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FREEDOM OF THE PRESS

Mexico

[Mexico](#) | [Freedom of the Press 2013](#)

Mexico continued to be one of the most dangerous places in the world for journalists in 2012, with widespread violence and impunity plaguing the media environment. Experts lauded the June passage of a constitutional amendment making crimes against journalists a federal offense, but urged Congress to pass enacting statutes in order to ensure successful implementation.

Freedom of expression in Mexico is established in Articles 6 and 7 of the constitution. Mexico decriminalized defamation on the federal level in 2007, and a number of states have eliminated their own criminal defamation statutes, including, in 2012, the state of Mexico—the country's most populous. Nevertheless, state criminal and civil codes continue to be used to intimidate journalists. In October, the government of Puebla state sued two journalists for opinions that the government claimed "morally damaged" the reputation of public officials. The suits were filed hours after a list of 19 journalists who were being monitored by the authorities was leaked. State Governor Rafael Moreno Valle's press agent wrote on Twitter that other lawsuits would follow, and that all press "excesses" were under review.

In 2011, two journalists were arrested on terrorism charges in Veracruz after transmitting unconfirmed information about a school attack on Twitter. Although charges were dropped after an outcry, the state passed a law criminalizing the dissemination of rumors that resulted in a "disturbance of public order." Activists took the case to the Supreme Court, which had not issued a decision as of the end of 2012; in November, the Veracruz state legislature altered the law to specify that penalties would target those who "knowingly" spread false rumors.

In 2002, Mexico passed a Freedom of Information Law, and a 2007 amendment to Article 6 of the constitution stated that all levels of government would be required to make their information public. However, that information can be temporarily withheld if it is in the public interest to do so, and accessing information is often a time-consuming and difficult process.

Mexico is among the most unsafe environments in the world for journalists due to the expansion of Mexican drug cartels, the government's decision to fight the cartels with the armed forces, criminal organizations' turf battles, and the weaknesses of Mexico's public security institutions. As in previous years, journalists faced threats from several actors. Political authorities and police forces—mostly local, but also state and federal—were responsible for the largest share of attacks, but criminal organizations were primarily behind the most chilling incidents.

The National Center of Social Communication (Cencos), a Mexican nongovernmental organization, reported that eight journalists or news company employees were killed in 2012, while four disappeared and nine media installations were attacked with incendiary devices. The Committee to Protect Journalists (CPJ) reported that one journalist was killed as a result of his work in 2012, and five others were killed but the motive could not be confirmed. The reported death tolls varied in large part due to doubts about the integrity of police investigations, making it difficult to document which reporters were targeted as a result of their work. Advocacy group Article 19 recorded a 20 percent increase in attacks against journalists from the previous year, with acts of violence occurring in 25 of the 32 Mexican states. The organization reported that violent acts against journalists in Mexico City rose an alarming 64 percent in 2012.

The state of Veracruz, disputed territory among the cartels, was a highly dangerous place for journalists in 2012. According to Cencos, coverage of public security, organized crime, and corruption was behind the May murders of Veracruz photojournalists Gabriel Hugué Córdoba, Guillermo Luna Varela, Esteban Rodríguez Rodríguez, and Víctor Manuel Báez Chino, as well as newspaper advertising department employee Ana Irasema Becerra. The dismembered bodies of Córdoba, Luna, Rodríguez, and Becerra were found near the town of Boca del Río; Báez was kidnapped, killed, and his body dumped the next day in the state capital, Xalapa. Veracruz authorities claimed that members of a cartel had confessed to the murders. However, federal authorities told CPJ that they had serious concerns about the state's evidence in the case. Veracruz was also the site of the April beating and strangulation of Regina Martínez Pérez, a respected political correspondent for the national newsmagazine

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Not Free

PRESS FREEDOM SCORE

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Proceso. State authorities initially said Martínez had been killed in a “crime of passion,” but changed the motive to theft after arresting two suspects. Press organizations, however, cast doubt on the state’s case and called on federal authorities to take control of all investigations of attacks on journalists in Veracruz.

Other deaths and disappearances in 2012 included the May murder of Marco Antonio Ávila García, a police reporter with the newspapers *El Regional de Sonora* and *El Diario de Sonora*, who was found strangled near Guaymas, Sonora. The state attorney general said a written note linking the death to organized crime had been left with the body, although colleagues stated that Ávila had not reported on drug trafficking in depth. Also in May, freelance crime photographer Zane Alejandro Plemmons Rosales, a dual U.S.-Mexican citizen working for *El Debate de Mazatlán*, disappeared in Nuevo Laredo, Tamaulipas, after leaving his hotel to cover a shootout. In November, local freelance crime reporter Adrián Silva Moreno was shot and killed in Tehuacán, Puebla. Silva had been collecting evidence related to a gasoline theft from a government petroleum company, and reportedly had witnessed a confrontation between soldiers and gunmen just prior to his murder.

