



Committee to Protect Journalists

**Committee to Protect Journalists  
Contribution to the 17th session of the Working Group  
Universal Periodic Review  
Submission on Mexico**

The [Committee to Protect Journalists](#) (CPJ) welcomes the opportunity provided by the Office of the High Commissioner on Human Rights to comment on the climate for free expression and press freedom in Mexico. This submission serves to underscore our concern over the deteriorating situation for press freedom during the past six years. This submission relies upon extensive research by CPJ and local partners.

The Committee to Protect Journalists is an independent, nonprofit organization founded in 1981. We promote press freedom worldwide by defending the rights of journalists to report the news without fear of reprisal.

## **I. INTRODUCTION**

1. At least 50 journalists have been [killed](#) or [disappeared](#) in Mexico during the last six years. The country has become the most deadly one for journalists in the region, and one of the most dangerous in the world.
2. In addition to those who have been murdered, [dozens of journalists have been attacked, kidnapped, or forced into exile](#) in connection with their coverage of crime and corruption. News outlets have seen their offices attacked with grenades and fired upon, and their websites [hacked](#).
3. Compounding the problem of violence is a climate of widespread impunity. Crimes against the Mexican press are almost entirely unsolved. The failure to successfully prosecute the killings of journalists has made Mexico the eighth-worst country in the world on [CPJ's Impunity Index](#), which calculates the number of unsolved journalist murders as a percentage of the population. Mexico's ranking puts it among conflict-ravaged countries such as Iraq and Somalia.
6. The violence has resulted in [widespread censorship](#) throughout vast areas of the country, both as a result of direct intimidation and in the guise of self-censorship as a form of self-preservation. Thus citizens are being stripped of their rights to freedom of expression and access to

information.

7. Reporters and editors have also been corrupted by the same drug cartels that have infiltrated nearly every sector of society. Corruption among members of the media raises sensitive questions about whether certain journalists are killed as a result of their work or because of involvement with drug cartels, tainting the reputation of the media as a whole and ensuring that criminal elements and their corrupt accomplices exercise control over the flow of information and public discourse.

8. In March 2012, Mexico's senate finally approved a [constitutional reform](#), later ratified by state legislatures, giving federal authorities jurisdiction over anti-press crimes. The amendment modified Article 73 of the Mexican Constitution to say that federal authorities would have jurisdiction over any crime against "journalists, people, or outlets that affects, limits, or impinges upon the right to information and freedom of expression and the press." The implementation of this measure is pending upon approval of secondary legislation.

## **II. A DEADLY CLIMATE FOR JOURNALISTS**

9. Mirroring the overall violence that has consumed the country since the offensive against criminal networks began, the Mexican press has suffered greatly as armed criminal groups seek to control the flow of information. Here are some key statistics, according to CPJ research.

### **10. KILLED**

14 journalists have been [killed](#) in Mexico in direct retaliation for their reporting since 2007, according to CPJ research. A total of 27 additional journalists were murdered in unclear circumstances. CPJ continues to investigate if the motives were work-related.

### **11. MISSING**

At least nine journalists have gone missing since 2007. Of the 35 journalists missing worldwide, [almost half](#) were Mexican.

### **12. EXILE**

At least three journalists [were granted political asylum](#) in the United States and Canada in 2011, and several others sought refuge in other countries. At least ten journalists [have fled the country](#) since 2007, a conservative estimate that is still by far the highest number in the region. Many have been compelled to relocate within Mexico.

### **13. ATTACKED**

The offices of at least [six media outlets were attacked](#) in 2012, according to CPJ research. The assailants used bombs, grenades, explosives and set fire to outlets' offices.

## **II. IMPUNITY AND AN INEFFECTUAL GOVERNMENT RESPONSE**

14. CPJ's 2012 [Impunity Index](#) showed that unsolved journalist murders grew for the third consecutive year in Mexico. Mexico is ranked number eight in CPJ's global Impunity Index, with 15 unsolved murders in confirmed cases.

