

PROTECTION OF JOURNALISTS

safety and justice in Latin America and the Caribbean



KNIGHT CENTER

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Prologue

By Rosental Calmon Alves*

I started to organize the Knight Center for Journalism in the Americas on June 1, 2002. The next day, drug traffickers kidnapped, tortured and killed Tim Lopes, my former newsroom colleague and dear friend. Tim was then a great investigative reporter for TV Globo in Rio de Janeiro, Brazil, my hometown. After mourning his death, actively participating in the protests and the clamor for justice in Tim's case in Rio, I made sure the Knight Center's first project included training on the safety and protection of journalists.

In August 2002, the Knight Center organized a seminar titled "Investigative Journalism: Techniques, Dangers and Ethics," which included the participation of international experts in the safety of media workers. That event, held in Rio, was the seed for the creation of the Brazilian Association of Investigative Journalism (ABRAJI), and it also marked the beginning of a movement for the protection of journalists in Brazil, led by ABRAJI.

So, the topic of this e-book, *Protection of Journalists: Safety and Justice in Latin America and the Caribbean*, has been in the Knight Center's DNA since its inception. The publication coincides with the 20th anniversary of the killing of Tim Lopes, and also the 20th anniversary of the Knight Center.

During the last two decades, we have worked on different fronts to face endemic violence against journalists that has been fueled by impunity (rarely are the crimes properly investigated and brought to justice), and the lack of mechanisms to protect journalists and train them to face hostile environments.

We've offered training sessions related to safety issues that have benefited thousands of journalists, we've organized conferences on the topic, and we've even reached thousands of judges in Latin America through our online courses. Inspired and sponsored by UNESCO, our massive online courses trained judges and other judicial operators on issues related to the international legal framework of press freedom and the protection of journalists.

It's no surprise that we at the Knight Center responded enthusiastically to the call for proposals published by UNESCO's Global Media Defense Fund, which was created under the umbrella of the United Nations' Plan of Action on the Safety of Journalists and the Issue of Impunity. Our proposal has culminated with this e-book, a series of carefully investigated stories about the dangers journalists face daily in Latin America and the Caribbean and what can be done to protect them.

Throughout the years, we have published hundreds of articles about safety and protection of journalists — first on a blog and most recently on our digital magazine LatAm Journalism Review (LJR). So, we thought we could propose another partnership with UNESCO, this time to produce a series of stories on attacks against journalists and what can be done to stop the endemic wave of violence.

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We are grateful to UNESCO's GMDF and all donors and partners who support them to make possible a series of relevant projects like this e-book, which compiles an impressive series of 14 stories from all over Latin America and the Caribbean, investigated by reporters from the region and the Knight Center team.

The articles — initially published by LJR and now turned into chapters of this e-book — not only describe attacks and threats that affect press freedom and the wellbeing of journalists. They also share experiences of countries that are trying to adopt mechanisms of protection for journalists, and the successes and failures of investigative units and prosecutors created to address cases of violence against the press. Perhaps most importantly, the articles share lessons learned by reporters and editors who are now able to give useful tips to colleagues.

We are also grateful to my colleague Teresa Mioli, who coordinated this project with extreme dedication; to Javier Garza Ramos, a Mexican journalist and internationally renowned expert in safety issues in the media, who helped edit the series; and Mallery Tenore, the Knight Center's associate director, who supervised the project alongside me.

And we would like to extend special thanks to members of the Knight Center team who helped with the copy editing and design of the e-book. We also thank Pablo Pérez of Altais Comics, based in Medellín, Colombia, who illustrated the series and e-book.

It's our hope that our work helps reporters and editors with useful information about the safety of journalists in the Americas and the issue of impunity. We also hope this e-book becomes a reference for organizations and people who are concerned about the safety of journalists in the Americas and beyond, at a time when the free press has been under an unprecedented wave of attacks.

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Introduction

By Javier Garza*

It is impossible to know how many times journalists in Latin America have been attacked in recent years. Depending on the source, we can estimate that [nearly 140 have been killed in the second decade of the 21st century](#), or that [at least 500 have been killed or disappeared in the last two decades](#).

And even then, we would fall far short because threats, arbitrary detentions, beatings, armed attacks on media offices, kidnappings, spying or digital hacking, legal harassment – or any of the different ways those in power in the political, financial or criminal worlds have to intimidate journalists – are not taken into account.

Throughout the 21st century, the situation of the press in Latin America has deteriorated. If in the last years of the last century it was thought that democratic opening and technological innovation would bring a new climate of freedom of expression, in recent years the rise of organized crime and authoritarian regimes has created new risks.

To deal with them, journalists and authorities have tried to create different tools to improve security for those reporting.

In this e-book, we set out to take a tour of these attempts, undertaken from different fronts: newsrooms, collectives of journalists, media associations, governments or prosecutors. And it is the journalists themselves who tell us about their experiences.

This e-book is the product of a series of reports published between December 2021 and July 2022 in the LatAm Journalism Review of the Knight Center for Journalism in the Americas of the University of Texas at Austin. The series is divided into four parts.

The first two deal with the main type of reporting that puts journalists in the region at risk: protests and violence due to conflicts or organized crime. The texts review the situation of journalists in countries such as Mexico, Colombia, Ecuador, Honduras, Nicaragua, Chile, Brazil, Bolivia or Peru and recount the different measures that journalists have undertaken for their own care, outside of official parameters.

The third and fourth parts deal with institutional initiatives to reduce violence against journalists: protection mechanisms and prosecutors or investigative units.

But, we chose different angles for each subject. In the Mechanisms section, instead of evaluating how those that already exist have worked, for example in Mexico or Colombia, we review initiatives to create mechanisms in Guatemala, Bolivia and Honduras and the obstacles they have faced along the way. For the Prosecutor's Offices, we review the case of Mexico as it is the oldest institution of its kind, and the most recent efforts, in Guatemala and Honduras.

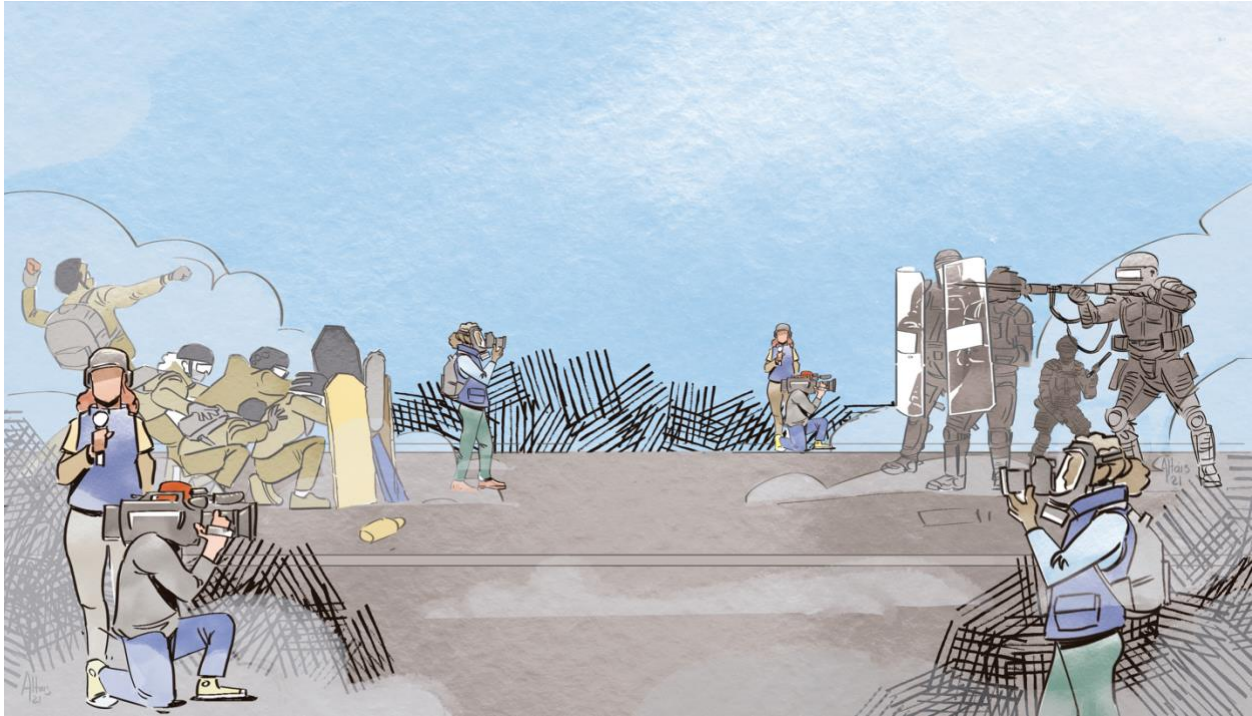
This e-book is not an exhaustive tour of all the security protocols of newsrooms in Latin America or of all the institutions created, but rather a study of particular cases to try to obtain lessons on what has worked and what has failed in the attempts to improve the protection of journalists.

Perhaps in the journalists' own experiences, we will find some answers.

(*) [Javier Garza](#) is a journalist based in northern Mexico. He is co-host of *Expansión Daily*, one of the most popular news podcasts in México, and runs the local news platform *EnRe2Laguna* and the radio newscast *Reporte100*. For the past 15 years he has worked on journalist protection and press freedom issues. As editorial director of *El Siglo de Torreón*, he led a newsroom that came under fire from drug cartels operating in his city. He is a contributor to *El País* and *The Washington Post*. Garza was also a Knight Fellow at the International Center for Journalists focusing on digital security. He serves on the boards of the World Editors Forum, Article19 and the Internet Freedom Festival and has given conferences and workshops on press freedom and media development in several countries. He is a graduate of the Universidad Iberoamericana in Mexico City and the University of Texas at Austin.



Part 1: Covering Protests



Journalists need more preparation and guarantees to safely cover violent street protests in Latin America, experts say

By Teresa Mioli*

December 13, 2021

Ángel Gahona was broadcasting a confrontation between riot police and demonstrators via Facebook Live in Bluefields, Nicaragua [when he was shot and killed.](#)

Just four days earlier, on April 18, 2018, protests had broken out across the Central American country against pension reforms proposed by the regime of President Daniel Ortega.

Gahona's case may have been unique because his killing was broadcast live. However, he was just one among many journalists victimized while reporting on street protests throughout Latin America in recent years.

The spike of public protests that sometimes turned violent requires guarantees from the State, but also preparation by Latin American journalists who find themselves in the midst of confrontations. Whether reporting on a demonstration against political corruption or rises in bus fare or illegal logging, preparing for these kinds of assignments can involve not only research into the people and issues involved, but also how to protect oneself from potential violence.

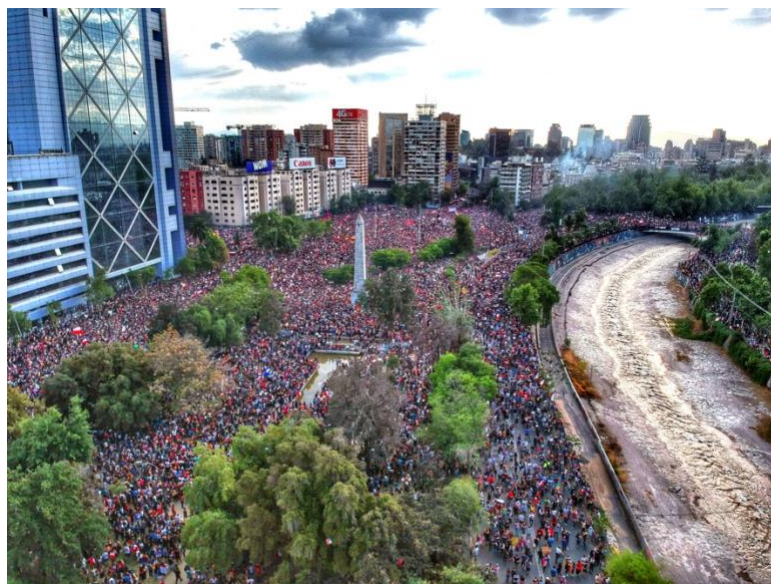
“[Preparation] makes it possible for someone to mentally prepare for and imagine themselves in possible scenarios,” Alejandra González, Article 19 Mexico consultant for attention to victims of serious human rights violations, told **LatAm Journalism Review (LJR)**. “I see worse impacts in

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those who are not prepared, in those who do not envision themselves in a particular context, in those who do not know what to expect as opposed to those who do have a notion, who position their work in a conflict scenario.”

Growing protests in Latin America

“Globally, there is an increasing use of protest as a form of political participation,” V. Ximena Velasco Guachalla, assistant professor in the Department of Government at the University of Essex who specializes in studying protest, told **LJR**. “Citizens across the world are using protest not only more often, but are also using this form of political engagement to make more and varied demands to governments.”



i. Protestors in Plaza Baquedano in Santiago, Chile in 2019 (Photo by Hugo Morales, [CC BY-SA 4.0](#), via [Wikimedia Commons](#))

The political, economic and social contexts of each country shape protest demands, according to the professor.

“The wave of protests across [Latin America and the Caribbean], that for several countries initiated in 2019, is motivated by several factors including corruption, increased taxes, food shortages, human rights violations, and elections among other demands,” Velasco Guachalla said. “While the motivations that engender protests have varied, one common denominator across the region has been the rejection of government repression once the demonstrations began.”

Velasco Guachalla added that, while these protests were happening before the pandemic, COVID-19 “exposed the shortcomings of governments in the region in terms of public service provision in times of crisis.” This led to new demonstrations.

In a region “known for social mobilization,” as the professor pointed out, the recent wave of protests are part of a long history. But in other countries, they are new.

“On one hand, protests in Bolivia, Argentina, Nicaragua, and Peru are part of a pattern of social mobilization with rich history in these countries,” she said. “On the other, Colombia and Chile are not characterized by massive mobilizations, and the recent events in these countries offer learning opportunities for old and emerging social movements.”

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Attacks on journalists during protests

At least 12 journalists died during protests in Latin America and the Caribbean in the last 29 years, according to figures from the Committee to Protect Journalists (CPJ). In a majority of cases, the suspected aggressors are security forces or government actors.

The most recent killing of a journalist during protests in the region involved Chilean Francisca Sandoval** who was shot in the face while covering Workers' Day demonstrations in Santiago on May 1, 2022. She died 12 days later, becoming the first journalist to be killed in the country in the scope of her work since Pinochet's rule.

Finding reliable information about the status of judicial investigations into killings of journalists during protests is a difficult task. However, out of the 12 cases, **LJR** research shows that only two have resulted in convictions that were upheld. Additionally, the trial for Ángel Gahona's murder in southeast Nicaragua was criticized by many and the teenagers convicted were later granted amnesty.

[Click to view](#) an interactive map showing the cases of the 12 journalists who have died during protests in Latin America and the Caribbean since 1992, according to data from CPJ.

In addition to the number of those who have been killed are the likely hundreds of journalists attacked, and some injured, threatened and harassed while covering protests in the region.

In a 2020 report, UNESCO found 125 instances of attacks on or arrests of journalists covering protests in 65 countries from 2015 to 2020. It marked a global spike in those figures in 2019.

“The notion of free expression is under siege in different nations around the world, primarily by governments who are not recognizing the right of the people to peacefully protest and the right of journalists to be present to cover those protests,” Frank Smyth, author of the report and global journalist security expert, told **LJR**.

Attacks on journalists covering protests have included harassment, beatings, intimidation, arrests, abductions, detentions, being shot with lethal and non-lethal ammunition, having equipment damaged, and more, according to UNESCO.

Further, most of the attacks globally have come from police and security forces, it added. There is no reliable data on the regional scale, but journalists can face attacks by both protestors and security forces.

In cases where violence comes from the State, Smyth said attacks on journalists in Latin America span regimes of different political ideologies.

“It's excessive use of force as a way of controlling dissent, trying to suppress dissent and then trying to suppress the messengers that are reporting on those protests,” he said.

The responsibilities of the State

The Inter-American Commission on Human Rights (IACHR) of the Organization of American States (OAS), as well as the Inter-American Court of Human Rights (I/A Court), have made statements on the State's responsibilities to protect journalists who cover protests as part of the guarantee of freedom of expression. They have also expressed the obligation of the States to investigate and punish the violations that occur during the coverage of protests.

“It should be especially borne in mind that it is the job of journalists, film crews, photojournalists, and media workers covering protests to gather and disseminate information on what happens in demonstrations and protests, including the actions of security forces; freedom of expression protects the right to record and disseminate any incident,” reads a 2019 report from the Special Rapporteur for Freedom of Expression of the IACHR.

“Journalists should not be detained for their work, or harassed or attacked by law enforcement,” it continues. “On the contrary, the State has a duty to protect them when they are the victims of acts of violence by third parties. Their equipment and materials cannot be retained, confiscated or destroyed.”

The Special Rapporteur also says authorities must condemn attacks against media workers and encourage investigation and prosecution by authorities.

“Although the State should generally refrain from using force in public demonstrations, it should formulate specific policies to prevent, investigate, and punish violence against journalists, media workers” and others because of their role “in the prevention, monitoring and oversight of State action,” it later states.

The I/A Court has even established jurisprudence for the States of the region. In a 2012 decision, it determined that Colombia had violated, among others, Article 13 of the American Convention on Human Rights – related to freedom of expression – after members of the country's Army attacked and threatened a journalist who was covering a demonstration against the government.

The Court's decision in the case of Vélez Restrepo vs. Colombia marks a milestone because it presents the guarantees that journalistic work must have during the coverage of protests as well as the duty of States to protect them.

“The sentence establishes several approaches that are relevant. The first is that State attention to protests is a matter of public interest and therefore there must be guarantees so that the press can cover these protest events,” Pedro Vaca, Special Rapporteur for Freedom of Expression of the IACHR, told **LJR**. “The second is that within the framework of these guarantees, the duty of prevention of violence against journalists who are reporting, protection of journalists who may be affected and investigation and punishment in the event that attacks against the press occur during reporting, apply.”

Because in the case of Richard Vélez there was not only aggression during the coverage of the protests in retaliation for recording the repressive acts of the Army against the protesters,

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according to Vaca, but also another series of violence (including threats) in the search for justice for Vélez, the Court was also able to establish protocols in that area.

“As of the second part of the Richard Vélez case, the States are obliged that, if journalists report attacks against them, the fact of denouncing does not imply violence or additional risks. And that undoubtedly marks a very important precedent for guarantees of freedom of expression in the region,” Vaca added.

Likewise, as part of the measures of reparation and guarantee that it not be repeated, the Court determined that Colombia should initiate training for members of security forces regarding the right to freedom of expression in order to make them more aware of the work of the media and journalists, and of their duty to protect that right.

Although this sentence of the Court has to do with the Colombian State, the truth is that its sentences in general become inter-American standards that other States of the region are also called upon to abide by.

“The sentences of the Inter-American Court also have that quality of becoming an inter-American frame of reference and standard. And when we speak of violence against journalists in the framework of the coverage of protests, we find that it is a challenge that several States of the region need to face. It’s especially desirable for them to set up prevention mechanisms. The security forces should be trained on the scope, characteristics and importance of journalistic work during press coverage so that they can be more aware of the operational scope,” the Rapporteur said. “And above all, I would argue that the security forces, far from attacking the press, are called to guarantee journalistic coverage.”

Smyth also emphasizes the importance of training for security forces.

“The most important thing the state can do is [to give security forces] proper training, guidance and parameters that they cannot use excessive force against the press, to respect the fact that the press has the right to be present to cover demonstrations,” Smyth said. “It’s partly training, but it’s also making it clear that the right to protest is guaranteed, as is the right to cover those protests.”

“And we need leadership from governments across the continent to step up and affirm those norms and rights for free expression,” added Smyth, who is also the author of the Journalist Security Guide from the Committee to Protect Journalists (CPJ).

Necessary preparation

Despite these obligations on the part of the State, and without freeing it from responsibility, security experts point out that it’s necessary for both media outlets and journalists to take protection measures before going into the streets.

According to experts consulted by **LJR**, it is important that journalists receive both physical protection and reaction training to face these moments, but also psychological support.

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According to Jeff Belzil, director of security for the International Women’s Media Foundation (IWMF) who has worked with journalists and media outlets in Latin America and the Caribbean, it seems that experience is what leads journalists to change attitudes and behaviors. And that’s why it is only until there is a “trauma” that journalists come to protests more prepared.

“Humans, we react to situations. It is like a child who will touch the stove and will touch it until it burns. And then when it burns, he learns that touching the stove with his hands is not the best idea in the world,” Belzil told LJR. “And the same thing happens with journalism, when anyone who hasn’t been in a situation [of being injured], during a protest, or they haven’t had any concrete experiences, they’re not going to prepare ahead of time. Those who suffered or had trauma, who suffered in an event, during a protest, well, next time they say ‘I will never find myself in this situation without being prepared.’”

Journalists preparing to cover protests and demonstrations can undergo evasion, hostile environment and first aid training ahead of time. They should also learn which types of protective equipment are helpful, and which could potentially be hurtful. There are also measures in the digital realm, like protecting your devices and creating a communication network in case of emergency.

Physical safety and protection isn’t the only concern for journalists going to the streets. An often overlooked aspect of preparation and care after the fact involves what’s going on in journalists’ heads.

Luisa Ortiz Pérez, executive director and co-founder of Vita-Activa.org, created a helpline that offers psychological first aid to Latin American journalists and activists, particularly women or members of the LGBTQI+ community. She told **LJR** that, on average, her team receives calls on a daily basis from journalists covering protests or social and civil unrest.

“Psychological First Aid is the cornerstone toward generating a change of culture and more effective support systems for journalists and media professionals,” she said. “De-stigmatizing conversations about mental health, normalizing processes where we ask for help, integrating wellness, empathic, anti racist, gender conscious practices in our newsrooms equips journalists with the resilient skills needed to work in today's ever changing environment.”