Broader pressures on the press were also documented in 2012. One was “forced displacement,” involving journalists who fled their home states, primarily to Mexico City, due to intimidation or threats. The newspaper *El Universal* reported that 18 journalists had sought aid from the Mexico City Human Rights Commission in 2012, up from 5 in 2010 and 10 in 2011. Officials estimate that the total number of journalists who have relocated to the capital is higher, since not all journalists register with city authorities. In addition, some journalists have gone abroad to escape threats.

Journalists covering certain sensitive issues—such as the drug war, and ties between politicians, the police, and organized crime—routinely practice self-censorship, depriving citizens of basic information about the country’s endemic violence and corruption, as well as the extent of criminal penetration of state institutions. Research also emerged in 2012 documenting the psychological toll of violence on Mexican journalists as well as the gendered dynamic of attacks. A study by researchers at the National Autonomous University of Mexico (UNAM) found that 35 percent of Mexico’s press corps experienced the symptoms of posttraumatic stress disorder, with the level significantly higher for those who directly covered the drug war. The Women’s Communication and Information Association (CIMAC) found that while female journalists were killed and disappeared like their male coworkers, they also faced threats directed toward their children and personal smear attacks based on traditional moral and gender codes.

Social media has become an alternative means for journalists and citizens to discuss issues related to drug violence. However, bloggers and social-media users have themselves become targets of criminal organizations. In August, Luis Gustavo Hernández Bocanegra, the administrator of the popular “narcoblog” Mundo Narco, was shot to death in his home in Culiacán, Sinaloa. Drug gangs have sought to exert control over the content of online message boards, engaging in verbal sniping at their adversaries and threatening both users who post sensitive information as well as reporters and editors who delete comments related to the gangs’ online sparring.

Impunity is pervasive in Mexico, with little progress in the prosecution of cases of murders and intimidation of media workers. In 2006, a special prosecutor’s office was established to combat crimes against journalists, but it has been largely ineffective, achieving only one conviction since its inception. The office is hampered by jurisdictional weaknesses, an insufficient number of investigators, the need to draw upon the resources of several rival agencies, and a lack of transparency. A unit for the protection of journalists has been similarly criticized as being underfunded and underutilized. Journalists may be unwilling to use the program because of their distrust of the government: politicians and police officers are often among those threatening them. Article 19 reported that agents of the state were responsible for a startling 44 percent of crimes against journalists in 2012. In 2012, however, the federal government took steps toward providing better protection for journalists. After several years of discussion, in June the Congress and a majority of state legislatures passed a constitutional amendment giving federal prosecutors the authority to take charge of investigations and prosecutions of attacks on journalists and media installations. Press advocates considered the law an advance, but were awaiting the passage of enacting legislation and final implementation before declaring the new initiative a success.

Coverage of the July 2012 presidential election—which was won by Enrique Peña Nieto of the Institutional Revolutionary Party (PRI)—was relatively free. In general, political reporting is much more pluralistic and balanced than it was in the past, with widespread coverage of the competing political parties, which also have direct access to significant broadcast time. In June, less than a month before the election, Britain’s *Guardian* newspaper published a report claiming that Peña Nieto had purchased favorable news coverage from Televisa, the country’s dominant broadcaster. Televisa denied the accusation, questioning the authenticity of the documents the *Guardian* had offered as proof. In August, Mexico’s Federal Electoral Institute (IFE) rejected a complaint by the opposition Party of the Democratic Revolution (PRD) that included charges of political bias by Televisa stemming from the *Guardian*’s investigation. During Peña Nieto’s inauguration in December, two photographers were roughed up, arrested, and held incommunicado for eight days while taking pictures of protests. The photographers were arrested along with 69 other people, 56 of whom were later released.

The Televisa controversy, and the protests it had ignited among university students over the network’s perceived support of Peña Nieto, helped to place broadcast ownership concentration on the campaign agenda. After winning, Peña Nieto promised to license two more open-air networks during his term and improve broadband access by opening the market to increased competition. Mexico’s broadcasting system is highly concentrated, especially in television, where two networks—Televisa and TV Azteca—control 85 percent of the stations. These stations are the only networks with national reach, while about a dozen family-owned companies control radio. There was no movement in 2012 by the Mexican Congress or executive-based regulatory bodies to legalize and support community broadcasters or act on demands to diversify ownership of the broadcast spectrum, and only a

handful of community radio operators have been awarded licenses. There are numerous privately owned newspapers, and diversity is fairly broad in the urban print media.

In 2012, 38 percent of the Mexican population accessed the internet. Though content is not limited by the state, telecommunications ownership is also concentrated, resulting in poor infrastructure and high access costs.

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