug trafficking and violence on the community³⁷.

Many journalists and experts underline the importance of each media outlet being able to “dissect” the violence in order to determine what security and prevention method to adopt.

37. *El Siglo de Torreón* is widely known for its alternative coverage of the violence: <http://www.elsiglodeterreon.mx>

“Each media outlet has to find its own strategy to confront the violence,” warns Javier Garza. The level of violence varies according to the moment, the place and the type of criminal group that is involved. As Álvaro Sierra, editor-in-chief of the Colombian weekly magazine *Semana* and an expert in the coverage of drug trafficking, explained, “one has to take into account the fact that aspects of the violence are constantly changing. One day you may get a call warning you to take down a story, whereas the same story, two months before, could have cost you your life. In Mexico, the barometer is the story that is published and the reaction it elicits. You have to analyse the development of the violence in your region and publish responsibly.” Garza adds that “one has to evaluate the risk and decide if a story should be published or not, or find the least endangering way of distributing the information.”



Javier Garza, editorial director of *El Siglo de Torreón* daily, speaking at WAN-IFRA's 2012 América Latina Conference, in Santiago, Chile.

In an interview with WAN-IFRA, Javier Garza explained that Mexican journalists are learning from the current crisis: “We are being much more rigorous with the information. The sensationalist press has never been so precise and factual.” The crisis has prompted a lot of media companies to provide more safety training to their reporters and in some cases even life insurance.

Despite all the precautions and security measures, however, self-censorship continues to provide the greatest protection for journalists. According to Ismael Bójorquez Perea, director of weekly *Río Doce*, “we choose the topics we will cover with care, we approach investigations with caution, and we rewrite and reread stories again and again before we publish them. And we have to recognise the fact that we censor ourselves; some articles have never seen the light of day because we felt that it was just too risky for us [to publish them].”

CONCLUSION

The Mexican media is undergoing a crisis of unprecedented proportion. Organised crime, in its zeal to control terrain, has managed to successfully silence the media in many parts of Mexico through the brutal use of violence. Criminal groups use the press to communicate their message. Moreover, the role of the state is reprehensible given the institutionalised pretence, ineffective and insufficient response to impunity; evidence of collusion with organised crime; and the authoritarianism and lack of transparency that is exhibited across the three levels of government. The media face great challenges that they are trying to address in some way via accords or security measures. Nevertheless, while impunity continues to reign and is left unaddressed, all the methods adopted by the authorities and the media will be nothing more than palliative measures that may reduce risk without addressing the core issue. Danger will remain a reality for reporters, freedom of expression will continue to be eroded, and Mexican society will be left in the dark.

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WAN-IFRA and the Swedish International Development Agency (SIDA) established a partnership in 2010 that allows WAN-IFRA to broaden and develop its press freedom and media development activities to support free and financially sustainable media worldwide. For more on this work, please consult <http://www.wan-ifra.org/pressfreedom>





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