The responsibilities of media and editors are also highlighted by the experts. For Belzil, for example, there are several steps that a media outlet could take, such as giving journalists the time and resources for training, delivering personal protective equipment, and making an evacuation and security plan, among other provisions.

In particular, Belzil highlights the need for journalists to know that it is okay to ask for help and that they should not take unnecessary risks.

“I would like editors to talk about safety with journalists. I would like them to talk about the limits, if things get ugly that you have no problem leaving the place,” Belzil said. “I would like to see that more: the media talking about the risks associated with the story and having a talk to

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say 'hey, I don't want you to put yourself in danger or get hurt' or 'nothing will happen if you leave or ask for help.'”

For Belzil, these types of conversations are especially important for women journalists who, on account of “the issue of machismo” that affects them in different scenarios, put themselves at greater risk.

In the coming articles as part of this e-book, **LJR** will explore in further detail the problem of violence against journalists in the region who are covering protests and demonstrations, with examination of particular case studies. Then, we'll pass on tips and recommendations from training experts to use when journalists go into the field.

[Silvia Higuera](#) and [Júlio Lubianco](#) assisted in reporting this story.

() [Teresa Mioli](#) is the administrative program coordinator for the Knight Center for Journalism in the Americas at the University of Texas at Austin. She previously served as editor of the Knight Center's digital magazine, *LatAm Journalism Review*. She has Bachelors' degrees in Journalism and Plan II Honors (Liberal Arts) and a Master's degree in Latin American Studies, all from the University of Texas at Austin.*

*** The case of Francisca Sandoval was added after the initial publication of this article.*

Journalists report cases of violence suffered during coverage of protests in 2021 in Latin America

By **Júlio Lubianco***

December 22, 2021

Covering street protests in Latin American cities has become a high-risk activity for journalists. With social and political tensions intensifying in the countries of the region and a growing anti-press rhetoric by political leaders, reporters covering demonstrations have become targets of radical protesters and security forces.

“In most Latin American countries, attacks on journalists coincide with the emergence of populist movements, whether right or left. The police don't like journalists, whatever part of the political spectrum occupied by rulers anywhere in the world, but populists tend to despise the rule of law and this often increases impunity for attacks on reporters,” Marcelo Träsel, former president of the Brazilian Association of Investigative Journalism (Abraji) and professor at the Faculty of Library and Communication at the Federal University of Rio Grande do Sul, told **LatAm Journalism Review (LJR)**.

LJR spoke with five journalists from the region who suffered some type of physical violence in their coverage of recent protests in Chile, Bolivia, Peru, Brazil, and Colombia. Their testimonies show the vulnerability of press professionals both from protesters of different political strata and also from security forces.

Bloody head, broken camera

Blood flowed from the head of Chilean journalist Francisco Burgos, of Mas Valdivia TV, who had just been hit by several stones thrown by hooded protesters. Even injured, he started a live stream on Facebook, but quickly realized he couldn't continue the coverage.

“Our press team was attacked with stones ... You can see how my head is bleeding, a large stone hit me. ... My head is bleeding, I'm going to have to end the broadcast. I can't go on, the truth is, I don't feel good. We have to stop. I feel pretty bad from the pain in my head. I'm bleeding a lot,” Burgos says in the broadcast.

It was the night of Oct. 18, 2021, and protests across the country marked the anniversary of the wave of social protests that had shaken Chile two years earlier. In Valdivia, 528 miles south of Santiago, the *carabineros*, who are part of the Armed Forces, had orders to unblock the bridge over the river that gives the city its name.

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ii. Francisco Burgos (Mas Valdivia TV, Chile) seen with a cut on his head. (Courtesy photo)

Burgos had taken some precautions in case the protest ended in violence. He wore protective goggles and gas masks as he anticipated that at some point the police would fire tear gas to disperse the protesters. After the stone was thrown, he was taken by ambulance to the hospital and got eight stitches in his head.

“I am very sorry that that night we lost our camera to record as a result of a projectile launched by an unknown subject. It was

unusable. We are looking for support to get another camera to continue working,” Burgos told **LJR**.

‘It was going to be a peaceful march’

Only the rain and cold worried Bolivian journalist Ariana Antezana, a reporter for channel Red Uno, when she learned that she would cover the Marcha de PACEÑIDAD (March of Patience) in the streets of La Paz on Nov. 17, 2021. Her only protective measure was to wear a nylon poncho.



iii. Ariana Antezana (Red Uno, Bolivia): Before the attack, the rain was the main concern. (Screenshot from broadcast of Red Uno)

“In the Assembly of PACEÑIDAD, we didn’t take specific security measures, because we thought it was going to be a peaceful march. It was what was being said, but this group went out precisely with the intention of attacking, even though the other [protesters] had detoured, to avoid meeting them,” Antezana told **LJR**.

The march had been called by opponents of the federal government, led by the mayor of La Paz. However,

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government supporters also took to the streets and when the two groups met, there was a confrontation. Antezana rushed to record the conflict when protesters turned against her and other journalists who were covering it. They were attacked with shoving and sticks.

“We ran to show these aggressions that this group was carrying out and suddenly they come against us. First against me and against my cameraman. A person with sticks hits the camera. ... And there I feel that they hit me on the back, they push me and throw me to the ground,” the reporter said. “All this happens and then we realize that indeed all this commotion was shouting at us, they approached us in a very violent way, saying *'prensa pitita'*, 'sell out press,' 'coup press' and others. ... I have a bump on my cheekbone, which is currently still green.”

The Antezana case was one of 39 attacks against journalists between January and November 2021, according to the National Press Association of Bolivia (ANP).

‘One is always with caution, with fear’

In 20 years covering social conflicts in the department of Cusco, Peru, journalist and popular communicator Vidal Merma has accumulated important lessons when it comes to staying safe. The journalist works independently and collaborates with media outlets such as the magazine Pulso Regional, from Cusco, and the digital native outlet Ojo Público, among others.

“Over the years you learn to be able to take care of yourself, to prevent and also to have some safety equipment, such as a helmet, among others. ... But I always try to be a little more cautious, to keep my distance so that I may not be hit by the bullets that are sometimes fired,” Merma told **LJR**. “I always try to have some allies who are next to me, close, or some far away trying to film the aggression that we suffered.”



iv. Vidal Merma (Peru): successive cases of violence have made him more cautious. (Courtesy photo)

These measures have prevented him from being a victim of violence when covering demonstrations, but Merma said he has also been the target of detentions, intimidation, and attacks while covering protests. More recently, in the miners' strike in Espinar province on July 22, 2020, Merma was fired at by police while broadcasting live on Facebook. Fortunately, the fire did not reach him.

“One can no longer be close to these confrontations and

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conflicts, because there is the fear that at any moment somebody can stop us, somebody can shoot us too. So [my way of working] changes a lot. One is always with caution, with fear. That above everything,” Merma said.

LJR contacted Peru's national police, but received no response as of publication time.

Citizen security

On July 20, 2021, Colombian journalist José Alberto Tejada began live coverage of yet another demonstration in the streets of Cali. Since April 28, the country's cities had been gripped by anti-government protests and the Inter-American Commission on Human Rights (IACHR) had already denounced excesses in the use of police force.

The Foundation for Press Freedom (FLIP, for its Spanish acronym) recorded 133 physical attacks on journalists in the first two months of the demonstrations.

“We have never documented an equal number of cases and especially the level of violence against the press,” Jonathan Bock, executive director of FLIP, told LJR.



v. José Alberto Tejada (Canal 2 Cali, Colombia): live stream alongside security. (Screenshot from Facebook broadcast of Canal 2 Cali)

Tejada wears a bulletproof vest and a helmet. Beside him, always very close, appears a man dressed in a vest, helmet, goggles and gas mask. He seems attentive to what is going on around him and doesn't let go of the journalist, as seen in the live video broadcast.

“I do not want to elaborate on that. We simply have a citizen security scheme both at the building level, as well as at the level of our staff and at my level,” he told LJR.

The day's live broadcast shows other people trying to protect the journalist as the police force begins to advance and fire tear gas. There are 51 minutes of broadcast, in which Tejada and his colleague Jhonatan Buitrago – also with security equipment – report from the streets of Cali.

Tejada directs Canal 2 Cali, a community media outlet that was on the front line of covering popular demonstrations, always from the standpoint of the protesters. And that, according to him, made him a target of the security forces during the protests. The IACHR granted precautionary measures in his and Buitrago's favor.

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“A journalist who respects himself has to defend himself and be obliged to defend himself and have those two rights respected: the right to freedom of expression and the right to freedom that people have to be informed,” Tejada said.

LJR sought comment from the Colombian National Police, but received no response as of publication time.

When the police prevent something worse

On May 23, 2021, the president of Brazil, Jair Bolsonaro, took a 37-mile motorcycle ride in Rio de Janeiro, where he was accompanied by thousands of supporters. CNN Brasil reporter Pedro Durán was assigned to cover it. At the end of the ride, he and other colleagues spotted the former Minister of Health, who had just become a target of the parliamentary inquiry commission investigating alleged government irregularities during the COVID-19 pandemic.



vi. Pedro Durán (CNN Brasil): protected by police from aggressive protesters. ([Screenshot from Poder360 video](#))

Afterward, journalists approached the former minister in search of a statement about the investigation, but he preferred not to speak. That's when Durán, the only and most easily identifiable TV reporter, began to be harassed with shouts of “CNN out” and “CNN junk.” Without reacting or interacting with the protesters, Durán immediately headed for the reporting van. On the way, he was pushed and punched in the back.

Two military police officers who were at the scene approached to protect the journalist while the attackers continued screaming and cursing. Durán got into the police car and was taken to a safe place. Everything was recorded.

“It's the first time this has happened [having police protection]. I've already witnessed the Military Police in Rio and São Paulo ignoring the attacks on the press,” Durán told **LJR**. “I think they did their job, which was to protect the people who were working, they were assigned to do it.”

According to Lieutenant Colonel Ivan Blaz, social communication coordinator for the Military Police of Rio de Janeiro, the guidance to military police officers who work in the security

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scheme for political and social demonstrations is clear: protect journalists from possible acts of violence and guarantee press freedom.

“With the removal of the victim, we fulfill one of our greatest goals [safeguarding the victim]. ... Having police officers there that are sensitive to this is already a great step forward,” Blaz told **LJR**. “If it hadn't been for the police escort, we're not sure what would have happened to him.”

The images taken by the CNN cameraman and by the reporter himself were used to identify the aggressors – two of them were indicted in the Civil Police investigation and will respond to criminal proceedings in court.

[Silvia Higuera](#) and [Teresa Mioli](#) assisted in reporting this story.

(* *[Júlio Lubianco](#) is a Brazilian journalist based in Rio de Janeiro. He studied journalism at Universidade Federal Fluminense (UFF). He began his career on the local desk at Jornal do Brasil, in 2003. He was a reporter, assignment editor and managing editor at Rádio CBN. He has a Master's degree in media and communication from the London School of Economics (LSE), with a scholarship from the Journalists of Vision program. He is a professor of journalism at PUC-Rio and presents the podcast BRIO, which discusses journalism, career, market, and technology.*

Preparation and follow-up to trauma are keys for journalists covering protests in Latin America

By Silvia Higuera*

January 12, 2022

When the team from investigative media outlet Cuestión Pública in Colombia decided to send a correspondent to the city of Cali to cover the demonstrations that had begun on April 28, 2021 throughout the country, they knew they had to send him prepared "as if it were a war."

"In general, there are very few guarantees for those who decide to go out with a camera, wear a press badge," Diana Salinas, director and co-founder of the media outlet, told **LatAm Journalism Review (LJR)** at the time. "If there is someone who wants to do it consistently, they have to know that they have to go with some important protection measures, but they also have to have medical insurance that will attend to them urgently, a transfer to the clinic, these are things that are going to happen, that you have to keep on your radar as if it were a war."



vii. Hostile environment training (Photo courtesy of IWMMF)

Covering protests that have sometimes turned violent in recent years in Latin America is a challenge for journalists who may not receive special training or preparation. While it's the job of the State to guarantee journalist safety, and experts say the role of media leadership is key to protecting their employees, journalists must also take measures to ensure they leave the streets unscathed, mentally and physically.

LJR spoke with press freedom advocates about the role of the State in guaranteeing safety, as

well as journalist safety and protection experts about recommendations for before and after covering protests.

The State: The first guarantor of journalism and the protection of reporters

The safety of journalists, especially when it has to do with the actions of the security forces, is first of all, the responsibility of the State –which must create adequate conditions for journalists to cover events without any type of intimidation, either from security forces or other actors. Different organizations have spoken about this issue, but without a doubt, the most important

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jurisprudence for the region was established by the Inter-American Court of Human Rights(I/A Court) in the case of Vélez Restrepo v. Colombia.

The case has to do with the beating, threats and intimidation suffered by cameraman ‘Richard’ Vélez Restrepo when he was covering a demonstration that became violent due to intervention of members of the country's Army. He was later threatened not only for recording these events, but also for seeking justice.

“This is a very particular case in which the Inter-American Court had the opportunity to analyze certain guarantees for journalistic coverage when we are talking about events of high public interest such as a protest or a social grievance, but also the way in which the State addresses those grievances,” Pedro Vaca, Special Rapporteur for Freedom of Expression of the Inter-American Commission on Human Rights (IACHR), told **LJR**.

The ruling states that there must be guarantees so that the press can carry out its work covering these events of public interest, and those guarantees include prevention of violence against journalists during coverage as well as the investigation and punishment if violent events occur, Vaca explained.

"In several episodes of protest during this year we have registered attacks against journalists and these attacks are assigned to members of the security forces and the same also to protesters," Vaca said. “[This indicates that] the proposals of this judgment are of urgent implementation by the States because the fact that there is a significant portion of aggressions that come from the security forces or that are assigned to the security forces marks an important challenge because they also fulfill a duty of guarantor of the right to freedom of expression.”

Preparation, preparation and more preparation

Without exempting the State from its responsibilities, journalists and media can also take measures that allow them, to a certain extent, to prevent or be less affected by acts of violence during the coverage of protests. Some experts even consider that being better prepared in matters of physical security helps to have greater peace of mind psychologically.

“Preparing will allow them to react in a better way to risks, attacks or incidents,” Paula María Saucedo, Article 19 Protection and Defense Officer, told **LJR**. "The more preparation and the more you talk about what measures are going to be taken or acted upon in the event of an emergency, it seems to me that emotionally and psychologically people react better."

It’s something in which Alejandra González, consultant in attention to victims of serious human rights violations, agrees.

"I see worse impacts in those who are not prepared, in those who do not envision themselves in a particular context, in those who do not know what to expect as opposed to those who do have a notion, who position their work in a conflict scenario,” she told **LJR**.

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Despite the violence experienced by journalists during demonstrations, experts say awareness about these dangers is still lacking.

For González, for example, it is “impressive” how media can handle so much information, know so many contexts, but they do not carry out risk analysis in relation to their own work.

"You [cannot] be naive in the type of work that is going to be done," González explained. “We cannot be innocent in the type of work we do and how uncomfortable it is. I believe that there is self-responsibility without losing sight of the fact that the obligation and respect for our work is an issue that governments basically have to respect.”

Although Jeff Belzil, director of security for the International Foundation for Women in the Media (IWFM) who has worked with journalists and media in Latin America and the Caribbean, does believe that unfortunately only the "trauma" experienced while reporting leads journalists to change their mentality, he also believes that trainings in hostile environments have an important impact. And for that reason, it is so necessary that both media and journalists work to carry them out.

Especially before the pandemic, these trainings led by Belzil, which include environments like the one you would see in protests that turn violent, feature tear gas, pepper spray, actors, and more that create a very real atmosphere.

"I put them in a situation where they [tell me] 'hey, I wasn't prepared for that so I couldn't react, I couldn't do my job.' And from there they prepare a little better for real life because they saw that they weren't ready," Belzil told **LJR**.

Both Belzil and Judith Matloff, an expert on security and safety, believe that the first step in preparation is to know the context of the country and the protests where journalists will be reporting.

“Every country and the regions and municipalities within it differ,” Matloff told **LJR**. “What goes down in DF [Federal District of Mexico City] does not necessarily apply to a Rio favela or Matamoros [Mexico] or Medellín [Colombia]. So, journalists have to know how security forces and bad guys respond in that particular locale.”

In the same way that a journalist would prepare to cover a story, they should know the tactics used by each of these parties.

“These tactics are constantly evolving so journalists have to remain current and evaluate responses on a weekly, or daily, basis,” Matloff added.

In the case of Colombia, for example, Belzil points out that Esmad (Mobile Anti-Riot Squad) – a dependency of the National Police – is one of the most highly trained security forces in the region.

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viii. *ESMAD, the Mobile Anti-Riot Squad of the National Police of Colombia* (National Police of Colombia, [CC BY-SA 2.0](#), via [Wikimedia Commons](#))

“It is like the Israel of Latin America in terms of their tactics, of the violence they use. So [the journalists] have to arrive very, very prepared because this Mobile Anti-Riot Squad is very, very, very trained, it has new equipment, it has new anti-riot weapons, it has new grenades, it has many things that are not available in other countries,” he said.

Matloff notes that colleagues, organizations such as CPJ or human rights groups should be

asked to see patterns and how they can prepare.

In Latin America, journalists can come across weapons used by both security forces and protesters, including tear gas, pepper spray, rubber bullets, truncheons, horses, Molotov cocktails, rocks, bricks and even live ammunition.

Brazilian journalist Clarinha Glock is an author on the [protest security guide](#) from the Brazilian Association of Investigative Journalism (Abraji), created the year after protests in the country in 2013. She also collaborated in the [Risk Map for Journalists](#) for the Inter-American Press Association (IAPA).

In both guides, and in several safety courses for journalists that she has taught throughout her career, she emphasizes that the guidelines are “suggestive” or “only valid in some specific situations.”

“When you go to war, you know you have to be careful, be prepared, know which documents to use. In a way, what's happening is you need security preparation for the day to day as well,” Glock told **LJR**. “If showing a badge and identifying as the press were safe-conduct for coverage before, we began to see that the press was being attacked by the security forces because of the allegations [of abuse] and, also, by the protesters.”

Prevention also includes other decisions such as what type of clothing to wear, who will be monitoring the journalist's trail, what is the refuge or escape plan, among others.

[View the box at the end of this article for more detailed information.]

Don't forget preparation and psychological monitoring

A traumatic event can lead to problems for a reporter, ranging from headaches, sweating, forgetfulness, palpitations to post-traumatic stress disorder with symptoms associated with depression that include lack of appetite, changes in sleep, disturbances to functioning, among others, as González said.

This leads to their work being affected, the expert added. Journalists may produce less or poor quality work, or procrastinate in delivering work. Their family life – relationships with children, partner and other relatives – and even in their sexual life, especially if the assault has had a sexual connotation, can be affected.

"And then there is the other case where we see the most serious impacts reflected and that is when there is a rupture in their life plan," González explained. "The more traumatic an event is, the more disconcerting, the less access you have to a complaint or to justice, etc., the greater rupture in the life plan and that is where the damage will be even more chronic."

So, preparation should also include a psychological component, as stated by Elana Newman, a doctor of psychology specializing in journalism and trauma and research director of the DART Center.

"We have to start thinking about a before, during and after plan, just like you would for your press coverage," she told **LJR**.

This involves thinking about where each person is psychologically vulnerable, what they can do to stay calm during the event, and what steps to take afterward to take care of yourself.

In general, the psychologist said, journalists are quite resilient. However, there are real workplace risks and hazards that professionals should be aware of.

To stay resilient, she recommends making sure journalists have social support, networks, and remember their mission, why they're doing the job.

Here, experts say media also have great responsibility. On the one hand, they must make sure that their reporters know the limits, but above all, that they have support if they decide to abandon a reporting assignment for their own safety. In the face of an incident, they must follow up with the journalist.

"I would like editors to talk about safety with journalists. I would like them to talk about the limits, if things get ugly that you have no problem leaving the place," Belzil said. "I would like to see that more: the media talking about the risks associated with the story and having a talk to say 'hey, I don't want you to put yourself in danger or get hurt' or 'nothing will happen if you leave or ask for help.'"

For Belzil, these types of conversations are especially important for women journalists who, due to "the issue of machismo" that affects them in different settings, face a greater risk.

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For Saucedo, from Article 19, and González, raising awareness with managers and media editors is important to ensure follow-up with journalists who face traumatic events. One of the things that helps is socializing, but also giving them their space. Not all people want to speak immediately.

González also emphasizes that a journalist must stay safe in order to fulfill his role, which is ultimately to inform.

“I don't know what the most expert journalists think, but from the psychosocial point of view, the ideal thing [in a dangerous situation] is to withdraw, where you do not have harm [...] and to know how much we say in Mexico '*qué tanto callo?*', that is, how much experience do you have in these kinds of moments and situations. But if there is no experience at all, the best thing is to withdraw,” González said. “Because I insist, the role or the work of reporters, journalists and others is to give an account, to let us know, and at the moment they are at risk, then we stop knowing. And that's a rule, right?”

EXPERT RECOMMENDATIONS

LJR presents a basic list of recommendations for journalists covering protests based on interviews with Jeff Belzil, Judith Matlof and Clarinha Glock.

- Know the context of the place and the reasons why the demonstrations are taking place. At this point, you should know about the security forces of the country and city. What kinds of weapons have they used in the past?
- Based on the context, what safety equipment is needed and what can be obtained when you arrive: filter respirators (KN95 or N95 masks also work), projectile or tear gas protection goggles, helmet (cycling type), first aid box
- Specific planning:
 - How will you get to the demonstration?
 - How will you get out of the demonstration?
 - Is the protest at day or night? There is a higher probability of attacks at the end of the day and at night.
 - Have a communication plan. If you are in danger, who will you call? Who should know you're in the area, starting at what time, until what time? Is there an exit plan? What is the telephone number for legal aid at your media outlet? If you have it, memorize it and write it on your arm with waterproof marker.
 - If the military or police are staring at you or yelling at you, plan how you will react. For example, yelling "press" and yelling that you are moving.
 - What kind of clothes are you going to wear? Avoid brightly colored clothes, but don't go completely black or military style either. You should also avoid clothing with synthetic materials, polyester, nylon or lycra, because if there is a fire or a

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Molotov cocktail is thrown, that synthetic material sticks to the skin. Cotton is always recommended.