15. In some cases, such as the [murder](#) of two photographers under unclear circumstances in Veracruz in May 2012, local authorities have declared [crimes solved](#) without displaying any credible evidence and there have been allegations in other instances of coercion and the fabrication of evidence.

16. Crimes against the press in Mexico go unsolved not only as a result of negligence and incompetence, but also due to pervasive corruption among law enforcement officials, particularly at the state level. The failure to investigate abuses has encouraged further crimes and perpetuates a climate of fear and intimidation. This national crisis demands a forceful response from the federal government, both the executive and legislative branches.

17. Believing that greater resources and training available at the federal level offers hope for a more effective response in these cases, and that the higher level of scrutiny hopefully serves as a check against the corrupting power of criminal organizations, press freedom groups waged a long-term advocacy campaign to encourage the federalization of crimes against the press. Finally, in March 2012, the Mexican Senate approved a constitutional reform that will give federal authorities broader jurisdiction for anti-press crimes. The implementation of this constitutional reform will require a combination of new legislation and changes to federal procedural and penal codes, which have been pending since October.

18. In 2010, President Calderón also introduced the Protection Mechanism, a program that would give immediate help to journalists under threat and potentially protect reporters across the country. But its implementation has been slow and ineffective. Few journalists have been offered protection and other journalists under threat tell CPJ they will not go to the government for help because they don't trust officials or the police officers who are to provide the protection. The office of the special prosecutor for crimes against freedom of expression was also restructured in 2010 in an effort to improve its record of no arrests, to little effect.

19. The federal government has national and international responsibilities to address impunity in violence against journalists. Articles 6 and 7 of the Mexican Constitution guarantee individual rights to freedom of expression and freedom of the press. As a signatory of international covenants, Mexico's government has the obligation to protect the human rights guaranteed in these agreements. The International Covenant on Civil and Political Rights guarantees the right "to seek, receive, and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media." The covenant further requires that governments provide an "effective remedy" for those whose rights are violated. The American Convention on Human Rights guarantees the right to free expression in nearly identical terms and states that every individual has "the right to simple and prompt recourse ... for protection against acts that violate his fundamental rights."

### **III. A DISINFORMED PUBLIC**

20. As organized crime, corruption, and lawlessness have spread, reporters and news outlets are abandoning not only investigative reporting but basic daily coverage of sensitive issues such as the drug trade and municipal malfeasance. Reporting information about criminal activities—

including the names of drug lords, smuggling routes, and business details—places journalists at direct risk.

21. Local journalists from nearly half the states in the country have told CPJ that organized crime groups have taken over the government and the police. This lack of institutional strength has left the public susceptible to extortion, kidnapping and theft, but journalists cannot cover these developments for fear of being killed.

22. Lacking trustworthy news sources, Mexican citizens are being deprived of their right to be informed about the most vital issues of public interest.

### **III. RECOMMENDATIONS TO MEXICAN AUTHORITIES**

- President Enrique Peña Nieto must make the grave freedom of expression crisis a priority for his government.
- The Mexican presidency must use the full power of its office to ensure that all citizens, including members of the media, can exercise their right to freedom of expression as guaranteed in Articles 6 and 7 of the Constitution.
- High ranking authorities must publicly condemn acts of violence against journalists as crimes not only against citizens, but against the public's right to freedom of expression.
- Mexican authorities should ensure a more effective implementation of the Protection Mechanism.
- Mexican federal legislators should approve the legislation that will put into effect the constitutional reform that gives federal authorities jurisdiction over crimes against the press and allow the criminal justice system to break the cycle of impunity in journalist murders.
- The federal government must develop procedures and training to ensure that federal police and military forces understand that journalists have the right to cover law enforcement operations without interference
- The Mexican government should work closely with the United Nations, press freedom groups and journalists to implement the [UN Plan of Action on the Safety of Journalists and the Issue of Impunity](#).