

# LOCAL LEVEL JOURNALISM AND DEMOCRACY INDICATORS IN LATIN AMERICA

Fernando J. Ruiz

## LATIN AMERICA'S WORST AREAS TO PRACTICE JOURNALISM IN THE SECOND SEMESTER 2006

- Journalists' lives run the most risk in Mexico.
- Argentina does not have gag laws but there are gag practices.
- Chávez advances on the opposition press.
- Raúl Castro increases repression in order to protect the succession.

## TENDENCY OBSERVATORY Journalism face to face with the criminal coalition

- United States press and its coverage of drug trafficking.
- The police as the center of journalistic quality.
- The democratic coalition.



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-*Las palabras son acciones: historia política y profesional del diario La Opinión de Jacobo Timerman*, (Words are action: Political & professional history of the La Opinión newspaper belonging to Jacobo Timerman), 1971-77, Perfil Libros, Buenos Aires, 2001.

-*El señor de los mercados. Ambito Financiero, la City y el poder del periodismo económico*, (The master of the markets: Ambito Financiero, the City & the power of the financial press), El Ateneo, Buenos Aires, 2001.

# Local Level Journalism and Democracy Indicators in Latin America

By Fernando J. Ruiz

## EXECUTIVE SUMMARY

- The Cuban Government increased repression and information blockade so as to protect the succession process.
- Criminal groups in various countries in the region, among others Mexico, Colombia and Brazil, have obliged a redefinition of press practices.
- Mexico is the country where the lives of journalists run the most risk and the Government is unable to defend their rights. Brazil is being challenged by an organization called Primer Comando de la Capital (PCC) and journalism will necessarily become involved.
- Argentina is possibly the country in Latin America with the least restrictive legislation but their gag practices are highly developed.
- In Venezuela, following his reelection, President Chavez has encroached on the private media that oppose him most.
- In Bolivia, the private media maintains its independence but increasing tension will affect journalism.
- The Chilean and Uruguayan democracies have a history of respect for journalism. However, some laws considered as gag laws continue in effect such as Contempt Law (Uruguay) and imprisonment for offenses affecting honor.
- In United States, it would appear that the press does not want to delve deeper into drug trafficking within the country.

# THE WORST AREAS TO PRACTICE JOURNALISM DURING SECOND SEMESTER 2006

## BLACK AREA

### Cuba

According to the report prepared for the October meeting of the Inter American Press Association (IAPA), the transfer of power that took place in Cuba as from July 31 “so far has not brought about any changes regarding journalism and freedom of press”. What has increased is Government propaganda and repression of black market in satellite dishes.

The information blockade has increased. Independent journalists cannot communicate with the rest of society and there is increased efforts to eliminate the precarious satellite dishes that the Cubans attempt to use to receive information. The only authorized increase in the Cuban’s meager information diet has been the incorporation of Chinese international channels.

This semester’s choice piece of information was Fidel Castro’s health. It was declared a “state secret because of imperialist plans” in the second proclamation dated August 1 2006. Mauricio Vicent, Madrid’s *El País* newspaper’s correspondent in Havana said that “no information whatsoever has filtered out regarding this state secret” decreed by Fidel Castro himself following his operation (“Cuba’s best kept secret”, *El País*, December 6, 2006).

The international press was also subject to restrictions by limiting the number of foreign correspondents who were allowed to enter the country to report on the effects of the succession of power. On October 28 the Cuban Foreign Ministry published Resolution 182/2006 that ruled on the “practice of foreign press in Cuba”. It establishes that journalists entering the country must possess “Journalist’s visa” (D-6). This must be requested “21 working days prior to the desired entry date to Cuba (Article 11). The Cuban authorities are in charge of coordinating the press meetings “related to the State, the Government and other Institutions or Organizations as well as helping the journalist obtain the public information provided by these entities” and that “in no case can the media or its correspondent approach these institutions directly without advising the authorities”(Article 42). Finally, the authorities can “suspend or definitely withdraw the temporary or permanent accreditation” when they consider that “the correspondent has contravened the journalistic ethic and/or his reports are not objective” (Article 46).

This is how the authorities exert censorship on the foreign press.



Carlos Serpa Maceira

However, the brunt of the censorship is exerted on Cuban members of the press. The repressive strategy on the non official journalists was explained in the previous report (N°5, 1st. Semester 2006). In the second Semester, this repressive policy continued. They continually remove the heads of the independent press: analyzing who were the main independent journalists ten years ago, it is evident that the front-line of the Cuban State, the Political Police, has been successful in beheading these groups of journalists but not in stopping their constant renovation.