- Will you wear a sports shoe or normal? Will you wear a belt?
 - If you have a press card, where are you going to wear it? Avoid wearing it around the neck. However, make sure you have it on hand.
 - Know your own limits. If you do not have personal protection, it is better to distance yourself
- The company of a colleague is recommended. There is less chance that someone will be arrested, detained or attacked when they are with someone.
 - Find places of refuge in advance in case you cannot leave the area.
 - Try to be light to facilitate movement. For example, avoid carrying many cameras, but do carry multiple lenses. Some experts recommend a camera phone in place of a large camera.
 - Be attentive to what the security forces are doing.
 - Change positions constantly. It is easier to attack "static targets."
 - Take into account your own profile. Gender, appearance and behavior. Appearance: sometimes clothing or a backpack could give the appearance that a journalist is part of the demonstration. If you have long hair, avoid ponytails.
 - Do not place yourself in the middle of confrontations

For media (with journalists or freelancers)

- Offer time and opportunity for trainings around covering protests
- Provide health insurance
- Establish a security protocol and communication plan. If something goes wrong, who do you call? If something happens, set a place to go. Establish how long you'll stay at the protest.

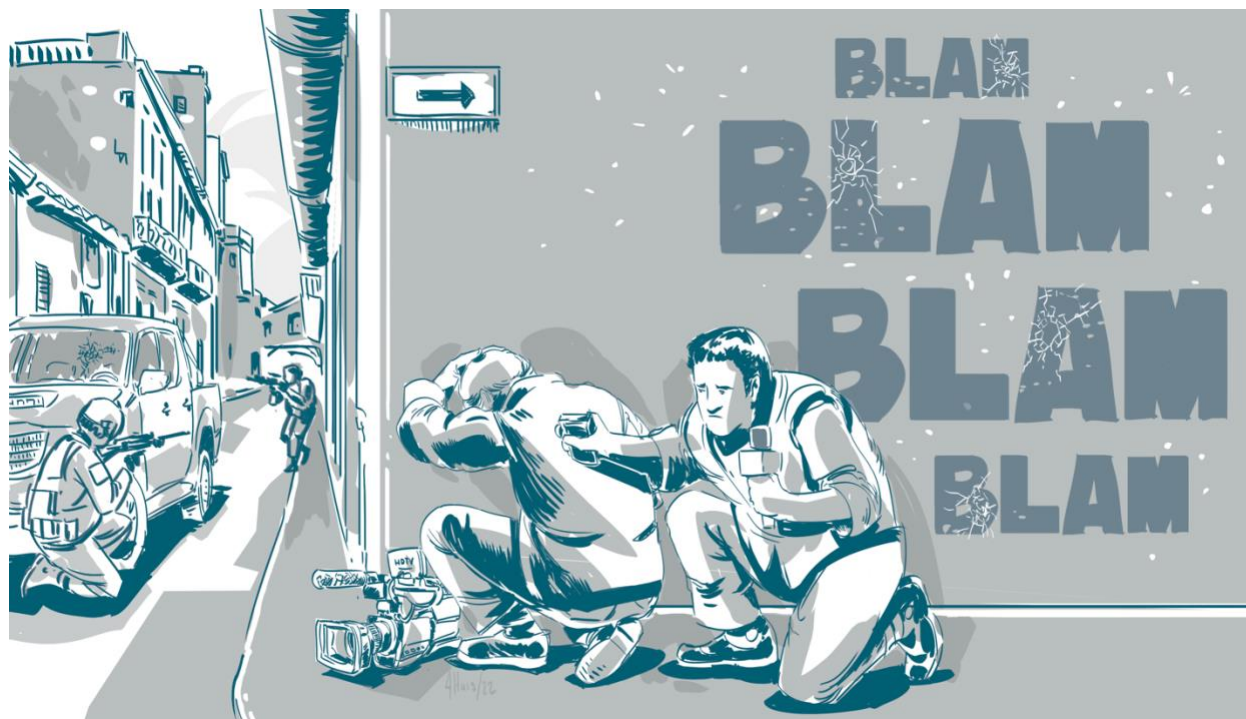
Find additional resources for covering protests at the end of this e-book.

[Teresa Mioli](#) and [Júlio Lubianco](#) assisted in reporting this story.

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Part 2: Covering violent conflict



Covering violent conflict: For Latin American journalists, the challenge is in their own communities

By Javier Garza Ramos*

February 10, 2022

It's been almost four years since Ecuadorian journalists Javier Ortega and Paúl Rivas, along with their driver Efraín Segarra, were abducted in Mataje, a town on Ecuador's border with Colombia.

They worked for the newspaper El Comercio in Quito and had traveled to the province of Esmeraldas to cover an escalation of violence in the area, unleashed by dissident groups of the Revolutionary Armed Forces of Colombia, or FARC, who had not agreed to demobilize after the peace accords and had crossed to Ecuador where they sought to control territories for drug trafficking.

The increase in violence included terrorist attacks that were responded to by the governments of Colombia and Ecuador. The Oliver Sinisterra Front, a dissident group of the FARC, abducted the journalists on March 6, 2018, to pressure the government to stop the persecution. Weeks later, on April 11, the three El Comercio workers [were killed](#).

The three journalists were not prepared to cover conflicts involving armed groups, according to their own colleagues.

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In Latin America, armed groups can even be combined. There are gangs that are drug traffickers, there are also guerrilla groups that engage in criminal activities to finance themselves. They are generally armed groups in conflict with authorities or with each other. The combination of variables presents a challenge for any journalist.

“The violence in Mexico made reporters war correspondents in our own land,” Mexican journalist Marcela Turati once said, regarding the coverage of violence unleashed by drug cartels and security forces that persecute journalists in Mexico.

Whether in Mexico or Ecuador, as in Colombia, Honduras or Nicaragua, the coverage of violence has posed new challenges for journalists, because the traditional concept of armed conflict is being challenged in the region. The diversity of armed groups also means broadening the definition of the term. It is not just regular security forces, such as armies or police, and paramilitary groups such as guerrillas, but it can also involve drug traffickers, gang members or private security forces.

The Security Guide from the Committee to Protect Journalists (CPJ), perhaps the most complete document of security recommendations for reporters and editors, points out that "historically, security training courses have not specialized in addressing non-military contingencies, such as mitigating the risk of sexual assault while on assignment or lessening the hazards of covering organized crime."

On many occasions, for journalists used to reporting on criminal activities, the work can turn into coverage of violent conflict at any moment.

On a daily basis, in their own cities, journalists run the risk of confronting armed groups or finding themselves in the middle of clashes with authorities or with each other. For a journalist from Nuevo Laredo, Tamaulipas, dodging the bullets of two cartels fighting each other is not much different than if he had been a war correspondent in Syria.

Or the case of the Ecuadorian journalists who traveled to a region of their own country to cover a wave of violence and suffered the fate that previously awaited war correspondents.

Jonathan Bock, director of the Press Freedom Foundation in Colombia (FLIP), describes a situation that occurs not only in his country, but in other parts of Latin America: the disdain of the authorities.

“There is a lack of State presence and then a narrative from the authorities saying that it is the fault of the journalists for being in areas where they should not be. There is no genuine interest from them in understanding the risks.”

Different types of violence

Covering a violent conflict means risks that, in today's Latin America, can present themselves in different ways.

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One is that the journalist gets caught up in a confrontation between hostile groups and falls victim to crossfire. This is the traditional risk model of a journalist covering armed conflict. According to an analysis by Reporters Without Borders, 10 of 139 deaths of journalists between 2011 and 2020 in Latin America occurred during coverage in which the "journalist may not have been killed intentionally."

This was the case of Brazilian journalist Gelson Domingos da Silva, who was shot to death while filming scenes from a police raid in a Rio de Janeiro favela in November 2011. Domingos was hit by bullets during a confrontation between police and suspects.

Although the percentage of cases in which journalists died while caught up in confrontations seems low, barely 7 percent of the total, the number is notable considering that the region is not home to traditional armed conflicts.

Violent conflicts have sometimes evolved in such a way that journalists have ceased to be respected observers of the parties to the conflict and have become a target of one of these parties.

Sometimes they become targets because one of the parties to the conflict does not want anyone to observe them, as happened in the Mexican state of Guerrero in January 2019, when a police officer pointed an assault rifle at 10 journalists who were covering an operation. Weeks later, police officers from Nezhualcóyotl, a municipality adjacent to Mexico City, attacked three photographers who were covering the discovery of a body on public roads.

On other occasions, they can become a bargaining chip for one of the armed groups.

They can do this to demand a certain kind of coverage from the media, as was the case of the newspaper El Siglo de Torreón in Mexico, where five employees were abducted for several hours by a drug cartel to pressure the newspaper to censor its coverage of violent acts such as murders and armed attacks in the city. The journalists were released with a warning to the newspaper's editors, who denounced the abduction and asked for protection. A group of the Federal Police set up surveillance outside the building and the agents were attacked on three consecutive days by the criminal group, putting the newspaper in the middle of a confrontation.

Journalists can also be used as a means of pressure to obtain concessions from a government, as was the case with the three Ecuadorians abducted by the FARC, who were trying to free three members who had been detained by the Ecuadorian government.

On other occasions, it is a question of using journalists, as was the case of Wilfer Moreno in Colombia, who in February 2020 received a call from a man identified by a pseudonym, who ordered him to suspend the broadcast of his newscast on CNC Noticias in Arauca during the 72 hours of the guerrilla armed strike announced by the National Liberation Army. Moreno refused and in response the anonymous subject warned him that he had one hour to leave the city because he would be declared a "military target."

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Becoming a "target" is part of a new language adopted by armed groups ranging from guerrillas to drug cartels, who see journalists as one more party to the conflict, and one who, being defenseless, is more vulnerable.

In 2019, for example, judicial reporter Marcos Miranda was abducted by armed men in the state of Veracruz, Mexico, after receiving threats for his work on the Noticias a Tiempo portal. Miranda was abducted for one day in an intimidation attempt.

There are also cases of forced coverage, such as one reported by Bock about a photographer in the Arauca region, who was forced by a group from the FARC to take pictures of a police officer who had been abducted to deny rumors that the policeman was dead.

These are some examples that show the complexity of defining "violent conflict coverage" in Latin America today. The days of correspondents covering civil wars in Central America or confrontations with the guerrillas in Colombia have given way to confrontations between drug traffickers themselves, or drug traffickers with the military in Mexico; to incursions of armed gangs in neighborhoods of cities in Honduras or Brazil; to threats from police or attacks from private security guards.

Security measures

To the extent that groups have emerged that resort to arms to resolve conflicts or advance their interests, journalists in Latin America have found it necessary to adopt security measures to deal with unforeseen situations that may result in armed violence. For a reporter in Guadalajara, Rio de Janeiro or San Pedro Sula, it is impossible to know when a tour of a neighborhood or coverage of a police presence will end in a gunfight. In the same way that the Ecuadorian reporters who went to the border with Colombia to cover a wave of violence did not know that they themselves were going to become targets.

This has led many journalists to develop security protocols they must follow when covering situations ranging from a crime scene to a police operation, and from a simple trip to interview gang members in a neighborhood, to a military incursion into an urban or rural area.

However, there are distinctions between the types of journalists who do this type of coverage. In the case of Colombia, where there have been conflicts between security forces, armed groups and criminal gangs for decades, there is a difference between the journalists of a national outlet who cover the conflict in a region and the journalists who live and work in that same place.

"There is awareness of the risks when it comes to journalists from national media traveling to a region. They take safe transportation and other types of measures," said Bock, from FLIP. "On the other hand," he adds, "the situation of local journalists is dramatic, they are in dire conditions."

But even in the case of journalists from media outlets with the resources to cover stories and take security measures, the risks materialize.

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One of the most recent examples of conflicts that turned dangerous for journalists was on Colombia's border with Venezuela, where FARC groups are fighting with Venezuelan armed forces. In 2021, two journalists were detained by Venezuelan authorities when they were reporting for the channel NTN24.

Reporters and editors have had to learn to develop situational awareness to be alert to the dangers that may lie in wait and to be careful to plan their movements and routines knowing that at any moment they could find themselves in a crossfire. These protocols have been adopted by individuals, but have also been promoted by journalists in newsrooms, especially to get managers of media companies to invest in security training.

CPJ's Security Guide indicates that to compensate for the lack of security training for non-military scenarios, training models have been developed in the last decade that cover civilian scenarios and other aspects such as digital security.

"Hostile-environment and emergency-first-aid courses are prerequisites for safe reporting in any situation involving armed engagement," the guide says, while also mentioning the importance of exercises on how to react in an abduction scenario.

In the following installments of this e-book on the safety of journalists in Latin America and the Caribbean, we delve into the coverage of violent conflicts in the region and the different forms it takes.

Although protection mechanisms exist or have been proposed in several countries to help journalists who may be in danger of being attacked by an armed group, we will analyze these tools in later chapters, because these mechanisms cover more risky situations, beyond armed conflict. Rather, we will focus on presenting various cases of attacks on journalists in this context and presenting recommendations for security measures that can be adopted, both individually and collectively in the newsrooms.

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Latin American journalists covering violent conflicts in their own countries grapple with uncertainty and ever-changing dynamics

By Paola Nalvarte*

February 23, 2022

No reporting assignment is the same when it comes to coverage of violent conflict or violent areas. Every situation seems to have an unpredictable component.

This is according to several journalists and experts from Mexico, Brazil, El Salvador, Venezuela, Ecuador and Colombia interviewed by **LatAm Journalism Review (LJR)**, and who have experienced the mercurial nature that violence can sometimes have in parts of their countries.

Stories about gangs and criminal organizations, border areas with the ambiguity of their limits and jurisdictions, marginal urban towns or a simple central plaza of a city taken over by drug cartels are some of the Latin American topics and scenarios where journalists of the region can find their best reports or a life-or-death situation. Although it's not a traditional war, the conditions and preparations are not so dissimilar for members of the press.

Covering violent situations in risky areas

Salvadoran anthropologist, *cronista* and columnist Juan Martínez d'Aubuisson, whose texts are published by El Faro, Insight Crime, Revista Factum, Gatopardo, among others, documents social violence in northern Central America.

For years, Martínez has frequently gone to the Rivera Hernández neighborhood of San Pedro de Sula, in Honduras, where various gangs such as Barrio 18 and one of the largest criminal structures in Honduras, Mara Salvatrucha, coexist.

“The violence is so intense [there] that the gangs, sometimes the new gangs, are wiped out relatively easily. So, I was trying to document and describe what the birth of a gang is like in that neighborhood,” Martínez said.

On one of his trips to Rivera Hernández, towards the end of 2018, and after spending several weeks with one of the new gangs, made up of young members, Martínez witnessed a confrontation between the new group and members of the Mara Salvatrucha.

The encounters between gangs in general are very strong, Martínez said, but what was different about that time was that the gang of young people ran out of ammunition and started launching Molotov cocktails from a roof. That is, bottles with gasoline and a lit rag as a fuse. At that uncertain moment, “I was absolutely convinced that I was going to die,” Martínez confessed.

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ix. On the left and wearing a blue shirt, Salvadoran chronicler Juan Martínez d'Aubuisson in El Salvador, together with ex-members of the MS13 and Barrio 18. (Courtesy photo)

Fortunately, he was able to live to tell about it, and it was not the last time he visited that neighborhood, nor that convulsive region of Honduras.

Martínez acknowledges that this is not the most traditional way of covering violence, which is why he does not recommend the way he works to anyone. "Once the violence starts, there are no fixed protection protocols."

In his opinion, for this type of coverage, it is good to have some kind of physical preparation. A very good protection option is to know some kind of self-defense technique or martial arts, "like the great teacher [and Peruvian journalist, Gustavo] Gorriti." It is also useful, during armed confrontations, to wear dark clothes, always keep moving and be well-identified by the group you are accompanying. Another essential aspect is to maintain communication with a trusted contact, or monitor, who knows where you are and what your situation is.

Covering ordinary events in violent areas

In some Mexican cities, such as Nuevo Laredo in Tamaulipas, near the northern border with the United States, even the most ordinary events, such as civic events at the town hall in the public plaza, can be scenes of potential violence.

As a reporter, Alberto Carrasco, head of information for the Nuevo Laredo newspaper *El Mañana* for six years, has covered diverse topics, such as security, politics, the environment, etc. On a daily basis, he experiences the latent violence of Nuevo Laredo, as a journalist and as a citizen.

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x. Mexican journalist Alberto Carrasco from the newspaper "El Mañana" of Nuevo Laredo. (Courtesy photo)

“Any reporter who has been reporting here for about ten years has gone to at least one or two training courses that include [techniques for] some coaching” on how to protect themselves, Carrasco told **LJR**, such as those sometimes offered by the International Center for Journalists (ICFJ).

On Jan. 25, 2018, Carrasco had to put all his knowledge of self-protection into practice when he was covering an official act of the then-mayor of Nuevo Laredo, Enrique Rivas Cuéllar, which was attended by more than 150 guests, including many children, who ended up throwing themselves to the ground to save their lives, according to Telemundo.

When the mayor was inaugurating a mural in the city, a gunfight broke out between criminal gangs a few meters away, causing everyone present to crouch down and seek shelter anywhere they could: behind statues, park benches, in gardens, etc., Carrasco said. The mayor’s security and members of the Army activated their defenses.

Journalists are now more accustomed to this type of event, Carrasco said, and the first thing to do in these cases is to protect yourself.

In cities like Nuevo Laredo, or in rural areas of Tamaulipas, any reporting assignment implies a moderate risk if proper precautions are not taken.

It is also good to ride with the windows down in the car to listen to the shootings, which are frequent, and to know which route to take, Carrasco said.

Journalists in Nuevo Laredo do not usually cover topics that could endanger their physical integrity.

Itzia Miravete, prevention coordinator for Article 19 Mexico, told **LJR** the freedom of expression organization considers coverage on certain topics to be risky: corruption and politics, human rights, security and justice, protests, elections, and issues related to the defense of land and territory.

"It is important that the government [of Andrés Manuel López Obrador] undertake a permanent campaign to recognize the work of journalists to improve the perception of citizens towards the press," Miravete said. "On the other hand, this must be accompanied by curbing the stigmatizing discourses that are generated from the three levels of government against the press."

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You don't enter militia zones (but, favelas, yes)

Mauro Pimentel is a Brazilian photojournalist and correspondent for Agence France Presse (AFP) in Rio de Janeiro, Brazil. Most of his reporting documents the lives of residents of Rio's favelas, which many prefer to call communities or neighborhoods.

Pimentel told **LJR** that he always avoids being the first reporter on the ground when it comes to covering violent events, such as clashes between gangs or with the police.



*xi. Mauro Pimentel, AFP
photojournalist based in Rio de
Janeiro. (Photo by Douglas Shineidr)*

“In Rio, we have a lot of communication between photographers, for example, and even between reporters. So, always when you have big breaking news, you are never alone,” he said.

When it comes to reporting in favelas that Pimentel frequently visits, he dares to take more risks because he already has known contacts, sources. But, it always depends on what situation he has to cover and it is best to enter the area with other reporters.

“I always try to get in touch with [someone] local. But, when I first step foot in a place, the first thing I'm going to start to do, like small talk with anyone in the street just to try to understand the scenario,” he said. “And I think it's the way I like to be friendly, to be accessible, to explain what I am doing in that place and have people from the ground and from the scenario giving you access, helping them to understand why this guy came in with a big camera.”

Pimentel always tries to maintain constant communication, sharing his location by phone, with his editor and with the driver who accompanies him and waits for him at a safe point. The good thing about covering events within the city is that he always has a phone signal for communication.

A few days ago, he had to cover a shooting in the Vila Cruzeiro favela, where eight people died. Police had raided the neighborhood, saying they were targeting drug traffickers from a nearby favela.

In early February, the Brazilian Supreme Court voted to make the Rio government create a plan to reduce lethal violence from police in the city's favelas.

Reporting only while there is daylight is another of Pimentel's prerequisites. One morning, when he was covering a Corpus Christi procession in the Rocinha favela, before they began to walk and while people were preparing for the rite, a shootout broke out between gangs. He took refuge in the house of one of the residents, who received him. They all waited for the shooting to pass and then continued with the procession. “Once you enter the favelas, everyone already knows that you are there. They spread the word.”

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One place where Pimentel never covers stories is in the areas or favelas controlled by militias, which are made up of gangs of ex-police officers, and sometimes, even current police officers.

“In those places, there is no negotiation. The media is not allowed. And that's it.”

LJR contacted the Military Police of the State of Rio de Janeiro, but did not receive a response as of publication time.

When the authorities are not the best contact

As a common practice, journalists who are getting ready to travel for the first time to a rural or border area to do a story often contact and introduce themselves to local community leaders, pastors of local churches, school teachers who have influence with the people, the authorities and law enforcement agencies.



xii. Venezuelan journalist Luis Gonzalo Pérez, correspondent of NTN24 of Colombia. (Courtesy photo)

At the end of March 2021, a team of journalists from Colombian media outlet NTN24 discovered the exception to the rule in Venezuela when they were detained after identifying themselves with the command posts of the area where they went to report.

Venezuelan journalist Luis Gonzalo Pérez, an international correspondent for NTN24, had gone with his colleague Rafael Hernández to do a week-long report in the eastern Venezuelan state of Apure, which borders the Colombian department of Arauca. The idea, Pérez told **LJR**, was to cover the displacement of thousands of Venezuelans to the Colombian side due to violence unleashed by clashes between the Venezuelan military and Colombian guerrilla factions.

