



RESOLUTION ON MEXICO

Every year, the state of freedom of expression in Mexico deteriorates. As previous resolutions have demonstrated (2015 and 2016, to name but two), the Mexican authorities have not fulfilled their promise to assure freedom of speech and human rights for all.

The systematic attacks against journalists, bloggers, the wider media and human rights defenders continue to grow while the forms of violence and intimidation are increasingly cruel with some amounting to torture.

In **2016**, PEN International registered nine murders of journalists while Article 19's Mexico and Central America office recorded 426 assaults against press, seven per cent more than in 2015.¹ At least 90 per cent of these cases remain unsolved. Fifty-three per cent of these aggressions are linked with public officials at different levels of government. Included in this figure are also two extrajudicial executions².

Mexico continues to be one of the most dangerous places to practice journalism. Reporters Without Borders recently qualified Mexico as the deadliest country to practice journalism in 2017.³ From January to June 2017, at least seven print journalists have been murdered. **Cecilio Pineda Birto** (2 March, *La Voz de Tierra Caliente*, Guerrero), **Ricardo Monlui Cabrera** (19 March, *El Político* and *El Sol de Córdoba*, Veracruz); **Miroslava Breach Velducea** (23 March, *La Jornada* and *El Norte de Juárez*, Chihuahua), **Maximino Rodríguez Palacios** (14 April, *Colectivo Pericú*, Baja California Sur); **Filiberto Álvarez Landeros** (29 April, poet and journalist for *La señal de Jojutla*, Morelos), **Javier Valdez Cárdenas** (15 May, *Ríodoce* and *La Jornada*, Sinaloa), **Jonathan Rodríguez Córdova** (15 May, *El Costeño de Autlán*, Jalisco).⁴

Two of these cases are particularly representative of the violence which journalists face and the impunity that prevails in Mexico:

- 1) **Miroslava Breach Velducea** was shot dead by a group of armed men as she left her house. Breach wrote about human rights abuses, attacks on indigenous communities and violence carried out by criminal groups. Although, the government of the State of Chihuahua announced that it had located the intellectual authors and

¹ <https://articulo19.org/informe2016/> y <http://libertad.inogdai.org/#!/principal>. Of the 426 reported aggressions, 43 were cases of harassment, 11 killings, 80 physical attacks, 2 forced displacements, 79 intimidations, 58 false imprisonments, 76 threats, 28 attacks on media houses, 11 communications interventions, 11 unauthorised intrusions, 27 cases of institutional violence.

² *Ibíd.*

³ <http://www.sinembargo.mx/06-07-2017/3199556>

⁴ <http://www.pen-international.org/newsitems/mexico-el-asesinato-de-dos-periodistas-supone-un-duro-golpe-a-la-libertad-de-expresion-e-informacion/?lang=es>

actual perpetrators of the crime on 17 April 2017⁵, to date no one has been arrested.⁶

- 2) Writer and director of *Riодоce*, recipient of the 2014 PEN Mexico Prize, **Javier Valdez Cárdenas** was shot dead on the streets of Culiacán, in Sinaloa state. He was well known as the chronicler of drugs trafficking in his work as a journalist and also in his books, such as *Narco Periodismo: La prensa en medio del crimen y la denuncia (Narco journalism: The press in the midst of crime and denunciation)*.⁷

Both journalists were well-known and well-respected reporters for the national media. Their deaths shook the Mexican media to such an extent that they led other journalists to take measures to ensure their own safety, in the face of inaction by the Mexican government.

Death is the worst form of censorship. However, censorship takes many forms in Mexico; many communicators and writers are seeing the need to leave the country owing to threats, for short or long periods of time or, in some cases, indefinitely. One example is the case of Mexican journalist **Amir Ibrahim**. The journalist and director of *ElQuintanaRoo.mx* fled his home with his family on 26 July 2017 after alleged criminal groups hung banners in public places threatening him with death.⁸ Another case is that of **Sanjuana Martínez** who, on 30 May, began receiving threats that she would be decapitated in connection with her work related to revealing human rights abuses, pederasty and crimes carried out by security forces. In addition, newspapers have closed down, such as is the case of *El Norte*, a newspaper based in Ciudad Juarez, Chihuahua state, whose management team decided to stop publishing their print edition because of the absence of security measures necessary to continue their work⁹.