They went from Caracas to Apure, on a twelve-hour trip by highway, because air travel was not authorized due to the COVID-19 pandemic. They managed to cross to the Colombian side to interview families who had migrated fleeing the violence, and then returned again to the Venezuelan side to continue their reporting. When they went to request authorization from the command of the Bolivarian National Guard (GNB) in the area to carry out their report, they were detained, Pérez said.

We identified ourselves and “we showed our press credentials to the soldiers,” Pérez said, but they still ended up in a detention room of the GNB command for almost 48 hours, where, according to Pérez, they slept on the floor, were held incommunicado, and were only given food once, an arepa and a coffee. They took away their belongings, cell phones, money, and their equipment along with all the journalistic material they had produced thus far.

Before their cellphones were taken away, Pérez said, he managed to communicate with his editor in Caracas and tell her that the situation was very suspicious because they were taking photos of

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them and asking for a lot of information. Pérez and Hernández were accompanied by a driver and two people from the organization Fundaredes.

“They put armed guards outside the detention room and from then on the mental torture began (...) They ignored all our requests for communication,” Pérez said. “It went on all night (...) and we heard about 70 mortar detonations outside the command, shaking the place,” he added.

In those days, Diosdado Cabello, a Venezuelan assemblyman and number two of the Chavista party in Venezuela, called all the journalists who cover the border conflict in Apure "enemies." During his open-air program, he said that the journalists who go to that conflict zone are not going to cover the news, but to "sow hatred."

On Twitter, Colombian President Iván Duque rejected the detention of the journalists by "forces of the Venezuelan dictatorship," and called for the intervention of international organizations. The journalists were released the following afternoon, according to Pérez, leaving the GNB command with only the clothes they were wearing.

“It was an act of intimidation, intimidation and robbery. It was a crime,” Pérez said.

In a statement from the Bolivarian National Armed Forces about the clashes on March 31, 2021 in the border area of the Venezuelan state of Apure with the Colombian Department of Arauca, the presence of the press at the scene is mentioned.

"It should be noted that while the residents of La Victoria [in Apure] return from Arauquita [Colombian city] to their homes, it is observed how the operators of the *canalla mediática* (roughly, media villain) deploy their dirty manipulations to stoke violence in Alto Apure," the statement reads.

LJR tried to contact the Bolivarian National Guard, but did not receive a response as of publication time.

Between borders, without the law

On March 26, 2018, journalist Javier Ortega, photojournalist Paúl Rivas and driver Efraín Segarra of the newspaper El Comercio of Ecuador were abducted between the border of Ecuador and Colombia by a dissident group of Colombia's FARC known as Oliver Sinisterra Front.

The leader of that dissident group, Walter Patricio Arizala Vernaza, alias "Guacho," allegedly ordered the abduction and subsequent murder of the journalistic team, after the failed negotiations held with the governments of Colombia and Ecuador to free the journalists.

The journalists had gone to report in the Mataje area, in the Esmeralda province that borders Colombia, in northern Ecuador, to investigate the armed attack that killed three Ecuadorian Marines on March 20, 2018.

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Since the end of 2017, and within the framework of the peace agreements between the Colombian government and the FARC guerrillas, the border area between Ecuador and Colombia has been affected by armed attacks, according to the report of the Special Monitoring Team (EES) of the Inter-American Commission on Human Rights (IACHR), which was in charge of the investigation of the abduction and murder of the Ecuadorian journalists.

“Javier was one of my most experienced reporters,” Geovanny Tipanluisa, then-security and justice editor of Ecuador's El Comercio newspaper, told **LJR**.



xiii. Javier Ortega (second from the left) and Geovanny Tipanluisa (seated to the right) in the newsroom of El Comercio, Ecuador. (Courtesy photo)

According to Tipanluisa, Ortega had been reporting in the border area of Esmeraldas province since 2013, including coverage of the last FARC armed convention in the mountains of Colombia, in 2016.

When on Thursday, March 22, 2018, they had the editorial meeting to determine what reports to do, it was decided that Ortega would go to Mataje. "Javier jumped up and said, 'Okay! I'm going to the border!'" Tipanluisa said. Before saying goodbye that day, the editor said, Ortega told him that this would be the best report of his life.

“We produced human stories of the people, and how they were experiencing that situation of violence. We always prepared ourselves,” Tipanluisa said. “One of the security measures was, first, to make contact with the leaders of the town, with the church, with the teachers, with the military or with the police, so that they protect us. So, that's what we always, always applied when the guys left; and to be in permanent communication, by call or by WhatsApp.”

For this reason, on March 26, 2018, when neither Ortega nor Rivas answered the calls or the messages, Tipanluisa and his editorial team began to worry. Tipanluisa had also gone in those

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days to report in the north of the country, near the border, in the province of Sucumbíos. When he contacted the director of the newspaper, he told him that it seemed there was an abduction.

On April 13, 2018, Ecuadorian President Lenín Moreno confirmed the death of the journalistic team of El Comercio. What "Guacho" had asked for during the negotiations with the governments of Ecuador and Colombia to free the journalists was to exchange them for three prisoners and to terminate the binational anti-drug agreement.

"The feeling of insolence, I could say, on the part of the States [of Ecuador and Colombia] in the face of the situation, was something that was causing us discouragement and fueled the idea that the outcome could be what it finally was," Jonathan Bock, director of the Press Freedom Foundation (FLIP) of Colombia, told **LJR**

Bock pointed out that at the official level there is still no satisfactory investigation into the abduction and murder of the journalists. "It is a case that has not advanced in terms of justice," he said. The report Frontera Cautiva, by Colombian and Ecuadorian journalists, on what happened on the border is one of the most reliable investigations of the events, Bock said.

The "hard-hitting" occurrence of the abduction and murder of the El Comercio journalists "confronted us with the reality that Ecuador is experiencing a tremendous security crisis" due to organized crime, César Ricaurte, director of Fundamedios in Ecuador, told **LJR**

The murder of journalists has been a constant reason for Fundamedios to fight for security and protection mechanisms for journalists to be activated in the country, Ricaurte said, and for guidelines for security forces for the protection of journalists to be established. Ricaurte lamented that there is currently no response from the State to the constant attacks and threats by officials, security forces and organized crime against journalists in Ecuador.

The pandemic has made it more difficult to establish a dialogue with government authorities and institutions, such as the Ministry of Communication, Ricaurte said, to which Fundamedios has been proposing training for public servants on issues of freedom of expression, which has yet to materialize.

Journalists in Latin America reporting on violent conflict, whether involving organized crime, drug cartels gangs or members of the armed forces, must be prepared for the unpredictable, as these cases in Mexico, Brazil, El Salvador, Venezuela, Ecuador and Colombia have shown. In the following installment of this series, we will look at advice and tips from journalists and security experts with experience in these situations.

(*) *[Paola Nalvarte](#) is a Peruvian journalist and documentary photographer living in Austin, Texas. She focuses on covering and writing about the Andes region. In Peru, Paola worked in the Lima office of the Italian news agency ANSA, on the economic news desk of the daily *Expreso*, and for ten years she has been working on different editorial projects doing picture editing and research for one of the oldest Spanish-language papers in the world, the Peruvian newspaper *El Comercio*.*

How to stay safe while covering violent conflict in Latin America

By **Júlio Lubianco***

March 2, 2022

Coverage of violent conflict deviates from the traditional image of a war front for journalists working in Latin America. In the midst of urban violence increasingly present in several countries, reporters need to be prepared to act quickly in the most unexpected situations. Having proper safety training has become as critical as carrying your old notebook and tape recorder.

This is because reporters may be assigned to risky coverage of violent conflict situations in their day-to-day routines. These can be confrontations between rival drug traffickers or between gangs and security forces, or even situations of military confrontation against guerrilla groups.

Training and collaboration

Brazilian TV Globo news director in Belo Horizonte, Marcelo Moreira, has been involved with safety training for journalists since 2006 when the first courses were offered in Rio de Janeiro and São Paulo. These trainings, according to Moreira, include two-hour workshops and activities over two days with practical and theoretical classes.

In practical classes, journalists even go through shooting simulations, a risk that is part of the routine of reporters who cover violence and public security in Rio.



xiv. Marcelo Moreira, from TV Globo: Training on coverage of violent conflicts needs to include executives and editors. (Photo courtesy of TV Globo)

“Where they train police officers, we train journalists. They learn ballistics and protective equipment. They have guidance on first aid, on how to protect themselves, on positioning. It is customized training for those who are going to face our situation of armed conflict,” Moreira told **LJR**

The journalist, who presided over the Brazilian Association of Investigative Journalism (Abraji) between 2012 and 2013, cites some of the crucial tips for those caught in the crossfire.

“You shouldn't stand behind a pole because it's hollow. A tree is better, but as long as it has enough trunk so that a bullet doesn't go through. If you're going to hide behind a car, try to stay behind the engine block, because if you're just behind the bodywork, you'll be hurt.”

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A photojournalist who covered urban violence in Rio de Janeiro for many years for the local newspaper O Dia, Severino Silva warns of the importance of journalists observing everything around them and staying away from the center of attention in the coverage of violent conflicts.

“When entering a community to cover a shooting, I always say keep your eyes and ears open and do not talk. I also silence the ringtone from my cell phone, leaving it just to vibrate. In the case of photography, I don’t use a flash,” he told **LJR**.

Risk assessment

Long before dealing with the situation in practice, however, it is necessary to carry out a rigorous preparation process, starting from the emergence of the story idea. An essential item to be taken into account is the risk assessment, which involves mapping various problems that may occur during the reporting process, even if the matter does not, in principle, involve a conflict.

Founder and CEO of GJS, a U.S. company that trains and supports journalists in hostile environments, Frank Smyth teaches his students, mostly investigative journalists, to create a “hierarchy of risk” when defining interviews. In this system, a known and reliable source receives a score of 1, the minimum degree of risk; at the opposite extreme, if the interviewee is suspected of a crime or is a corrupt police officer, the score can vary from 7 to 10.

“What that means is that, first, you talk to the people who are the least risky. And only talk to those who offer greater risks, if necessary, at the end of the investigation,” Smyth told **LJR**. He is also the author of the CPJ Journalist Security Guide, which contains chapters on preparing for armed conflict, as well as reporting on organized crime and corruption.

As a reporter, he was even abducted with other colleagues during coverage of the Gulf War in 1991. “We should have been more careful and left earlier from where we were, along with another colleague, but we stayed and paid the price. So one of the things we teach in class is to give yourself a margin of error in any situation.”

However, anyone who thinks that the definition of security protocols for journalists should only involve the reporter assigned to the story is wrong. Prevention must come from those who occupy higher positions in a newsroom, Moreira argued. For Globo's news director in Belo Horizonte, top management needs to be aware of the importance of security for its professionals, while heads of news and editors must take part in training together with reporters, to know how to deal with different situations.

“In training, we focused a lot on the need to spend time in the newsroom to plan how the reporting on the street will be done. It's more than just sending a person out just because they've been trained. What is the reporter's escape plan in case the story goes wrong? If it is in a risky place, how are they monitored? Every investment in technology and planning has to count on the participation of the leadership. The reporter alone does not do that,” Moreira explained.

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In Mexico, the deadliest country in Latin America for journalists, the NGO Article 19 warns that the most vulnerable journalists are those who cover topics related to local politics, security, organized crime, and drug trafficking.

According to the NGO's prevention coordinator in Mexico, Itzia Miravete, building support networks strengthens the defense and protection capabilities of professionals, and can reduce risk. She also suggests keeping a record of incidents, such as direct threats or shootings, so that risk can be measured more clearly and preventative action can be taken in the future.

“Once the possible threats, as well as vulnerabilities and capabilities, are identified, we suggest working on a protocol that manages to implement measures to transform vulnerabilities into capabilities and inhibit both the probability and the impact of an attack,” Miravete told **LJR**. “Finally, we suggest that the measures taken have a preventive perspective, but also to act during the emergency as well as after the aggression in order to work on the psycho-emotional impacts of said risk.”

Like a war

Violent conflicts in Latin America often involve situations and preparation similar to covering a war zone. This is what we can learn from someone who has reported both in Latin America and in war zones in other countries.

The need to gather as much information as possible before leaving the newsroom and carry safety equipment, such as helmets and bulletproof vests, remains. Knowing where to go, which roads to use, and how to behave in a calm manner when approached by security forces or even criminals is essential, but this preparation is not enough.



xv. Yan Boechat: “The less money you have, the more at risk you put yourself.” (Courtesy photo)

Specialists in reporting in combat areas warn of the importance of hiring a professional who belongs to the place and serves as a “right arm” for the reporter in all his activities in the region. This “right-hand man” is called a fixer and performs multiple functions: guide, security consultant, and even assistant in the production of stories.

“Usually, you're putting your life in his hands. And he can make an assessment of the risks you will face there because he really knows the terrain. Without a person to guide me there, I am in

absolute vulnerability. The fixer is essential, more than a bulletproof vest,” Brazilian reporter Yan Boechat, from the television station Band, who has covered conflicts in Venezuela, Afghanistan, Syria, Iraq, Ethiopia, and Ukraine, told **LJR**.

Hiring an experienced fixer in this role, however, comes up against financial limitations, a reality for many freelancers and journalists from small outlets who need to embark on this type of

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journey. And there is no doubt among journalistic security experts: freelancers or reporters from newsrooms with fewer resources are more exposed to the risks of covering conflicts.

“The less money you have, the more at risk you put yourself. Having little money, you try to extract as much as possible. You'll work hours and hours, you won't have the safest car, you won't have the best fixer. And then he makes mistakes he shouldn't make,” Boechat said.

Even when journalists are working in their own cities and might know the terrain without the need for a “fixer,” there are still disparities. Reporters from larger news organizations might be better trained in safety measures or have more adequate equipment than freelancers or reporters from smaller outlets, who don't have many resources.

The decision not to go



xvi. Severino Silva: 'If you don't feel safe, don't go.'
(Courtesy photo)

Even taking all possible precautions and adopting the most varied security measures for risky coverage, journalists need to feel comfortable to make a choice that seems frustrating, but sometimes imposes itself as the most appropriate decision to preserve life: the conclusion that the desired story is not worth covering.

“This is a brave thing to do, not a cowardly thing. I should have done it in Iraq and elsewhere, stopped and thought, 'this is too dangerous.' Making this decision is important,” Smyth said.

Severino Silva agrees: “no image is worth your life (...) if your heart is there and you don't feel safe, don't go.”

Find resources for covering violent conflict at the end of this e-book.

(*) [Júlio Lubianco](#) is a Brazilian journalist based in Rio de Janeiro. He studied journalism at Universidade Federal Fluminense (UFF). He began his career on the local desk at *Jornal do Brasil*, in 2003. He was a reporter, assignment editor and managing editor at *Rádio CBN*. He has a Master's degree in media and communication from the London School of Economics (LSE), with a scholarship from the Journalists of Vision program. He is a professor of journalism at PUC-Rio and presents the podcast *BRIO*, which discusses journalism, career, market, and technology.



Part 3: Developing protection mechanisms



More Latin American countries consider protection mechanisms for journalists; not every effort succeeds

By Javier Garza Ramos*

April 7, 2022

As violence against journalists has increased in Latin America, several countries have created protection mechanisms designed to implement safety measures for journalists reporting attacks or threats against them. This trend intensified after 2012, when the United Nations launched its Plan of Action for the Safety of Journalists based on the “three Ps”: prevention, protection, and prosecution.

After discussing prevention aspects in the first part of this e-book, we now turn to experiences implementing protection mechanisms in several countries. (While these mechanisms usually apply to journalists and human rights defenders, the measures are the same regardless of the person being targeted).

More than prevention (where measures rely mostly on journalists) or prosecution (that depends on governmental action), protection mechanisms are tools that require close collaboration between journalists, news organizations and authorities. As such, there is great potential for failure if there is not an adequate partnership between the stakeholders.

We will focus on three countries where efforts are underway to establish their own mechanisms, rather than evaluating how existing programs function in countries that adopted them years ago. This allows a look at the obstacles standing in the way of forming an effective mechanism that

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will safeguard a journalist at risk and will investigate threats or attacks with the aim of preventing future harm.

Guatemala, Bolivia, and El Salvador are the three countries we will examine, looking at how the initiatives to launch protection mechanisms started, how they progressed and where they are now. The genesis of the initiatives is diverse in each case: in Guatemala it was proposed by an international commission; in Bolivia, journalists mobilized to demand a mechanism be established after a particular incident of violence; and in El Salvador, the demand grew as attacks against journalists mounted over time.

Colombia was a pioneer in establishing a protection mechanism, back in the year 2000, with a significant reform in 2011 that created a National Protection Unit, tasked with coordinating the government's response to safeguard a person at risk. In 2012, México created its mechanism, designed as a rapid response tool to immediately apply cautionary measures for a journalist under threat or attack. In subsequent years, Honduras, Paraguay, Ecuador, and Brazil followed with similar programs.

As the first mechanisms designed specifically to protect journalists, the Colombian and Mexican programs have been the model for other countries. They are reactive rather than preventive and rely on a swift coordination among government agencies (police, investigators, and prosecutors) for a successful outcome in each case coming before them. However, they are also dependent on government budgets that, in the case of Mexico, have been cut back.

The organization Reporters Without Borders has just concluded a review of the protection mechanisms in Brazil, Mexico, Colombia and Honduras, and while it acknowledges the benefits they have brought by pointing the attention of authorities towards the problem of violence against journalists, it also reveals important failures.

“Although they enjoy an appropriate legislative framework (except in Brazil), the protection mechanisms suffer from major structural flaws preventing their proper application. These flaws include the fact that they depend on ineffective institutions (police, armed forces and federal justice systems), that the risk analysis methods still take no account of journalism's specificities, that the protective measures are inappropriate and implemented too late, and that the human and financial resources available to the mechanisms are insufficient,” the report states.

In Guatemala, a protection mechanism was first proposed by the International Commission Against Impunity (CICIG, for its acronym in Spanish) formed by the United Nations in 2006 to investigate and prosecute serious crimes by authorities. While the CICIG's mandate was broad, it did take up some cases of attacks against journalists. The call for creating a protection mechanism grew after the murder of two journalists in the city of Mazatenango in 2015. A special prosecutor for crimes against the press was created in 2019, but the tools for protective measures are still pending.

In El Salvador, growing violence against journalists has galvanized a movement to demand government action to prevent more attacks. A law was proposed in 2017, but approval is distant.

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Bolivia is the most recent case. The clamor for a protection mechanism began in late 2021 when seven journalists covering a land conflict in Santa Cruz were abducted and tortured. Even as tension had been simmering since at least 2019 when protests forced out President Evo Morales, the abduction was the most extreme case of violence experienced by Bolivian journalists in recent history. Extreme enough to form a movement to demand government action.

In these three cases, the initiatives to build the protection programs or mechanisms required talks between journalists and government officials. But, partnership requires trust and lack of trust has been the main obstacle, as we will see in the series discussing the three national experiences.

A 2019 report on different experiences with national programs for the protection of journalists by International Media Support (IMS) warns that “while a coalition can be a good instrument to implement a national Plan of Action, there are significant challenges involved in both building and sustaining them, as well as making them impactful.”

The topics for discussion are broad and complex. They need to consider factors such as the speed of a response for protective measures, the methodology for risk assessment, the coordination with law enforcement and investigative agencies to go after the aggressor, the need to incorporate a gender perspective, and much more.

The RSF report cited earlier, for instance, finds that all of the protection mechanisms it reviewed showed a lack of coordination among different government agencies and that none of them takes into account the particularities of women journalists.

Adding to this, according to research done by IMS, “engagement by the media sector in safety of journalists advocacy, implementation of better safety practices and improvement of working conditions are essential components to developing a national approach to safety.” This means institutional measures enacted by law to create government agencies tasked with protecting the press must be coupled with initiatives by journalists and news organizations to implement better practices for their security.

Outside Latin America, several initiatives have delivered good lessons on how to build a coalition of government institutions, news organizations and journalist groups. One of the most recent is the Philippine Plan of Action on the Safety of Journalists launched in 2019. It brings together not just journalists and government agencies, but also human rights organizations and academia. And the government institutions included are not limited to law enforcement, but include the departments of Education and Labor as well as agencies dealing with women issues. The focus goes beyond physical or digital safety, to gender issues and impunity, as well as promoting media literacy and good practices.

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This is a focus that does not exist in the Latin American pioneering mechanisms of Colombia and México, but can be helpful in designing future national programs for the safety of journalists or break the logjam in those that, as we will see, are already on the table.

(*) [Javier Garza](#) is a journalist based in northern Mexico. He is co-host of *Expansión Daily*, one of the most popular news podcasts in México, and runs the local news platform *EnRe2Laguna* and the radio newscast *Reporte100*. For the past 15 years he has worked on journalist protection and press freedom issues.

A wave of attacks against journalists triggers calls for a protection mechanism in Bolivia

By Franz Chávez and Leny Alcoreza*

April 19, 2022

Six journalists covering incidents related to the seizure of agricultural land in the province of Guarayos, Bolivia, were abducted on Oct. 28, 2021.

A group of hooded men with long weapons subdued the journalists, five men and a woman between the ages of 30 and 50, and held them for seven hours in the most violent attack on journalists in recent memory in Bolivia.



xvii. The front page of the newspaper *El Deber* of the city of Santa Cruz de la Sierra shows the journalists and a police officer abducted by land invaders in the Guarayos province of the department of Santa Cruz, on October 28, 2021.

News of the abduction captured the attention first of the social networks and then of media and journalists' organizations that broadcast messages of denunciation and protest. This escalated to the Office of the United Nations High Commissioner for Human Rights and calls to establish a mechanism for the protection of journalists in Bolivia.

Bolivian journalists have not been immune to attempts at censorship or intimidation and the two years prior to the abduction of the six journalists saw an escalation of attacks, particularly in the wake of the political crisis that brought down the government of Evo Morales in October 2019.

In 2021 alone, the National Press Association (ANP, for its acronym in Spanish) of Bolivia, which has an aggression monitoring unit, documented 38 verbal and physical attacks against journalists.

But, the abduction of six people was an unprecedented event, revealing the deteriorating security conditions for Bolivian journalists.

So, as in other countries of the region, talks are underway to set up a protection mechanism for journalists that would limit violence against press professionals. Plans are largely under wraps at this point, but the violence against journalists that spurred them is in plain sight.

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The abduction

At the invitation of the National Association of Oilseed Producers (Anapo), an organization of agro-industrial businessmen, a group of journalists traveled to the Guarayos area, in central Bolivia, to verify the alleged occupation of lands promoted by sectors related to the party in government.

The region had already recorded violent incidents related to this land conflict. For example, one day before the journalists' visit, a group carrying firearms invaded the property called Las Londras and four agricultural workers were wounded as a result of the action.

For this reason, the journalists' visit was accompanied by a security force made up of police chiefs and agents, as well as agricultural workers in the area. About 800 meters (about 0.5 mile) from the occupied land, the police were talking with representatives of the occupants explaining the reason for the visit, but they were ambushed by armed hooded men, according to the account of the television network cameraman Roger Ticona.

The visitors were in passenger buses and the assailants forced everyone to get off.

“They took us off the minibuses. I was in the last vehicle and when I saw what was happening, I ran to the mountains together with the driver of the truck in which I was riding,” Ticona told **LatAm Journalism Review (LJR)**. He said he managed to be evacuated from the region in a small plane provided by the farmers.

Six colleagues did not have the same luck and were held by the armed group: photographer Jorge Gutiérrez from the newspaper *El Deber*; reporter Silvia Gómez and cameraman Sergio Martínez, from the private television network Unitel; reporter Mauricio Egüez and cameraman Nicolás García, from the television network Uno, and cameraman from the network ATB, Percy Suárez.



xviii. Cameraman of the ATB television network, Percy Suárez, shows the impact of the bullet on his video camera that was left unusable. (Photo credit: Guider Arancibia/*El Deber*)

After her release, Silvia Gómez told the newspaper *El Día*: “We were held hostage for seven hours. They had long guns that they used to shoot at our cameras and the vehicles that transported us.”

“They beat us with sticks and we were kicked. Then they took us to a shed where there were about 80 hooded men who continued to beat us; they threatened to burn us with gasoline; They asked us who sent us and how much they paid us.”

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Percy Suárez, a cameraman for the private television network ATB, recounted to **LJR** how he was forced to lie face down on the dirt floor, and one of the attackers destroyed the video camera with a precise shot from a shotgun.

But despite the damage to the equipment, Suárez managed to rescue the digital memory stick where the scenes of the assault were recorded. The image broadcast the next day by different media remained as an irrefutable testimony of the violence.

The news of the abduction was revealed immediately thanks to the fact that Roger Ticona had managed to escape. Journalists and citizens joined in calling for the government to intervene immediately, and this clamor was probably the reason the journalists were released just seven hours later.

Outrage

Indignation among Bolivian journalists over the abductions triggered a protest that caught the attention of the United Nations, after the Association of Journalists of Santa Cruz, the department where the abductions occurred, demanded an investigation from the Office of the High Commissioner for Human Rights.

The abduction also prompted the launch of an initiative to create a protection mechanism for journalists, given the seriousness of the attack, which had not been seen in the recent past.

Since Bolivia had experienced a political crisis two years earlier, the country was under the spotlight of international organizations and in November 2020 the Inter-American Commission on Human Rights formed an Interdisciplinary Group of Independent Experts (GIEI) to investigate acts of violence in the months before and after the elections that year.



xix. A hooded man points to the camera of the private network ATB during the abduction of journalists, on Oct. 28, 2021 in the Guarayos province of the department of Santa Cruz. (Credit: ATB Network)

Because this violence had affected journalists, the GIEI recommended the creation of a non-state entity "to provide support and legal, administrative and psychological assistance to journalists whose rights are at risk of being violated."

The recommendation arose after an eight-month investigation carried out by the GIEI on acts of violence recorded before, during and after the general elections of October 2019 that were

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annulled due to allegations of fraud and ended with the resignation of President Evo Morales (2006 -2019).

The Monitoring Unit of the ANP recorded, between October and November 2019, a total of 89 attacks against journalists and 16 media outlets that covered the conflicts in departmental capitals and rural towns. That was more than half of all aggressions recorded in that year.

Since November 2019, after the elections but before the GIEI began working in Bolivia, the Office of the High Commissioner for Human Rights sent a technical mission to Bolivia to collect information on human rights violations and arrived at the same conclusion as its counterparts from the IACHR.

A report from this mission issued in 2020 recommended “promoting a safe and favorable environment for human rights defenders, social leaders, journalists and other social actors, including the systematic and public condemnation of any act of intimidation against them and the establishment of a protection mechanism endowed with sufficient resources that guarantees the safety of those people who are at risk.”

This report initiated a consultation process of the Technical Mission with journalists, press organizations and unions, to collect opinions about the risks that journalists face and the types of protection they require during the coverage of conflicts.

It is a process that is still ongoing and its conclusions have not been published, so it is not yet known what form this mechanism would take or if it would be modeled on experiences in other countries.

Participants in the consultation process include journalists attacked in the past year, representatives from media workers unions, leaders of journalists associations, academics specializing in freedom of expression and leaders of non-governmental organizations working in this field.

For Bolivian journalists, it is an advance to stop the wave of attacks of recent years, since most have gone unpunished.

Before the abduction

The abductions of the journalists in Guarayos was not the only attack in 2021. During the year, the Monitoring Unit of the National Press Association reported a total of 38 verbal and physical attacks on reporters and cameramen, and no case has been investigated by the public prosecutor’s office, according to the ANP’s records.

Several of these attacks happened during reporting and were at the hands of security forces.

Of these, another worrying case is the violent attack by riot police and the subsequent detention of Carlos Quisbert, a journalist from the newspaper Página Siete, in the midst of protests carried out by coca farmers from the Yungas region.

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On Tuesday, Sept. 21, Quisbert was covering the clashes between farmers and police in La Paz. While he was recording images for his reports, a policeman ran over him with his motorcycle and the journalist reacted to this by protesting the aggression.

Immediately, about eight policemen equipped with anti-riot gear rammed the journalist, spraying him with tear gas and handcuffing him to a police van, according to Quisbert.

After protests from his colleagues, he was released for a few minutes, and again detained and taken to a police station where he remained for several hours.

Authorities did not respond to requests for comments about reported police violence against journalists.

Quisbert was consulted for this report on the impunity from the attacks he suffered.

“The police, politicians, officials and many times people who participate in street protests go unpunished after attacking journalists due to the lack of representation of leaders, media owners and union institutions that do not seek effective punishment of the aggressors,” he told **LJR**.

The 2019 crisis

The general elections of October 2019, questioned by opposition parties to the then-president and candidate for the Movement for Socialism (MAS), Evo Morales, sparked protests in the main cities of Bolivia.

A 20-day civic strike in the city of Santa Cruz de la Sierra and demonstrations in the cities of Potosí, La Paz and Cochabamba sparked a political crisis that led to the resignation of Morales on Nov. 10, 2019, and his hasty departure from Bolivia and refuge in Mexico.

The types of attacks that occur around elections and protests frequently create a risky situation for Bolivian journalists: reporting on political or social conflicts when they involve security forces or groups of protesters.

Between October and November 2019, journalists covering demonstrations or vote counts were the target of verbal attacks, stigmatization and because of their status as media representatives. This period became one of greatest hostility toward the work of reporters and the media.

During the counting of votes in the cities of La Paz and Cochabamba, journalists and cameramen were beaten by police and supporters of the parties in the electoral race, according to data from the ANP Monitoring Unit.

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xx. The television cameraman for Red Uno of the city of Cochabamba, Alejandro Camacho, appears during his recovery after being hit by a tear gas projectile while covering clashes between supporters of political parties, on Oct. 21, 2019. (Photo courtesy of ANP)

Two days after the elections, on Oct. 22, a correspondent for the newspaper El Deber, Humberto Ayllón, was injured in the head by the impact of a tear gas grenade launched by the police. The journalist was covering the clashes between demonstrators who reached the gates of the Departmental Electoral Tribunal in the city of Cochabamba.

A day earlier, the television cameraman for the private network Red Uno in Cochabamba, Alejandro Camacho, suffered head injuries and lost consciousness

after being hit by a police tear gas projectile. It's unclear if the projectile was aimed at him or if he was hit randomly.

On Monday, Oct. 28, photojournalist for the newspaper La Razón, Miguel Carrasco, was hit by a stone that caused a head injury. He was covering the confrontation between people blocking a street in the Calacoto neighborhood of La Paz, and militants of the ruling party.

Police officials did not respond to inquiries about these aggressions.



xxi. Photojournalist from the newspaper La Razón de La Paz, Miguel Carrasco, appears with a bloody face after being hit by a stone during the post-election conflict of October 20, 2019, in Bolivia. (Photo courtesy of La Razón)

Aggressions were also directed at journalists from state media and those affiliated with the ruling party. The television channel BoliviaTv and Radio Patria Nueva suspended broadcasts on the afternoon of Saturday, Nov. 9 after demonstrations by groups of people who requested the cessation of broadcasts of both media.

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The director of the radio station of the Trade Union Confederation of Farm Workers, José Aramayo, was tied to a tree and threatened with a dynamite explosion by residents of the Miraflores area of the city of La Paz.

Argentine press correspondents who covered the conflicts in La Paz took refuge in their Embassy after being harassed by demonstrators during their reporting.

Case goes unpunished

The October 2021 abduction was relevant not only because of the nature of the attack, but also because it was of a type not seen before in Bolivia. If the previous attacks had been in the context of protests and in many cases carried out by the police, in the case of Guarayos, the attack took place during reporting when the journalists were protected by the police.

However, in all cases the common denominator is that journalists have become the target of violence, either by the security forces or by political or social groups.

Meanwhile, the case of the abduction in Guarayos remains unsolved in the police and prosecutor's files. They join dozens of cases of attacks on reporters that remain unpunished.

To date, only two people have been detained and sent to preventive detention for their alleged participation in the attack on press correspondents. During the abduction, the violent group hid behind hoods and used hunting weapons that in some cases fired projectiles that damaged television cameras.



xxii. Pensive as if anticipating a day in which his life would be in danger, *El Deber* photographer Jorge Gutiérrez appears in the aircraft that was transporting him to Guarayos. (Photo by Jorge Gutierrez)

In recent weeks and after complaints of fraudulent actions, the public prosecutor's office triggered the detentions of judges committed to the release of people convicted of femicide, in an action aimed at recovering the image of a deteriorated justice system.

“I feel a great disappointment because while the Bolivian judiciary expedites other cases, the abduction case seems to be as it was at the beginning. And it would not surprise me if in a few weeks the two identified as having been at the scene with weapons and who were imprisoned appear free on the streets, as if nothing had happened,” photojournalist Jorge

Gutiérrez, one of the victims of abduction, told **LJR**.

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"I hope I'm wrong, but the feeling I have is that the guilty are not going to be punished," he says.

The prosecutor's office has not given any updates on the case.

"When I spoke with the judge, I told him that apparently one of us needed to come out wounded or dead from the jungle for this process to move forward. The images that I managed to take of people armed and shooting are convincing, but not even with such evidence was anything acted upon," Percy Suárez said in an interview with **LJR**.

The organization that represents the main Bolivian newspapers, the National Press Association (ANP) issued a statement on Feb. 6, and expressed concern about "the lack of progress in the investigations into the abduction and torture of journalists, and noted its protest over the changes in prosecutors and investigators."

() Franz Chávez and Leny Alcoreza, are Bolivian journalists based in La Paz and direct the Monitoring Unit of the National Press Association (ANP). The ANP is participating in the talks about the protection mechanism.*

A protection plan for journalists in Guatemala that was dead on arrival

By Luis Angel Sas*

April 27, 2022

On March 8, 2022, the UN High Commissioner for Human Rights, Michele Bachelet, presented a report about Guatemala warning of a climate of attacks and hostility against journalists.

The report mentioned at least 116 incidents of restrictions to freedom of expression documented by the Journalists Association of Guatemala (APG, for its acronym in Spanish) from January to October 2021, and pointed to the urgency of strengthening the protection of journalists.

Ironically, exactly a decade ago, in the same forum, the government of Guatemala had committed to creating a plan to protect press workers in the face of growing attacks.

That happened in 2012 and it still hasn't been achieved.

The plan was proposed as a result of attacks against journalists in the years prior to 2012. Between 2002 and 2010, 489 complaints were recorded by journalists and four murders of press workers were reported.

But, at the same time, Guatemala had a history of violence against journalists, a legacy of the civil war that lasted from 1960 to 1996 and left more than 200,000 dead and 45,000 disappeared. Journalists and communicators did not escape this violence and according to data from the human rights organization Mutual Support Group (GAM, for its acronym in Spanish), at least 342 journalists were killed and 126 are still missing.

Attacks on journalists continued even after the peace accords. One of the most notable cases was the assassination of Rolando Santiz, the main reporter for the news program "Telecentro Trece," on April 1, 2009. Santiz was gunned down by two men who shot him more than 25 times in the center of Guatemala City. Cameraman Juan Antonio De León was also seriously injured in the attack.

In 2011, another murder confirmed the deterioration of security conditions for journalists. On May 19, Yensi Roberto Ordoñez Galdamez was murdered in the department of Escuintla, about 92 miles south of the Guatemalan capital. Ordoñez had a program on local television and had told his family that he had received a death threat. He left his house on a Wednesday. The next day he was found inside his vehicle with stab wounds to his neck and chest.

The first reaction of the authorities to the climate of attacks against journalists focused on the issue of prosecution, and in 2011, the Attorney General Claudia Paz y Paz ordered the creation of a specific unit against crimes against journalists attached to the Human Rights Prosecutor's Office.

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However, later it became clear that the problem had to be confronted from the basis of prevention, seeking to prevent attacks from occurring in the first place.

The government commits

In October 2012, the Guatemalan government committed to developing a Program for the Protection of Journalists to prevent and avert abuses against the press in the country. It was the first year of the Government of the retired general, Otto Pérez Molina.

There was a favorable climate. Pérez Molina, who had been a protagonist in the military coup that unleashed a civil war in the 1980s and later led the opposition party, had built a conciliatory image and was affable with the press. His vice president, Roxana Baldetti, was also close to journalists, far from her image in 1993 when she worked in the Secretariat of Communication of the government of Jorge Serrano Elías and tried to censor the media.

In 2012, ten months into the Pérez Molina government, the country was evaluated by the United Nations Human Rights Council and made a commitment to create a journalist protection program.

A year later, on Nov. 28, 2013, Pérez Molina and Baldetti signed the agreement to start the creation process.

Almost a decade later, Guatemalan journalists still do not have a protection mechanism. The governments following the Pérez Molina administration have broken the promise. The cause is a growing climate of mistrust between authorities and journalists.

The beginnings

The distrust was there from the beginning. After signing the agreement to establish the protection mechanism, the responsibility for designing it and putting it into practice fell to Francisco Cuevas, secretary of communication of the Pérez Molina government.

Cuevas had to coordinate other organizations that would participate in the process, such as the Ministry of the Interior, in charge of the Police; the Presidential Human Rights Commission, the Human Rights Ombudsman and the public prosecutor's office (MP) with the prosecutor for crimes against journalists whose creation was ordered in 2011.

Among the first decisions was to create a high-level table made up of a representative from each institution with the support of the UN Office of the High Commissioner for Human Rights and UNESCO. A technical table would also be formed to advance analysis of the proposal.

The first meetings were held in January 2014. Some of the people who participated in the meetings indicated that under Cuevas' command the creation of the plan did not advance. There were even those who believed that he had no interest in advancing it.

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Despite being a journalist himself, a correspondent for the Mexican television station Televisa in Central America for more than 15 years, Cuevas did not have the trust of his colleagues. In 2014, a report by the Committee to Protect Journalists (CPJ) indicated that Guatemalan journalists pointed to specific distrust with Cuevas, not with the entire Guatemalan government apparatus.

At the end of 2014, Cuevas was removed from his position and appointed as Guatemalan Consul in Los Angeles. Karla Herrera, also a journalist who was in charge of communication at the Ministry of the Interior, replaced him.

It was from this change that the development of the protection plan began to advance. However, over the months the errors that buried the initiative would come to light.

The advancements

Initially, the push to advance a protection mechanism was intense. Between 2014 and 2015, almost 90 meetings were held to discuss the model that would best suit the country. Officials relied on the Mexican and Colombian programs to kickstart and shape it.

But, a sector was absent from the meetings to create the protection plan for journalists: the journalists themselves. Herrera, who had been involved in the initiative since she was part of the communication team of the Ministry of the Interior, said that the first meetings were to create the conceptual and organizational framework.

"Here the legal framework for its creation, the financial, human and technological resources were discussed," she told **LatAm Journalism Review (LJR)**.

However, she admitted that it was a mistake not to have shared with journalists a plan that was created to protect them, because the contribution of press workers on crucial issues was lacking.

"We did make that mistake. We did not go to ground with it. We did not engage with journalists who were on the front lines. Those who, we can say, were 'on the street.' Those who go out every day in search of information," Herrera said.

Herrera said journalists were left out of answering key questions such as who should be considered a journalist, who was subject to protection, or which authorities the press workers trusted.

To create the protection plan for journalists, the government hired Margarita Castillo, former director of the Penitentiary System (the agency in charge of the country's prisons), who was the consultant in charge of devising the plan.

Castillo also admits that the initiative should have involved journalists, but attributes this error to a lack of budget. She said that meetings were held trying to convene more people, but that the budget to set up working tables was limited.

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“It was a weakness, but there weren't enough resources,” she told **LJR**.

But, according to Castillo, the problem also came from the other side, from the same journalists who did not want to participate. “Journalists did not trust the government. So they preferred not to be part of it,” she said.

Lack of organization

One of the problems that exists in Guatemala is that journalists are not organized in an institution, said journalist Marvin Del Cid, who had to leave the country in 2021 after he was criminally sued, harassed on social networks and was the victim of surveillance after publishing on the country's president, Alejandro Giammattei.

“We found out that they were making a protection plan, but we were never taken into account. We didn't know much about the initiative,” he told **LJR**.

The plan was presented to several organizations that say they represent journalists, although their membership is very different.

The Guatemalan Association of Journalists (APG) represents reporters and editors, but not from every news organization in the country. The Guatemalan Chamber of Journalism (CGP) is a group of media businessmen and their lawyers and publicists, but not journalists who work for them.

Both groups were presented with proposals for the protection plan, but they and other organizations rejected it, on the grounds that the government would seek regulation of the media.

In a March 2022 meeting after several journalists were attacked on social media, the news website Plaza Pública asked more than 70 reporters and editors if they had been consulted about the protection plan. Only one said yes.

Political crisis

The progress of the plan was affected by factors unrelated to the journalists. The first due to the capture in September 2015 of former President Otto Pérez Molina and Vice President Roxana Baldetti, accused of acts of corruption. This temporarily slowed down the working tables.

The second because Pérez Molina's successor in the presidency, Jimmy Morales, never approved the agreement to continue the plan. After Morales was sworn in as president, television producer Alfredo Brito was appointed Secretary of Communication and had to continue creating the plan.

Margarita Castillo, who was in charge of this process, said that the new government should have created an agreement to continue with the plan. In 2018, a draft was sent to members of the technical committee, but was not approved by the President.

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Since then the plan has been on hold. Brito was consulted to find out why the plan had not advanced. He requested that the questions be sent in writing, but did not respond.

Since 2018, the plan has been paralyzed. Del Cid believes that if journalists had been consulted for the project, they would have put pressure on it to move forward, but since they see it as someone else's project, no one has questioned why it has been stopped.



xxiii. View of Guatemala City

Two crimes

On March 10, 2015, while a group of journalists were talking to each other in a park in the city of Mazatenango, about 99 miles south of the Guatemalan capital, two gunmen shot at the communicators. Journalists Danilo López of the national newspaper Prensa Libre and Federico Salazar of radio station Nuevo Mundo died in the act.

This caused the country's journalists to protest demanding justice for López and Salazar, in addition to protection. In 2016, the former International Commission Against Impunity (CICIG) and the public prosecutor's office presented advances in the crime of the communicators. Then-deputy Julio Suárez was arrested and accused of paying US\$3,200 to the hitmen that killed the journalists. Authorities allege that he worked in concert with local politicians and agents of the National Civil Police (PNC).

On March 18, the trial against Juárez for the death of the two journalists began again. At least one PNC agent who participated in the crime became a state's witness and testified how he watched the journalists before they were killed.

Although this filled the journalists with hope, it also demonstrated how it is the State itself that attacks them and their work. From 2011 to 2020, 820 complaints were recorded from journalists,

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according to an Article 19 report. Fifty-seven percent were for threats, 23 percent for coercion and 11 percent for theft. Among these data there is one that worries communicators. There are 46 complaints of abuse by authorities. Most committed by state security agents, who are responsible for providing security to communicators.

The journalist protection plan has been halted. The government has not made efforts to restart it and journalists have lost faith in it. Journalistic investigations have shown how advisers to the government of President Alejandro Giammattei created accounts on social networks to discredit journalists. The same thing allegedly happened with staff from the Guatemalan Congress who used their staff to attack journalists when they published something that made them uncomfortable.

The only real advance in recent years was the creation of a prosecutor's office for crimes against journalists inaugurated on Dec. 10, 2019, but this is for the prosecution of crimes. The plan to prevent them has not seen any progress.

Del Cid has no hope that a mechanism to protect journalists will advance.

“They (the Government) have no interest and we do not trust. So, there is no future for something to move forward at least in this government,” he said.