In May 2017, President of the Mexican Republic, Enrique Peña Nieto, announced a series of measures to protect freedom of expression and the right to information: among them, to provide guarantees, security, and clarification of crimes, and to strengthen the structure and budget of the journalists' protection mechanism.¹⁰

Digital Surveillance

On 19 June, *The New York Times* and the University of Toronto's Citizen Lab¹¹ published an investigation that shows how the Mexican government acquired Pegasus, a highly sophisticated malware marketed exclusively to governments. Although this malware is sold with the sole purpose of investigating criminals and terrorists, the Mexican government has

⁵ <http://www.animalpolitico.com/2017/04/asesinos-periodista-miroslava-breach/>

⁶ <http://www.animalpolitico.com/2017/07/miroslava-breach-justicia-periodistas/>

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https://internacional.elpais.com/internacional/2017/05/15/mexico/1494874504_787443.html

⁸ <http://www.eluniversal.com.mx/articulo/nacion/politica/2017/08/5/amir-ibrahim-el-periodista-amenazado-con-narcomantas-en-qroo>

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https://internacional.elpais.com/internacional/2017/04/02/mexico/1491160053_089795.html

¹⁰ <https://www.gob.mx/presidencia/prensa/palabras-presidente-enrique-pena-nieto-en-evento-acciones-para-la-libertad-de-expresion-y-para-la-proteccion-de-periodistas-y-defensores>

¹¹ <https://r3d.mx/gobiernoespia> y <https://citizenlab.org/2017/06/reckless-exploit-mexico-nso/>

used it to monitor journalists, activists and human rights defenders¹². At least 10 individuals and their families have been identified as affected. According to the Declaration on Digital Freedom¹³, PEN condemns the suppression of freedom of expression in the digital media and the exploitation of digital technologies to suppress freedom of expression and surveil individuals, which in turn provokes censorship.

The Assembly of Delegates of PEN International urges the Mexican authorities to:

- Grant journalists and writers the conditions that are essential for the free exercise of journalism in the country, in compliance with the international conventions on human rights including freedom of expression signed and ratified by Mexico.
- Clarify the crimes against journalists, especially given that 90 per cent of such crimes continue to go unpunished;
- End the current impunity for murders of journalists that for years has been the rule rather than the exception, including by:
 - Ensuring that the federal and local authorities clarify the facts and exhaust all lines of investigation of all murders of journalists and show the connection between the murders and the journalists' work wherever it exists and that the investigations are taken up at a federal level;
 - Ensuring the cases of the seven journalists murdered in Mexico in the first half of 2017, as well as the murders in 2016, are subject to federal investigations;
 - Ensuring cooperation with legislative chambers;
 - Ensuring that the Mexican journalists' protection security protocols are reviewed and updated; and meet the commitments made by the federal government in May 2017;
 - Ensuring that local and federal governments develop sanctions and specific lines of investigations in relation to threats against journalist in the country.
- Ensure that the federal and local authorities guarantee freedom of expression throughout the country and do not restrict access to information or dictate journalists' contributions to the media or oblige private companies to dismiss journalists from their jobs;
- Ensure that no form of software will be used to surveil, intimidate or put a journalist, their information, contacts, or investigations at risk.

¹² <http://us14.campaign-archive1.com/?u=fc7dab607a39df562fd3e8204&id=1a99f2f141&e=4efa379793>

¹³ <http://www.pen-international.org/pen-declaration-on-digital-freedom/declaration-on-digital-freedom-spanish-declaracion-de-pen-sobre-libertad-de-expresion-en-los-medios-digitales/>