(*) *Luis Ángel Sas, is a journalist for the site [Plaza Pública](#) in Guatemala.*

Law to enhance protection of Salvadoran journalists stuck in congress while attacks increase

By Jessica Ávalos*

May 10, 2022

Antonio arrived at a checkpoint in the Santa Lucía neighborhood, east of San Salvador, on the morning of Tuesday, March 29, 2022. Soldiers were checking citizens in that area. The photojournalist got out of the vehicle that was transporting him and took several photographs. He then greeted one of the soldiers, but when another looked at him, Antonio ended up surrounded. His camera, the only instrument he had to defend himself and document what was happening, ended up in the hands of the military and his material was erased.

“They asked me for my identification and when I told them that I worked at El Diario de Hoy, they got angrier. I was cornered between several soldiers and I couldn’t move. They brought me to my knees. I had to take off my harness and they had me kneeling for about 15 or 20 minutes,” the photojournalist, whose real name is not published for his safety, told **LatAm Journalism Review (LJR)**.

El Salvador lags behind other Latin American countries, like Mexico, which have passed special laws to protect its journalists. A bill called “Special Law for the Comprehensive Protection of Journalists,” which was under study for almost three years, was archived on May 19, 2021, two weeks after the new Legislative Assembly began and, since then, it has not returned to the entity’s agenda.



xxiv. Microphones from different media outlets in El Salvador. Courtesy photo from FACTUM/Gerson Nájera

The initiative was presented on Oct. 23, 2018 by the Association of Journalists of El Salvador (APES, for its acronym in Spanish) and by the Roundtable for the Protection of Journalists and Media Workers, made up of human rights organizations. APES, the largest and oldest journalists' association in El Salvador, decided to promote a law after in 2017 it began to record an increase in attacks against media workers.

“Work began on the draft bill at the end of that year (2017) as a result of a considerable increase in attacks on journalists,

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there were threats from gangs and there was a high number of dismissals that occurred," Angélica Cárcamo, former president of APES who led the lobbying for the approval of the law for months before the bill was archived, told **LJR**.

When the initiative entered the Assembly in 2018, the country was still governed by the left-wing FMLN party and President Salvador Sánchez Cerén. A year later, with the end of the historical bipartisanship that had prevailed in El Salvador, Nayib Bukele came to power, but the opposition parties still had control of the Legislature. It wasn't until May 2021 that Nuevas Ideas, Bukele's party, took control of the legislative branch because it won the majority of deputy seats.

In 2018, APES had presented an assessment on the situation of women journalists that revealed salary gaps, harassment and other problems within the media.



xxv. Angélica Cárcamo, former president of APES, during and interview. Photo courtesy of FACTUM/Gerson Nájera

“All this context caused discussions to begin in the association and, with the support of Internews, it was possible to finance the drafting of the document. We did not want it to draw only from the needs of the board of directors. The basis was focus groups with journalists from the interior of the country,” Cárcamo told **LJR**.

APES has a monitoring center that records attacks against the press. According to a recent report, between January 2022 and April 28,

2022, there were 38 attacks, ranging from the hacking of journalists' accounts to unjustified dismissals or restrictions on journalistic activity. Public officials and users of social networks are the main aggressors, according to this report.

Attacks have been on the rise. In 2020, the journalists association reported 125 violations against journalists. In 2021, it documented almost twice as many as those recorded a year earlier: a total of 219 cases.

And not only that. Behind or on a par with these attacks is the hate speech the Salvadoran government has established against the press in this country. Phrases like: “They pass themselves off as ‘journalists,’ but all Salvadorans know that they are only paid pens,” Bukele himself posted on Twitter.

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Hostility against those who practice journalism has increased in recent weeks since an emergency regime has been in force due to an unprecedented wave of violence since the signing of the Peace Accords. The Legislative Assembly also recently approved some law reforms that provide up to 15 years in prison to those who report on certain gang activity.

Journalists and investigators have had to leave the country due to threats received on their social networks. The president of the Legislative Assembly, Ernesto Castro, said in the last plenary session: “These ‘uncomfortable’ journalists, who are afraid, they say... We don’t need them. Go away!”

The bill that was cut short

The draft bill archived in 2021 contained 56 articles. The objective of the law, according to the draft, was to guarantee the prevention, protection and safeguarding of journalists against any type of violation, aggression or attack that put their lives, integrity, security and rights at risk.

It also included a mechanism for receiving complaints and another for inter-institutional coordination in a roundtable for the protection of journalists, which would be made up of the Attorney General's Office and the Human Rights Ombudsman's Office. The prosecutor's office would have to create, by law, a specialized office to investigate crimes committed against press workers.

“The most important elements were the recognition of the need to strengthen the human rights protection mechanisms of the profession. And the creation of new institutions that would ensure the respect and protection of the activities carried out by this sector,” summarized Roberto Burgos Viale, the consulting lawyer who participated in the study of the draft bill, in an interview with **LJR**.

The ruling Nuevas Ideas party swept the legislative elections and took full control of the legislature in 2021. The Legislative Assembly was completely replaced on May 1 of that year and, in the months prior to that date, when the traditional ARENA and FMLN parties were about to lose power and become members of the opposition, they began to promote the approval of the law.

APES and the Protection Roundtable began a crusade just before the change in legislative makeup to get the law approved. At the end of April 2021, they presented the revised document to the Commission on Legislation and Constitutional Points, but they never managed to see it approved.

“It was an ambitious law, I admit it, because it sought to protect those who had not graduated or people who were studying. It was like wanting to grab a lot. The most cumbersome issue for some parties was labor rights, because that was touching the companies and because there was fear that these articles could be used to affect the media,” Cárcamo said.

The bill was archived when it was in the home stretch to be approved. The Legislation Committee managed to advance in the study of the draft bill by 95 percent before it would send it

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to a vote, and it only had to study the sections on the application of sanctions for those who did not comply with the regulations.

The approval of a law in the Salvadoran parliament requires 43 votes. Nuevas Ideas, the party of President Nayib Bukele, achieved more than that: it has 55 deputies and since May 1, 2021, it chairs all of the legislative commissions, including the Legislation and Constitutional Points commissions, which was studying the bill for the protection of journalists.

“Prior to this new political dynamic, the draft bill had become an element of polarization between the opposition parties and the representatives of the ruling party, who viewed with mistrust a draft bill that was championed by their opponents. In the end, almost six months of work and political lobbying by APES and its allies were lost,” explained Burgos, the lawyer.

Nuevas Ideas Deputy Marcela Pineda, who became president of the Legislation Commission in May 2021, said that the draft bill would be archived, along with more than 200 files, because it did not meet the protection conditions required by the sector, according to national media reports. She, however, is the initial author of the draft bill because APES hired her as a consultant when she was not yet a deputy, according to Cárcamo.

"The most ironic thing was that Deputy Marcela Pineda was a collaborator of this draft bill along with Óscar Campos. It is ironic that someone who was in the focus groups, who helped in the drafting, decides to archive all the drafts," Cárcamo said.

LJR sought an interview with Pineda to discuss the issue, but after three weeks of waiting, she did not respond to the request.

In April 2021, when the bill had not yet been archived and she had not taken office as a deputy, she spoke on social networks about part of her past with the genesis of the law: “Three years ago when I worked on the construction of that Law, I verified that the media financiers of @ARENAOFICIAL violate the rights of journalists; sexual harassment, workplace harassment, starvation wages and other atrocities are committed, and now they come out as defenders.”

The final blows to the draft bill

René Portillo Cuadra, one of the deputies from the ARENA party who was on the commission during the last legislature, attributes the delay to the fact that the previous president of the commission, Mario Tenorio, from the GANA party, never put the bill to a vote to bring the plenary to a favorable opinion.

“There were conflicting positions: the FMLN wanted the law to include protection for human rights defenders and ARENA wanted only journalists to be included, which delayed approval quite a bit. The other position was that GANA wanted bloggers to be included,” the legislator told **LJR**.

Dina Argueta, a deputy for the FMLN, now an opposition party, acknowledges that “some were not willing to put the issue on the agenda. There was a lack of will.”

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But, the interpretation of the former president of the APES is that in reality no party was interested in protecting journalists as a profession.

"It was the Nuevas Ideas party that ended up killing it, but no political party has had a real interest in protecting the journalistic profession," Cárcamo said.

Susana Peñate, current trustee of the Association of Journalists, agrees with Cárcamo and points out that the previous legislature did not give importance to the issue: "It was in recent months that they tried to analyze it, however, time ran out and they only got halfway through. They had the time, but they didn't want to start the discussion on time," the trustee told **LJR**.



xxvi. APES press conference on Nov. 24, 2021 to denounce spying on journalists with Pegasus. Photo courtesy of FACTUM/Gerson Nájera

The lack of protection mechanisms precedes the arrival of Nuevas Ideas. In 2003, at the time of the ARENA government, APES tried to create a pension fund for journalists. This would have seed capital contributed by the State. The initiative was approved by the Assembly at the time, but right-wing President Francisco Flores vetoed it. According to Cárcamo, this was due to pressure from interest groups, because the right-wing ARENA party was

related to powerful groups, including the owners of big media.

In 2019, during one of the FMLN's leftist governments, a roundtable was created between the Association of Journalists and the Ministry of Security to address violations of journalists.

"There was a link with the press, but they always justified the attacks by the security elements on the press. It was more of an image than of a real interest in wanting to protect the union," says the former APES president.

"Why is this law important and necessary? Because it is a profession that is exposed to different vulnerabilities, both for informational purposes and for labor vulnerabilities. In the current situation, it should be reinforced and have protection mechanisms and we do not see this happening," warns Peñate, the current trustee of the association.

Portillo Cuadra, the ARENA deputy, presented a new draft bill on Wednesday, April 20.

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"We don't have the votes for its approval, but we can't give up defending freedom of information," he said. This party has only 14 deputies in the current legislature.

"It is not politically feasible for this bill or another similar one to be resumed. The journalists' union must bet on the professional organization within its own media, which in many cases are true commercial companies, and at the same time, make use of the Inter-American human rights protection mechanisms," Burgos, the lawyer, said.

Cárcamo, the former president of APES, is also not optimistic that the discussion of a new law will be resumed.

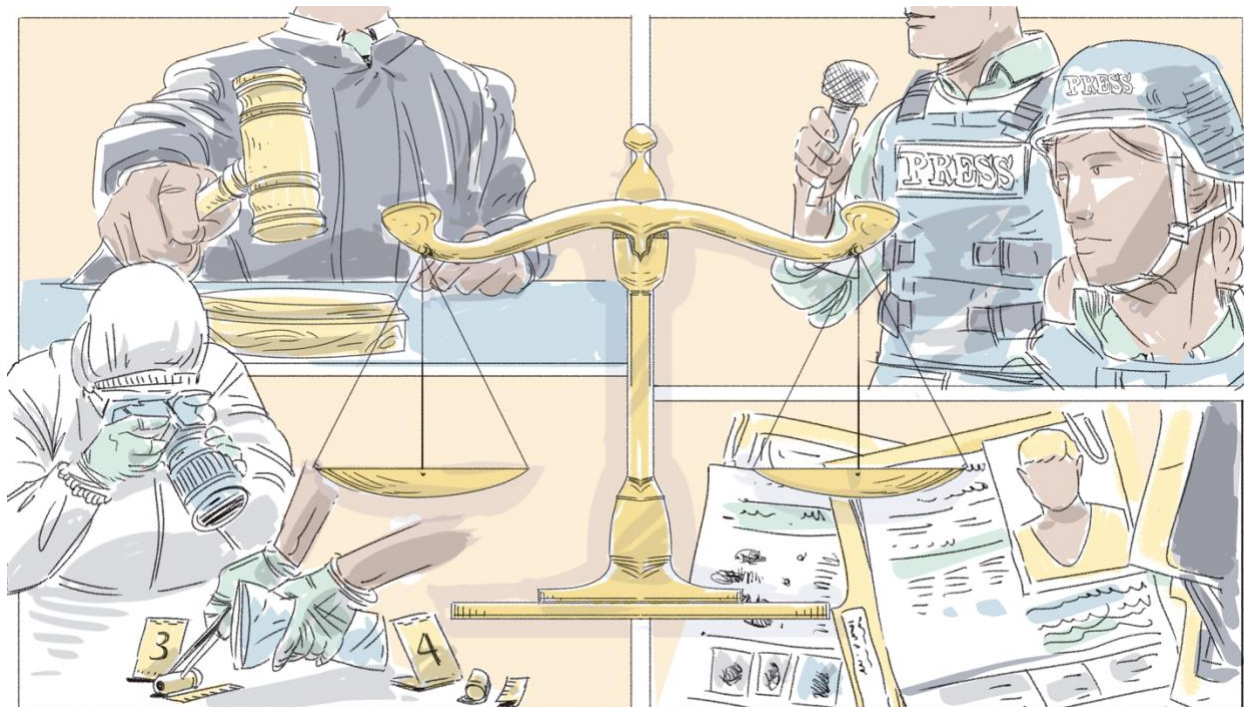
"I do not see interest from this government in approving any legislation that includes the participation of journalists because its actions have demonstrated this. The Executive has an anti-press narrative. On the contrary, there is a glorification of the attacks. Far from condemning, aggressions are celebrated," she said.

There are plenty of examples of what Cárcamo mentions. Journalist Jorge Beltrán Luna was physically assaulted by a police officer while reporting in July 2021. After reporting the case, Federico Ánlíker, president of an autonomous institution, called the police officer a "hero of the country."

(*) *Jessica Ávalos is an investigative journalist based in El Salvador. She covers corruption, human rights, and access to justice. She works at Revista Factum and is the author of the collaborative project on migration "Welcome to Intipucá City."*



Part 4: Investigating and prosecuting cases of violence against journalists



Prosecuting crimes against journalists in Latin America: the key to ending impunity

By Javier Garza Ramos*

June 17, 2022

Experts maintain that attacks against journalists in Latin America have increased in the past years thanks to impunity. Lack of prosecution and punishment for those who threaten, harm or kill journalists has enabled more attackers, who conclude that they can get away with anything.

UNESCO estimated that 78 percent of murders of journalists between 2006 and 2019 in Latin America have not been punished. That is three out of four cases that were not prosecuted, sometimes not even solved.

But, while murder is the most extreme form of attack against a journalist, other types of aggression also go unpunished: harassment, threats, hacking. When authorities do not act against attackers, they are empowered.

We have looked at measures to prevent attacks against journalists taken by journalists themselves, as well as government efforts to protect them. But, there is a third aspect that is crucial in diminishing the frequency of aggression. That is prosecution of cases.

In the past two decades, several countries in Latin America have created special offices for prosecuting crimes against journalists, or freedom of expression in general.

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Some of these institutions pre-date the creation of protection mechanisms, which is another prong in State strategies for preventing attacks against journalists. In some countries, the offices of special prosecutors have been reformed or renamed because of poor initial results.

However, the situation is not encouraging. Ricardo Trotti, director of the Inter American Press Commission (IAPA), told **LatAm Journalism Review (LJR)** that after two decades of pushing for the creation of institutions dedicated to the protection of journalists, “we have not reached the goals we had set for a true administration of justice that fights impunity and reduces violence.”

IAPA is the largest group of news organizations in Latin America and the first to promote the creation of special prosecutors. According to its records, the following countries have established offices for prosecuting or investigating attacks against journalists:

Colombia: In 2002, the National Unit for Human Rights created a sub-unit for investigating crimes against journalists, but there is no special prosecutor within the office of the National Attorney General.

Guatemala: A Special Prosecutor for Journalists and Labor Unions was created in 2001 to investigate, prosecute and prevent threats and attacks. However, in 2019 the government split the office in two, with one prosecutor for crimes against journalists and another for crimes against labor unions and justice system workers.

Honduras: The Special Prosecutor for the Protection of Human Rights Defenders, Journalists, Social Communicators, and Justice Workers (FEPRODDHH, for its acronym in Spanish) was created in 2018, with the mandate of protecting anyone working in the promotion of human rights and freedom of expression.

México: A Special Prosecutor for Crimes Against Journalists (FEADP) was created within the National Attorney General’s Office in 2006. Four years later, arguing a lack of results, the office was changed to Special Prosecutor for Crimes Against Freedom of Expression (FEADLE) with the power to “federalize” cases, so it can take them away from local prosecutors.

Perú: In 2010, the Supreme Court ordered the government to create a special office to process crimes against journalists and expanded the authority of the National Criminal Court and the Criminal Courts of Lima to attract these cases. These courts have power to admit cases for murder, assault, kidnapping and extortion against journalists.

It is evident that there is no unified model for creating an office to investigate and prosecute crimes against journalists. Some countries have special prosecutors, while other countries have investigative units. These institutions were created by legal reforms or, as in Perú, by the Supreme Court. Some special prosecutors also see cases against other actors, like human rights defenders, while others stick only to journalists.

This is a reason it is difficult to assess the results of these efforts, according to Pedro Vaca, Special Rapporteur for Freedom of Expression at the Inter-American Commission on Human Rights (IACHR).

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“The fact that there are special prosecutors in countries with violence against journalists is an important message of the legal policy in those States. But, there is a significant difference between the announcement that a prosecutor’s office will be created, and its operations and its effectiveness,” Vaca told **LJR**.

“There is little information about their effectiveness, especially because there is a significant difference in the models or frames that have been applied: special prosecutors, investigative units, units within units. So, comparisons are difficult,” Vaca said.

Another factor is lack of information. Some of these offices do not have websites or publicly available contact information. In other cases, journalists are not even aware of the creation of those offices or their implementation. Or they know of their existence, but do not trust them.

Colombia is one case, says Raissa Carrillo, coordinator of protection and legal defense at the Foundation for Press Freedom (FLIP).

“The few journalists that know about the resources available, do not want to go there,” she told **LJR**. “There is a lack of trust in prosecutors that mirrors that of the National Protection Unit.”

Carrillo said Colombia has a 76 percent impunity rate in homicides of journalists, and only three out of dozens of reported threats have concluded in a sentence against the perpetrators.

“There is no benefit in going to the authorities,” she said.

Commenting on the resolution by the Peruvian Supreme Court that ordered the creation of a special office, Zuliana Lainez of the Peruvian Association of Journalists (ANP) told **LJR** that the case is more than a decade old, but the order has never been implemented. Instead, cases of crimes against journalists follow their course through the regular channel of judges who specialize in human rights.

“We have not seen that there is a special mechanism to give priority to these cases. This is more than a decade old, but we do not know of a particular measure,” Lainez said.

The IAPA has verified the creation of those offices, but only insofar as governments inform compliance of pledges to create institutions for the protection of journalists. Following up on the implementation is difficult, according to Trotti, who said there are several reasons to be discouraged about the results.

“Lack of consistency in public policy is one of them. Governments adopt policies to avoid the problem and they are not treated as State policies, so they are not followed up by successive administrations. So, at the beginning of each one we must start threading the needle again.”

Other factors, according to Trotti: “Many States are reluctant to accept blame or irregularities in judicial processes, and in some cases, governments blame their predecessors, so the cases are not

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treated as matters of State. Also, many public officials are not aware of their roles and the Inter-American jurisprudence on freedom of expression and violence against journalists.”

And there is the perennial lack of resources in the systems for protecting journalists. “We are still asking governments to give the necessary resources –professional and economic, to make them efficient.”

LJR attempted to contact the Attorney General’s Office in Colombia and the coordinator for criminal prosecutors in Peru for comment, but had not received a response as of publication time.

In 2020, UNESCO published “Guidelines for Prosecutors on Cases of Crimes Against Journalists,” with recommendations for investigating and bringing cases to the courts.

UNESCO makes clear that journalists should not have a special status, “all citizens being equal before the law.” But, it acknowledges that it is necessary to “guarantee a right to exercise the activities related to journalism under conditions which allow the realization of fundamental rights.”

A crucial element, according to the guidelines, is how to determine whether a victim was specifically targeted for being a journalist.

For instance, in Colombia, investigations of attacks against journalists do not have good context analysis, “so cases are not associated with journalistic work,” says Carrillo.

According to Vaca, the methodologies to determine that a crime was motivated by journalistic work are important to assess the results of a special prosecutor or unit.

“The next step in the construction of these offices is to determine the information needed to follow up on their effectiveness, how they will be evaluated and what their accountability mechanisms will be,” Vaca said. “These are the steps needed after the creation and operation of special prosecutors.”

Trotti said there are two reasons to be hopeful: working within the Inter-American System allows victims to keep seeking justice after being ignored by authorities in their countries. And, organizations such as the IAPA and others are constantly denouncing and presenting cases within this System to keep the issue in the public agenda.

If, as UNESCO points out, preventing impunity of attacks against journalists is a central element of press freedom, prosecuting those crimes is a key aspect. Swift investigation and prosecution act as deterrents for potential attackers. In this e-book, we will look at efforts in three countries that started with this objective in mind and assess their level of success.

(*) *[Javier Garza](#) is a journalist based in northern Mexico. He is co-host of *Expansión Daily*, one of the most popular news podcasts in México, and runs the local news platform *EnRe2Laguna* and the radio newscast *Reporte100*. For the past 15 years he has worked on journalist protection and press freedom issues.*

Honduran special prosecutor for protection of journalists is left without mandate to investigate murders

By Leonardo Aguilar*

July 1, 2022

Honduran cameraman and TV presenter Ricardo Ávila told his boss that, without explanation, he lost control of his WhatsApp account, something he saw as a possible hacking of his phone.

A week later, on May 26, he was killed with a shot to the head while driving to work in Choluteca in the southern part of the country.

With this violent act, 93 journalists and communicators have been killed in Honduras since 2001.



xvii. Journalists, camera operators and media outlets wait for the arrival of Mexican President Manuel López Obrador, at the Government House in Tegucigalpa, Honduras on May 6. (Photo: ContraCorriente/Jorge Cabrera)

In a [statement](#) released on May 24, the National Human Rights Commissioner (CONADEH, for its acronym in Spanish) said that impunity in the murders of journalists exceeds 91%. Likewise, it explained that between 2016 and April 2022, the Internal Forced Displacement Unit (UDFI) received around 67 cases of journalists (20 women and 47 men). Of those, 51 are at risk of displacement and at least 16 have already been victims of forced internal displacement, due, in 81%

of cases, to threats, followed by attempted homicide, extortion, injuries and family violence.

“Of these more than 90 murders, the rate of criminal investigation is very low, we only have four cases where there is a sentence for the crimes of homicide or murder; approximately 22% of that is under investigation, the other cases are completely in impunity and we assume that they will remain that way because between 15 and 20 years have passed,” Osman Reyes, president of the Association of Journalists of Honduras (CPH), told **LatAm Journalism Review (LJR)**.

The office that exists in the Central American country specifically to investigate violence against journalists and protect this vulnerable group is the [Special Prosecutor for the Protection of Human Rights Defenders, Journalists, Communicators and Justice Workers](#) (FEPRODDHH in

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Spanish), but it has only five prosecutors – all based in Tegucigalpa – without assigned investigators and without legal jurisdiction to investigate murders or assassinations.

How do the mechanism for protection and the special prosecutor for journalists and social communicators operate in Honduras?

Honduras has the Protection System for Human Rights Defenders, Journalists, Social Communicators, and Justice Operators, which came into effect in 2015 and, as of November 2021, recorded 126 active cases.

This protection mechanism is called to work in coordination with the CONADEH and with the public prosecutor.



xxviii. Facade of the building where the public prosecutor works. Tegucigalpa, Honduras. (Photo: *ContraCorriente*/Fernando Destephen)

Both the CPH and the Honduran Bar Association (CAH) withdrew from the protection mechanism in 2021 as a form of protest, alleging passivity of the protective space.

“We have this protection mechanism for journalists, lawyers, people from vulnerable groups, but it is not acting as a response to these complex situations,” Reyes said.

But, since 2018, Honduras has also had the Special Prosecutor

(FEPRODDHH), but its presence is not visible, according to Reyes.

Despite the fact that Reyes is the president of the CPH, he said that for two years he has not heard anything about the FEPRODDHH and that he does not even know who the head of said prosecutor's office is.

"I understand that at the time this special prosecutor's office was created to deal with these cases, we were in contact two years ago with the Prosecutor Keila Aguirre, who had formed a team and with them we allocated some cases, but she contacted me one morning and told me that they had already rotated her from the prosecutor's office, and to this day I don't know who remained, I don't know if that prosecutor's office still exists, if it continues to work, because at least in my capacity as president of the Association of Journalists I never had contact with that prosecutor's office again," Reyes said.

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Reyes added that he met with Security Minister Ramón Sabillón in 2022, but that he was presented with the same data and advances given by previous governments.

“We had meetings with three security ministers from three different governments, the same presentation made by the first was made by the second and the number of advances is the same as that of the third. The classic answer is always: we are investigating and the routes lead nowhere,” Reyes said.

Amada Ponce, director of the Committee for Freedom of Expression (C-Libre), a coalition of journalists and civil society organizations, agrees with Reyes and said that C-Libre’s experience with FEPRODDHH is unsatisfactory because the majority of the cases don’t receive the necessary attention.

“As of last year, there were only two prosecutors assigned,” she told **LJR**.

“The majority of cases that we have filed with these prosecutors have not been attended to in the more than three years that we began to file claims, particularly one of the most difficult experiences to deal with has been with the cases that have been brought from communicators and human rights defenders who are in the territories, where the human and investigative resources are very limited,” Ponce said.

Ponce said that FEPRODDHH does not have access to the photographic voter registry of the National Register of Persons (RNP) to identify aggressors of these vulnerable groups.

“This prosecutor does not have access and we thought it was an impressive thing. We are talking about identification of an aggressor, a task that does not represent any effort or expense. Access to a photographic registry only means a password and entering that registry. Other prosecutors have it, but this one does not.”

Ponce said that they have presented more than 300 complaints before the public prosecutor, but “to date, none of the cases has been concluded with a final sentence, not that we know of.”

“This gives us the feeling that this prosecutor’s office was created, let’s say, with the name well-placed, very nice, but not to bring to justice the aggressors of vulnerable groups,” Ponce said.

No cases being tried

LJR obtained that 252 complaints have been formally filed with FEPRODDHH since the creation of the prosecutor’s office in 2018.

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Vulnerable group	Complaints since 2018	Complainants	Prevalence of crimes reported	Departments
Journalists and social communicators	64 complaints as of May 14, 2021	12 women and 52 men	Threats, disclosure of secrets, injuries and damages, limitation and impediment to fundamental rights, abuse of authority, violation of the duties of officials, torture, violation of freedom of expression, theft, discrimination, crimes against intellectual property.	Francisco Morazán, Choluteca, El Paraiso, Colón, Yoro, Cortés, Atlántida, La Paz, Santa Bárbara, Comayagua, Valle, Copán, Intibucá.
Human rights defenders	136 complaints as of May 16, 2022	51 women and 85 men	Illegal detention, threats and homicide, kidnapping, hate speech, threats, coercion, home invasion, injuries and damages, abuse of authority, violation of the duties of officials, torture, raid by public officials and employees, discrimination, employment discrimination, sexual harassment.	Francisco Morazán, Copán, Yoro, Cortés, Colón, La Paz, Santa Bárbara, Choluteca, Valle, Atlántida.
Judicial operators	52 complaints as of May 13, 2022	31 women and 21 men	Attack, intimidation of witnesses and others, threats, coercion, abuse of authority and torture, cruel, inhuman and degrading treatment, abuse of authority, violation of the duties of officials.	Islas de la Bahía, El Paraiso, Francisco Morazán, Cortés, Choluteca, Ocotepeque, La Paz, Olancho.
Table prepared in June 2022 by LJR with data provided by the public prosecutor's office through the Institute for Access to Public Information.				

Prosecutor Jerry Vallardes, head of FEPRODDHH, told **LJR** that there are no sentences and that currently that are no pending cases against aggressors of journalists, communicators or human rights defenders being tried in courts or criminal tribunals. Vallardes only mentioned that there is a case that could possibly go to oral and public hearing, but that involves a judicial operator.

To understand why the cases of the FEPRODDHH do not advance, or why sentences that generate precedents to protect journalists are not obtained, Vallardes explained that many of the cases are referred to a justice of the peace, where they are settled by way of conciliation, while other cases known by FEPRODDHH are referred to other prosecutors, such as Crimes Against

Life or Ethnic Groups.

In the hearings of the justice of the peace courts, the victims are exposed and directly confronted with the aggressors who in many cases can be police or military.

Complaints filed with FEPRODDHH by journalists and social communicators, human rights defenders and justice operators	
2018	61 complaints
2019	97 complaints
2020	39 complaints
2021	33 complaints
2022	12 complaints
<i>*FEPRODDHH did not include in the breakdown by year the complaints that were forwarded to other agencies.</i>	
Table prepared in June 2022 by LJR with data provided by the public prosecutor's office through the Institute for Access to Public Information.	

According to Amada Ponce with C-Libre, most of the attacks against journalists and social communicators are committed precisely by police and military.

"This is common in a country like Honduras, which is very weak on the issue of human rights and access to democracy," she said.

Since the 2009 coup d'état, protests have been a constant in the country against the deterioration of institutionality and the displacement of vulnerable populations from their territories. The protests persist today

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despite the fact that a government has entered that previously represented a good part of the political and social opposition. In this environment of continuous protests, the repression of the police and military has been constant and among the most affected have been journalists and social defenders.

“Most of the cases we have are cases of threats and personal injury. However, in accordance with the Code of Criminal Procedure, although these are crimes of public action, consequently, a particular instance is required, that is, that the victim authorizes us or gives his consent to initiate the investigation and to be able to prosecute the case in accordance with article 26 of the Code of Criminal Procedure,” Valladares said.



xxix. Facade of the office where the Special Prosecutor for the Protection of Human Rights Defenders, Journalists, Social Communicators and Justice Operators (FEPRODDHH) operates inside the public prosecutor's office in Tegucigalpa, Honduras. (Photo: ContaCorriente/Fernando Destephen)

Regarding how they attract the cases, Vallardes said that “in most cases, the complaints come through organizations or through the protection mechanism.”

The chief prosecutor of FEPRODDHH said that the cases, that are not remitted to a justice of the peace, on most occasions fade away because the victims “unfortunately” don’t trust the judicial operators.

One of the ways in which the FEPRODDHH turns the case over to another prosecutor's office, Valladares said, is based on the “causal link,” meaning, they assess whether the aggression against the journalist occurred due to the exercise of his or her work or if it happened because of a personal issue. If they cannot confirm that a journalist has been attacked or threatened because of his or her work, they pass the case on to another prosecutor’s office.

Vallardes does not see any problem that FEPRODDHH does not have jurisdiction to handle cases of murders of journalists, because in his opinion "the issue of crimes against life is a fairly complex, complicated issue, even having information centralized to be able to clarify criminal structures, criminal conduct, relationship with firearms, relationship of people, then it was determined that all crimes against life be investigated by the Prosecutor for Crimes Against Life, there are deaths against women, politicians, journalists, vulnerable groups," he said.

“Currently, we only have an office in Tegucigalpa and we have jurisdiction and scope to hear cases throughout the country. Regarding the logistics issue, we have the necessary support, the vehicles to make the journeys, the support with the travel expenses, we have not had limitations in the budget issue, to cover emergencies in San Pedro Sula, La Ceiba, Choluteca, but I think that the Achilles' heel is that we do not have investigators," Valladares explained.

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He added that the FEPRODDHH only has five prosecutors, including him, and all of them concentrated in Tegucigalpa, with powers only to hear some crimes related to the "limitation of fundamental rights," meaning, threats, injuries, among others.

In the absence of investigators, these five prosecutors also have to act as investigators.

"That void is filled with the same prosecutors, who become investigators, when we need to go, we go," explained Valladares, who said that "by function of scope," ATIC (the investigative arm of the public prosecutor's office) only deals with crimes of high impact, crimes of corruption, organized crime, homicides, murders, "so we are limited to be able to work cases with the ATIC," he said.

Valladares said that FEPRODDHH does not have the technical knowledge to be able to identify the origin of cyberattacks.

"The real situation in the country is complex because let us remember that these social networks, Instagram, Twitter, Facebook, WhatsApp, operate freely in the country, but there are no representatives of all these companies in the country, all their representatives are based in the U.S., when we require information from these companies it is impossible to access this information and especially with this type of crime," he said.

Osman Reyes, CPH president, said he's concerned with the situation of journalists in Honduras.

"We are in a complex situation as a profession, to the case of Ricardo Ávila, a cameraman for one of the largest channels in the south of the country, we must add the threats suffered by journalist Manuel Santiago Serna, one of the veterans of journalism in the city of San Pedro Sula, who is receiving harassment through the telephone, calls, messages, from numbers registered in Colombia, they have even sent him private photographs of his own family," he said.

Reyes said that similar threats, with numbers registered abroad, have been received by the former president of the CPH, Dagoberto Rodríguez: "in this same way of operating he is receiving threats, so we can say that we are at a critical moment, that far from improving, far from getting out of a critical situation, we see that it tends to worsen in recent days."

A murder in southern Honduras

At the beginning of the investigation into the murder of 25-year-old social communicator Ricardo Ávila, police said it was a traffic accident. Then they put forth the hypothesis that it was a robbery. Now, after the emergence of evidence, they said it was a murder.

Amada Ponce, director of C-Libre, said that MetroTV, the channel where Ávila worked, is one of the few channels that covers social movements in Choluteca.

Over the last three years, C-Libre has issued a total of 11 alerts about threats and harassment that journalists, camera operators and communicators from MetroTV in Choluteca have received.

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xxx. Photo of Ricardo Ávila working. (Photo courtesy of MetroTV)

A week before his murder, Ávila notified the owners of MetroTV that he lost control of his WhatsApp account, which was internally interpreted as a threat.

Alejandro Aguilar, owner manager of MetroTV, told **LJR** that he gave instructions to the staff to block Ávila's number.

"We didn't know who was using his WhatsApp. But we never imagined what would happen a week later. We did not imagine the tragedy," he explained.

Although Aguilar said that he didn't know the reasons why Ávila was killed, he is interested in obtaining measures of protection both for himself and for the employees at his channel.

Although Aguilar said that he

Aguilar said that in the hospital in southern Choluteca, at first it wasn't clear that Ávila had been shot in the head. Then, the X-rays came.



xxxi. X-ray examination of the skull of Ricardo Ávila on May 26, 2022. (Photo courtesy of MetroTV)

"When the person in charge of X-rays arrives, he looks at me and asks: 'Has Ricardo ever been shot?' And I tell him no. And he tells me: 'Come on, look at the pictures.' You could see the bullet entrance in one part of his head, and a bullet inside, in his brain. So the staff got worried."

According to Aguilar, the doctor had a chat with the person in charge of X-rays to make sure that on the stretcher where Ávila had been placed there was no object that could have caused an effect in the X-ray results.

While the doctor and the person in charge of the X-rays tried to understand what happened with Ávila, Aguilar took the time to make a pair of phone calls.

"I called a man... I woke him and asked for help: 'They tell me that Ricardo had an accident, but I need you to go to see, because they said that the moto is still on the edge of the street. Help me, if it's possible, pick it up and then tell me. When you arrive, I need you to find the helmet and take a picture of it.' The man later called me and told me: 'I just got here and the moto is

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being taken by the police.’ I said to the man: ‘ask them to give you the helmet.’ He sent me the photos of the helmet and there you can see the bullet hole.”

Aguilar showed the images of the helmet to the surgeon, who, surprised, told him that it matched the X-rays. “‘It was a shot,’ the surgeon told me,” he remembered.

Later Ávila was transferred to the Teaching Hospital of Tegucigalpa, the capital of Honduras, where he died on May 29.



xxvii. The helmet that Ricardo Ávila used on the day he was shot on May 26 in the morning while driving to work. (Photo courtesy of MetroTV)

LJR contacted the spokesperson of the National Police in the department of Choluteca, Officer Gerson Escalante, who said no one has been captured but they have identified “suspects” that caused Ávila’s murder.

“The investigations regarding the social communicator continue, everything points to those suspects belonging to a criminal group from Marcovia,” Escalante said.

The version provided by Escalante to **LJR** said that the patrol from the National Police received a 911 call reporting a road accident with a motorcycle.

“Then in the hospital in the south, it was observed that the person had a wound caused by a firearm without an exit wound, then the National Police went to where the injured person was found to carry out an examination of shell casings and to carry out investigations there, information was collected on who the suspects were and to start there were two hypotheses,” Escalante said.

Escalante affirmed that the first hypothesis centered on a robbery.

“It was purported to be an attempted robbery, but according to investigations, that is being ruled out.”

The police spokesperson added: “it was a targeted attack. The goal was to end his life. So far, I do not have the information on what was the reason for these criminals to have taken his life, this data is managed by the DPI (Police Directorate of Investigations).”

“There are two teams investigating this homicide of the social communicator. There is a team from Choluteca and a team from Tegucigalpa investigating,” explained Escalante, who added that violence has increased in Choluteca in recent months.

What does the Minister of Human Rights say about the murder of Ricardo Ávila?

Natalie Roque, secretary of human rights, told **LJR** that the murders of Ricardo Ávila and a prosecutor in Nacaome, which occurred on May 29 and 27, respectively, added to the threats that some journalists are experiencing, are due to a rearrangement of organized crime in the face of the new government.



xxxiii. *The Minister of Human Rights, Natalie Roque. Tegucigalpa, Honduras. (Photo: ContraCorriente/Fernando Destephen)*

“Not just the murders, but also the threats show a very strong reaction on the part of organized crime structures, as they regroup to keep control and use other types of violence,” Roque said.

Prosecutor Karen Almendarez was killed on May 27. It also happened in the southern region of the country, specifically in the municipality of Nacaome, Valle department. Almendarez was assigned to the Environmental Prosecutor’s Office.

The secretary of human rights said that as long as the structural conditions for violence remain and that it is focused on human rights defenders, journalists and judicial operators, there will be no prosecutor’s office capable of putting a stop to the violence.

“It must be recognized that in the case of the Human Rights Secretariat, it has the National Protection Mechanism, but this needs a profound restructuring since it has not been a guarantor for the life of this sector of the population either,” the secretary said.

Roque views the actions of prosecutors in different offices with much concern and said that the levels of impunity are enormous.

“As long as we continue with these problems of impunity and weakness in the investigative processes, we are not going to have guarantees of rights,” she said.

“We have seen the recent threats, murders, aggressions, against judicial operators, journalists, defenders of human rights and this tells us also that we must redouble, triple and multiply efforts, because the actions of some prosecutors are very limited due to lack of resources, there may be will but if there is no support it is difficult to guarantee rights,” Roque concluded.

Two teams investigate the murder of Ricardo Ávila

Amada Ponce regrets that it is a different prosecutor's office, such as Crimes Against Life, that carries out these types of cases, and that there is no special prosecutor's office trained to

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investigate deaths of journalists and social communicators, because, in her opinion, it is evident that in the case of Ricardo Ávila there has been a bias since the beginning of the investigation.

"The police were insisting, from the beginning, that the murder of Ricardo Ávila was a robbery or common violence in the area, however, we know that absolutely nothing was stolen from the journalist, in his possession was the backpack, money, his belongings, cell phone, the keys in the motorcycle, and how is it that they robbed him if all the things he was carrying were in his possession?," she asked.

The media outlet where Ricardo Ávila worked had previously made 11 complaints for which C-Libre issued alerts, stating that they felt vulnerable due to the exercise of their journalistic work. During Ávila's funeral, on Monday, May 30, part of the journalistic union of Tegucigalpa and the southern zone demanded justice for the death of the communicator.

"We call on the authorities of the State of Honduras to clarify this criminal attack that led to the loss of life of colleague Ricardo Alcides Ávila, with the aim of presenting those responsible before the courts," C-Libre said in a statement.

() Leonardo Aguilar is a lawyer and journalist in Honduras. His studies have been carried out at the National Autonomous University of Honduras in the Sula Valley (UNAH-VS). He has worked in radio, print, web and investigative journalism. He has collaborated with organizations defending the environment and in investigations on forced displacement for reasons of violence linked to drug trafficking.*

Justice for journalists in Guatemala: Prosecutor archives more complaints than it brings to trial

By Jody García*

July 11, 2022

It was September 2014 when Indigenous journalist Norma Sancir took her backpack with her work equipment and went out to cover an eviction in the Camotán community, in Chiquimula, where she lived and worked as a reporter for different local media outlets.

Although she was only carrying the phone with which she was documenting the events, the National Civil Police (PNC, for its acronym in Spanish) surrounded her along with other women, beat her and accused her of attack and public disorder, Sancir said. The journalist spent five days in jail until a court ordered that she be released because there was no evidence that she had committed any crime.

After it became clear that she was just doing her job as a journalist, Sancir denounced the police officers for abuse of authority. The PNC never spoke out about this aggression and various reports have pointed out that agents continue to attack journalists.

Eight years have passed and the justice system has not given her an answer. A judge closed the case without the public prosecutor notifying her of the hearing and although she managed to get the file activated again, impunity has affected her work, Sancir said during an interview with **LJR**.

Sancir's case is not unique. According to official statistics, with the public prosecutor, more cases of attacks against journalists are archived or dismissed than those that reach the courts. In the last 18 years, only 2 percent (28 cases) of the total cases admitted (1,187 complaints) have obtained a guilty verdict.

Although in 2020 in Guatemala a special prosecutor's office was established to investigate crimes committed against members of the press, the unit has few specialized personnel and the annual budget suffered cuts of up to 68 percent in the last four years, according to reports delivered by the public prosecutor's office to **LJR**.

Budget versus lack of response

In 2014, the entity in charge of investigating Sancir's complaint against the police was the Unit for crimes against journalists, activists and human rights defenders and justice operators, an office under the Prosecutor for Human Rights.

Its budget was 14,565,000 quetzales, around US \$1,865,000, according to a report delivered by the Budget Department of the public prosecutor (MP, for its acronym in Spanish) to **LJR** through a request for access to public information.



xxxiv. Norma Sancir (Courtesy photo)

Despite the financial resources, Sancir never received a response to her case. She even found out that the file was closed in favor of the police officers in a hearing that took place without the MP notifying her that she had to attend, she said. She did not have the opportunity to speak before a judge. The journalist asked an Indigenous organization for support because she considered that her right to petition the court had been violated, according to what Sancir told **LJR**.

After "putting up a fight," as she describes the dozens of attempts she made, the investigation was taken up by a new prosecutor and the judge who favored the police officers was removed from the case, she described. When **LJR** asked about Sancir's cases, the public prosecutor's office only said it was ongoing.

Although in 2021 the process reached the point where a judge must decide whether to send the agents to trial, this hearing has been suspended on nine occasions.

Complaints that do not become cases

Sancir's situation is not just an isolated case, considers Evelyn Blank, director of the Cívitas Center, a non-governmental organization that has studied attacks against journalists.

"In recent years, complaints have been received about prosecutors closing cases without journalists knowing about it or being consulted. The victims' right to participate in the judicial process is being violated," Blank told **LJR**.

The report "Guatemala: State against the press and freedom of expression," carried out by Cívitas, Article 35 and Article 19, said that 70 percent of the complaints filed by journalists between 2002 and 2010 were dismissed.

At present, dismissal has become the response that the public prosecutor has given the most to complaints of attacks against journalists. In the last three years, almost the same number of complaints have been dismissed or archived as those that have been admitted in the same period of time.

According to statistics from the MP, the dismissals accelerated in 2020 with the administration of Attorney General María Consuelo Porras, who celebrates opening prosecutorial agencies in all the country's municipalities as her greatest achievement, although an investigation by Plaza Pública shows the priority is not to investigate the complaints, but to close them in less than 30 days.

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In 2020, 108 complaints made by journalists were dismissed or archived; in 2021 there were 153 and in 2022 there were 46, making a total of 307 dismissals. During that time, 312 new cases were admitted.

Consuelo Porras' strategy to reduce judicial backlog is to close the cases, according to the Institute of Comparative Studies in Criminal Sciences of Guatemala (Iccpg), which carried out a study that revealed that 9 out of 100 cases are resolved favorably to the victim, that there is an overwhelming increase in dismissals and that there is no information on the criminal strategy behind the massive closure of cases.



xxxv. A demonstration by Guatemalan journalists held on November 30, 2021 (Courtesy: José David López)

Porras, who in May 2022 was re-elected as attorney general, created the Liquidating Prosecutor's Office. As in the case of Sancir, there are reports of people who, when asking about the progress of their complaint, find out that it was archived or dismissed. According to an investigation of Plaza Pública, in 45 percent of the cases that were closed, the victims were not notified.

LJR attempted to contact the Attorney General, but

did not receive a response at the time of publication.

According to the statistics that the public prosecutor delivered to **LJR**, 7 out of 10 complaints, for all types of crimes, have that fate.

“I was very upset and indignant about that,” said Sancir, who later sought help from a human rights organization to take up her case.

More institutionality, less resources

Agreement 69-2019, of Nov. 26, 2019, signed by Attorney General Consuelo Porras, created the Office of the Prosecutor for Crimes against Journalists to be in charge of knowing about, investigating and criminally prosecuting crimes committed against journalists at the national level, when the acts have been committed in order to limit their human rights in the exercise of their functions or it is an act of intimidation, harassment or retaliation for their activity.

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Before this department was created, it was a small office within the Human Rights Prosecutor's Office that investigated cases against journalists, but also against activists and justice operators.

The first article of the creation agreement says that if the prosecutors determine that the motive for the crime is not a consequence of journalistic work, the complaints will be forwarded to other prosecutors.

According to the creation agreement, the prosecutor's office has a headquarters, prosecutorial agencies and administrative support areas. It also has the support of technicians in criminal investigations when the investigation requires it.

Twenty people currently work in this unit. There is a section chief prosecutor, three prosecutors, nine assistant prosecutors, one executive assistant, one clerk, three officers and two drivers for six vehicles, according to information provided to **LJR**.

In 2018, the unit for crimes against journalists, human rights defenders, and justice operators had a budget of 23.3 million quetzals.

A year after its creation, the prosecutor's office had a significant reduction in its budget: in 2019 it received 68 percent less funds, decreasing it to 7.2 million quetzales, despite having acquired a higher category in the hierarchy of the public prosecutor's office. In 2020, 2021 and 2022 the office received minimal increases.

The current budget of this unit is 77 percent less than the one assigned before Porras took office and implemented the strategy of converting the unit into a prosecutor's office.

These figures come from a report from the public prosecutor's office delivered to **LJR** through a request for access to information.

"On the one hand, the creation of the prosecutor's office was positive and, on the other, the deterioration in the capacity to investigate was negative," Blank said.

How could this go from being a unit with more resources to a prosecutor's office with less funds?, she was asked.

"Yeah, that's pretty illogical, right? But it happened that some of the prosecutors who had been invested in, with training in the prosecution of these crimes, were transferred. In addition, the pandemic affected a lot. There was no staff, there was an almost absolute shortage of resources," she said.

The lack of resources and judicial response to attacks against journalists causes impunity and that perpetuates the cycle of violence, the researcher emphasized.

In the case of Norma Sancir, this impunity caused her to migrate within her own country and distance herself from the community that was the primary source of her reports and investigations. She now works from Guatemala City.

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“With my anger and indignation I was able to continue doing things in journalism, but in the end it gets tiring having to take care of yourself, later there were two other incidents due to the work I was doing. It was a lot of wear and tear and that's why I made the decision to start a healing process,” she said.

Sancir suffered the aggression not only physically and although ten years have passed, not being able to close the chapter because there is no sentence has left emotional consequences.

“To this day I can't sleep well. Sometimes I don't want to cry anymore but it's impossible to get it out of your memory and sometimes when I have to look for information about myself my stomach turns. I wonder what I do in the city when my essence, my passion, was covering communities, but I can't take that risk anymore,” Sancir told **LJR**.

Effectiveness

The most reported crime by journalists is threats, with 464 cases, followed by coercion with 216, minor injuries with 82, abuse of authority with 45, aggravated robbery with 40, homicide with 37, murder with 36, aggravated robbery with 28, defamation with 19 and extortion 17, among others.

A minimum percentage of the complaints filed by journalists have led to a conviction: in the last eight years, 28 convictions have been reported, one percent of the total, according to the MP report.

Added to this figure are 13 acquittals, including the ruling in favor of former deputy Julio Juárez, accused by the public prosecutor's office of having been one of the masterminds of the murder of journalist Danilo López, an incident that occurred in March 2015, in which reporter Federico Salazar was also shot.

The seriousness of these murders, which occurred in broad daylight and in front of the headquarters of the Ministry of the Interior, caused journalists to demonstrate and demand the creation of protection mechanisms.

At the request of journalists, the International Commission against Impunity in Guatemala (CICIG), an office of the United Nations to deal with high-impact corruption cases, participated in the investigation of this crime. In the last two years, six former prosecutors and a judge who investigated criminal networks embedded in the State have gone into exile due to denunciations, attacks and even death threats for the work they did.

The cases are now in the charge of Rafael Curruchiche, a prosecutor appointed by Porras, who has been questioned for allegedly changing the course of the cases, something he calls "redirecting the investigations to legality."

According to Blank, the case of the murder of the two journalists "fell" in the trial in the same way that other cases investigated by the CICIG are being dismantled.

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Although the cases are not resolved, Blank said that the prosecutor for crimes against journalists is effective in responding to small requests made by journalists and mentioned one case in particular.

A community journalist was attacked by a group of police officers and requested security measures before a court. The authorities assigned the same agents as those in charge of protecting journalist Sancir.

Blank contacted the prosecutor's office, where they helped solve the problem. Yet, in Sancir's case, it has taken eight years to prosecute the police officers accused of assaulting her.

Despite the time, the journalist is hopeful that there will be a trial and a conviction.

"Not for revenge but for justice and dignity and so that the same thing doesn't happen to other journalists," she concluded.

(Jody García is a journalist from Guatemala, part of the Plaza Pública team. She is a stringer in the country for The New York Times. She is a fellow of the Alfred Friendly Fellow program at the University of Missouri School of Journalism. She interested in justice, politics, human rights and migration.*

Mexican special prosecutor for crimes against freedom of expression has a long history, but produces few results

By Sara Mendiola*

July 29, 2022

On March 23, 2017, journalist Miroslava Breach Velducea was murdered as she was leaving her home in the city of Chihuahua, in northern Mexico.

Breach was a reporter for newspaper Norte in Ciudad Juárez and a correspondent for La Jornada of Mexico City. In the months prior to her murder, she had published several reports on links between local authorities and drug trafficking groups and she was one of the few journalists who documented the displacement of Indigenous communities in the Sierra Tarahumara due to the penetration of criminal groups.



xxxvi. The tomb of journalist Miroslava Breach in the city of Chihuahua constantly has flowers and a banner against impunity in crimes against journalists. (Photo courtesy of Red de Periodistas de Juárez)

She was hit with eight shots from a 38-caliber pistol. The details of her work, particularly her revelations about criminal groups operating in the state of Chihuahua, necessitate that her journalistic work must be at least a hypothesis in the motive for the crime. The first investigations carried out by the Chihuahua State Prosecutor's Office indicated this, since the first statements by local authorities pointed to the fact that it was a "narco-political" crime.

But months later, the local Prosecutor's Office changed its tone and ruled out the participation of political actors or officials and pointed only at a criminal group, according to the case files obtained by Propuesta Cívica, a non-profit dedicated to the legal defense of journalists, as part of its work advising Breach's family.

The local investigators fell into a contradiction about their versions, but both of the two versions pointed to journalistic work. Even so, the specialized institution that the Mexican State created to prosecute attacks against journalists did not consider it necessary to take on the case at the federal level.

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The Special Prosecutor for Attention to Crimes Committed against Freedom of Expression (FEADLE, for its acronym in Spanish) was created in 2010 in response to the increase in attacks, particularly murders, against journalists.

Located in the then-Attorney General's Office (Procuraduría General de la República), the objective was to shield the investigations of crimes against journalists from local authorities, who are often accomplices.

The FEADLE had been created precisely to prevent state prosecutors from falling into contradictions such as those exhibited by the Chihuahua Prosecutor in the Miroslava Breach case. Also to avoid the opacity that followed, because in the 10 months after the crime, the local Prosecutor's Office denied the journalist's family access to the investigation, arguing they were not indirect victims of the crime.

But the continuous requests to FEADLE to claim the case and take control of the investigation were ignored despite the context of the crime.

The family of Breach Velducea had to go to a federal judge for him to order the local Prosecutor's Office to recognize the relatives as indirect victims, since this would allow access to the investigation and participation in the process. Even so, the Chihuahua Prosecutor's Office refused to comply with the court order. It took a year after the homicide for FEADLE to decide to take on the entire case.

The investigation in the hands of the federal government achieved the first sentence against one of the perpetrators, and the hypothesis of the crime's motive was confirmed: Breach had been assassinated for her investigations. This was evidenced in the trial against Juan Carlos Moreno Ochoa, the first person arrested for the crime.

Moreno was arrested in December 2017, nine months after the murder, and identified as the intellectual author of the crime. His trial began in March 2018, and there various witnesses specializing in criminal investigation exposed how narco-politics operates in the Chihuahua mountains and the possible involvement of politicians of the local government in the crime.

In addition, Federal Judge Néstor Pedraza Sotelo stated in his conviction that in the trial it was proven that Breach was the victim of homicide as a result of her journalistic investigations.

Two years had to pass for the next arrest. On Dec. 17, 2020, the Special Prosecutor's Office arrested Hugo Amed Schultz for his probable participation as an assistant in the homicide. Schultz was mayor of Chinipas, a municipality in the Sierra Tarahumara, where Breach had investigated the presence of drug cartels.

On June 15, 2021, the former mayor accepted the facts of the accusation and his criminal responsibility and was sentenced to eight years in prison.

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The history

Mexico was one of the first countries to create a special prosecutor's office to investigate crimes against journalists. The first version of the FEADLE was the Special Prosecutor for the Attention of Crimes Committed against Journalists (FEADP), created in February of 2006.

One of the initial problems that this new Prosecutor's Office had was that the agreement that created it did not establish a definition of journalist or a methodology to determine what was considered "professional exercise" to establish it as a motive for an attack. This allowed the Prosecutor's Office to establish a narrow definition and declare itself incompetent to investigate most of the crimes before establishing if there really was a connection with journalistic work.

Another problem was that the FEADP was limited to federal crimes and crimes punishable by imprisonment, thus leaving threats or aggressions outside its jurisdiction.

The FEADP lasted just four years and by 2010 it was clear that it had not worked. In the four years before the creation of this Prosecutor's Office, 10 journalists were murdered. In the following four years, there were 32 killed.



xxvii. A mural in Culiacán, Mexico, remembers slain journalist Javier Valdes, cofounder of the local weekly RioDoce (Photo courtesy of newspaper Noroeste)

For 2010, the Rapporteurship for Freedom of Expression of the Inter-American Commission on Human Rights, in its 2010 Special Report on Freedom of Expression in Mexico, spoke about the lack of results from the Prosecutor's Office.

“The office has not made any impact on reducing the generalized impunity that holds sway in cases of violence against journalists, if we consider that according to information provided in the course of the on-site visit, since its creation in 2006 the FEADLE had not achieved a single conviction, and had brought only four cases to trial,” the report said.

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In that report, the Rapporteurship already recognized the transformation of the FEADP into the FEADLE, which was created in August 2010.

However, the new Prosecutor's Office maintained the ambiguities regarding the definition of “journalist” or “journalistic activity” to justify its intervention. This caused an increase in the declarations of lack of jurisdiction, the motion of the Prosecutor's Office not to intervene in a case. And although the law gives the victims or their relatives the recourse to fight the declaration of a lack of jurisdiction before a court, the resolution of a judge can take from six months to a year, which affects the investigations, especially the collection of evidence.

Cases of success and failure

The case of Miroslava Breach has been considered an achievement by FEADLE, along with the arrests and sentences obtained in the case of journalist Javier Valdez Cárdenas, who was killed in Sinaloa on May 15, 2017, less than two months after Breach's murder.

But both cases are exceptional because of the way in which FEADLE took on the investigation after pressure from groups of journalists, civil organizations and international organizations that defend freedom of expression.



xxxviii. A memorial in Culiacán, Mexico, mourns journalist Javier Valdez after his murder in May 2017. (Photo courtesy of newspaper Noroeste)

Javier Valdez's case was unusual because on the same day of his assassination, then-President Enrique Peña Nieto announced that FEADLE would take up the case. Peña Nieto was reacting to the public outcry for the crime against one of the most internationally awarded Mexican journalists, recognized for his coverage of organized crime.

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The case of Javier Valdez was the only one that merited such an intervention by the Mexican president. Peña Nieto did not do so with the 31 murders of journalists that occurred before May 15, 2017, nor with the 15 that followed until November 30, 2018, when he left the government.

Even with the extraordinary intervention of the president, the investigation of the Valdez case was slow to produce results. Two years after the crime, the Rapporteurs for Freedom of Expression of the UN and the IACHR questioned the slowness of the investigations.

There are several cases that show how FEADLE ignores attacks on journalists, including murders. A couple of examples are the murder of Armando Saldaña Morales and the attempted murder of Indalecio Benítez Mondragón.

In November 2013, Indalecio Benítez founded the community radio station Calentana Mexiquense, in the municipality of Luvianos, State of Mexico. This is the so-called “Tierra Caliente” zone, near the limits of the state of Guerrero, a region with a strong presence of drug cartels, which control everything from poppy planting to business extortion. Less than a year after founding the radio station, on Aug. 1, 2014, upon arriving at their home, Benítez and his family were assaulted by several armed men who shot at the car they were traveling in. One of Benitez's children, a 12-year-old son, died.

Benítez filed a complaint with the FEADLE, which began the investigation, but more than two years later, the Prosecutor's Office determined that there was no evidence to link the attempted murder of which he was a victim with his journalistic activity, and so it declined to take the case and sent it to the Attorney General's Office of the State of Mexico.

An evaluation from Propuesta Cívica found that FEADLE's actions were not aimed at identifying those responsible, nor establishing a link with his journalistic activity. Due to the foregoing, in 2017 Benítez and Propuesta Cívica filed an injunction to restore the authority of the FEADLE. A federal judge considered that the Special Prosecutor did not take the necessary actions to establish the link between the crime and Benítez's journalistic work and ordered it to retake the case, which was never resolved.

There are other cases in which FEADLE does not intervene at all.

Two years later, in the same area of Tierra Caliente, near where Benítez's family was attacked, another reporter was killed. Nevith Cortés Jaramillo worked at a news portal that published citizen complaints. On Aug. 24, 2019, he was stabbed to death and the crime is still unsolved.

In the Tierra Blanca area, on the borders of Veracruz and Oaxaca, Armando Saldaña Morales worked in radio and newspapers. He was an announcer for the stations KeBuena and Radio Max and a contributor to newspapers such as El Mundo de Córdoba and Crónica de Tierra Blanca.

On May 2, 2015, he was abducted as he was leaving his office in the municipality of Acatlán, in the state of Oaxaca. Two days later his body was found with four gunshot wounds and signs of torture.

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Among the issues that Saldaña was investigating at the time of his death was the illegal theft of gasoline from ducts owned by state-owned oil company Petróleos Mexicanos. It's an activity controlled by organized crime.

The original investigation was assumed by the Oaxaca Attorney General's Office for the crime of homicide. Propuesta Cívica asked FEADLE to exercise its power to take on the case due to the probable link between the homicide and his journalistic work, but on Sept. 10, 2015, without having analyzed the case or carried out investigations into Saldaña's work, the then-Special Prosecutor Ricardo Nájera Herrera, declared that he would not take on the investigation, according to the follow up of the case done by Propuesta Cívica. To date, the case remains unpunished, the alleged perpetrators remain at large.

Power of “attraction”

FEADLE's main weapon to investigate crimes against journalists that fall within the sphere of state authorities is the so-called "power of attraction," or assertion of jurisdiction. The Mexican Constitution states that federal authorities can take on crimes from the local level when they are connected to federal crimes or in the case of "crimes against journalists, people or facilities that affect the right to information."

The National Code of Criminal Procedures presents a series of scenarios that merit the power of attraction by the federal Prosecutor's Office, but even so it is presented as optional and in case of refusal, the only option for the victim is to resort to a federal judge, which means a long and complex process.

One of the reasons FEADLE was given the power of attraction was the possible involvement of state or municipal public officials in the attack on a journalist. Removing the investigation from the state sphere reduced the risk of impunity. But if this weapon is not used, the local authorities are the ones in charge of the investigations and in most cases there are officials involved.

According to the FEADLE Statistical Report 2010-2021 obtained by **LJR**, of the 312 people against whom FEADLE has filed criminal proceedings, two thirds (204) are public servants, and of these the vast majority (190) are from state or municipal governments, including a governor and eight mayors. 141 of them are police officers.

In recent years there has been an apparent paradox with the Prosecutor's Office: it has suffered budget cuts, which in 2022 was just over 14 million pesos, about US \$700,000, but at the same time it has given the best results in its history.

Eighty-five percent of the convictions have been obtained in the last four years, but this number can be misleading because in reality in its entire history from 2010 to 2021, the FEADLE has only obtained 28 convictions. Six of them have been for homicides, just a small fraction of the total murders of journalists in Mexico between 2010 and 2021, which is 96. That is, just one in 16 homicides of journalists has ended with the perpetrator(s) sentenced.

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The Committee to Protect Journalists (CPJ) has recorded the murder of 11 journalists between January and June 2022. However, only one of those cases, that of Heber López, assassinated on Feb. 12 in Oaxaca, has been taken on by FEADLE. In the rest of the cases, the Prosecutor's Office had not even initiated investigations to determine if the crimes were related to the journalistic work of the victims.

LJR sent interview requests to Prosecutor Ricardo Sánchez Pérez del Pozo for comments on the work of FEADLE, but there was no response.



xxxix. Journalists protest outside the office of the Chihuahua state Attorney General to demand justice in the murder of reporter Miroslava Breach. (Photo courtesy of Red de Periodistas de Juárez)

Violence against the press has increased since the year 2000. The majority of those journalists killed or attacked for their professional practice present two patterns that exemplify the situation in the country, explains Víctor Martínez Villa, a lawyer who has accompanied cases before the FEADLE as coordinator of the legal area of Propuesta Cívica.

“The first is that at the time of the events, the journalists who were murdered or attacked were mostly investigating topics related to drug trafficking, politics, corruption, violence and insecurity. The second, that the murders and attacks on journalists are in severe impunity,” Martínez told **LJR**.

The Inter-American Commission on Human Rights has pointed out that there is "generalized impunity" regarding cases of violence against journalists, even regarding the most serious acts such as murders and disappearances.

But attempts to create prosecutors' offices to combat impunity for these crimes have not borne fruit. The first test (the FEADP created in 2006) lasted just four years. Its replacement, the FEADLE, has lasted more than a decade, but with mediocre results.

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The sentences obtained in the last period, 2018-2021, are mainly for the crimes of homicide, abuse of authority, threats, torture, against the administration of justice and injuries, according to the FEADLE 2010-2021 report.

But the Prosecutor's Office hides behind the figure of "declaration of incompetence" to evade investigations, determining that it does not have the power to intervene, according to Martínez. In 2014, there was an accelerated increase in preliminary investigations, which coincides with the highest number of declarations of lack of jurisdiction, according to the 2018 FEADLE Report. Between those years, of the 803 preliminary investigations that it knew of at that time, it declared itself without authority in 442, more than a half.

FEADLE was created alongside the Mechanism for the Protection of Journalists, established in 2012, two years after the Prosecutor's Office model was changed. But the Mechanism has also presented deficiencies.

“Herein lies the problem of impunity. If FEADLE and the state prosecutor's offices worked properly, there would be no need to have a Protection Mechanism,” Martínez Villa said.

() Sara Mendiola is the director of [Propuesta Cívica](#), a non-profit dedicated to the legal defense of journalists, based in Mexico City.*

APPENDIX: Resources for staying safe

Below you will find guides and manuals we've compiled to help protect journalists, with particular attention to covering protests and violent conflict.

Safety guide for journalists: A handbook for reporters in high-risk environments (2015)

UNESCO and RSF: Available in [English](#) and [Spanish](#)

Of particular interest:

Chapter 2: Planning and preparation

Chapter 3: Keeping safe on assignment

Chapter 5: Best practices

Safety of journalists covering protests: preserving freedom of the press during times of turmoil (2020)

UNESCO: Available in [English](#), [Spanish](#), [Portuguese](#)

Journalist Security Guide

CPJ: Available in [English](#), [Spanish](#), [Portuguese](#)

Of particular interest:

Chapter 1: Basic Preparedness

Chapter 2: Assessing and Responding to Risk

Chapter 4: Armed Conflict

Chapter 5: Organized Crime and Corruption

Chapter 6: Civil Matters and Disturbances

Security Manual for Protest Coverage in Brazil (2014)

ABRAJI: Available in [English](#), [Spanish](#), [Portuguese](#)

How to Safely Cover Riots and Civil Unrest (2020)

Dart Center: Available in [English](#)

Colombia: Toma las Riendas de tu Seguridad

ACOS: Available in [Spanish](#)

Recomendaciones a la prensa para el cubrimiento de manifestaciones sociales (2021)

FLIP: Available in [Spanish](#)

Digital Security Tips

Security in-a-box: Available in [English](#), [Spanish](#), [Portuguese](#)