When dissatisfied Cubans, in many cases from different backgrounds, want to become independent journalists, the Political Police begin exerting increasing pressure when the person joins an existing group of independent journalists or creates his own. This is when the “visits” begin: they may result in arrests that last a couple of hours or a variety of other threats. If the person persists in wanting to express himself publicly through some media, then the State Security locks him up for longer time until they can drum up a legal case that will keep him imprisoned for years.

According to Reporters without Borders (RSF), Cuba is the country with the second highest number of journalists under arrest after China.

Journalist Carlos Serpa Maceira is being pressured to pay fines for different reasons, if not he will be accused of civil disobedience and sent to prison. The last fine was for living in Havana without authorization, given that his registered address was on Isla de la Juventud.

On November 6, Guillermo Espinosa Rodríguez from Santiago de Cuba and working for Agencia de Prensa Libre Oriental (APLO), was condemned to “two years house arrest for being socially dangerous”. His social danger was for having lost his job as a male nurse because of his political beliefs. He became even more “dangerous”

when he wrote articles regarding the dengue fever epidemic in Cuba.<sup>1</sup>

Another member of APLO, Virgilio Delat, said that “Espinosa Rodríguez’ sentence does not permit him to continue as an independent journalist since this activity is detrimental to State interests” (*Cubanet*, November 7, 2006).

By definition, in Cuba any independent journalist is a dissident. Article 53 of the Constitution states that: “Printed press, radio, television, movies and other means of mass communication are state or social property. Under no circumstance can they be privately owned”. Furthermore, the public media system is managed by the Ideological Department of the Communist Party, currently run by Colonel Rolando Alfonso Borges. In Cuba, independent journalism is not State owned or managed by the Communist Party. Therefore, it is subject to State repression.<sup>2</sup>

“In authoritarian countries, for example, China, they can no longer avoid that information from abroad be received not only by Internet but by satellite dishes that are easily hand made”. Ignacio Ramonet, April 3, 2003, Caracas



“Journalist Oscar Mario Gonzalez Perez, arrested without cause on July 22, 2005, was freed on November 20 2006. He was given no explanation. For no state reason he has been in jail for one year and four month”. (RSF, 1/12/2006)

“The most loyal followers of the printed press are senior citizens and sports fans. Its largest use is for sanitary purposes. This can be observed in nearly all the bathrooms in private homes.” (Private communication with Jorge Olivera, independent Cuban journalist).

## RED AREAS

### **Baja California, Sonora and Tamaulipas (Mexico)**

The level of criminal violence continues to be high and it threatens the activity of the press. In the cities of Tijuana and Mexicali the presence of mafias promotes extreme self-censorship particularly in public security related subjects.

In Tamaulipas, Ramiro Téllez Contreras, a radio commentator, was murdered during the 1st. semester. He also worked for the Nuevo Laredo Municipal government in the Communications, Computing & Control Command Center. In an article published in *The New York Times*, diplomatic sources revealed that the reason for the murder could be the changes in the criminal control system that the city was making.<sup>3</sup>

Téllez had been active, among other things, in installing surveillance cameras in the streets. His replacement has disappeared since August 6.

### **Chihuahua (Mexico)**

On August 10, fifty year old journalist Enrique Perea Quintanilla, was murdered. He directed a monthly newspaper dealing in police news called *Dos Caras y una Verdad*.

He had worked for 30 years for the principal media in the area. The authorities blamed the drug traffickers for his murder, a subject he had written several articles about. Chihuahua’s Attorney General announced that the city of Chihuahua was not as dangerous as other areas of the state, especially Ciudad Juarez on the border with United States. He asked that journalists report directly to his office any cases of police corruption and that they would appoint “trustworthy people” to carry out the investigations (*Diario de Chihuahua*, 10/9/2006). At the request of Chihuahua’s Journalists Forum, beginning in 2007, the Chihuahua government will give one hundred thousand Mexican pesos to the family of any journalist murdered “in the line of duty”.

<sup>1</sup> As an example, see his article: “The authorities continue not to report a dengue fever epidemic in Cuba”, at [www.cubanet.org](http://www.cubanet.org) dated 9/28/2006.

<sup>2</sup> Rosa Berre, one of the main promoters of Cuban independent journalism, died on October 19. She and her husband Carlos Quintela founded the *Cubanet Agency* based in Miami in 1994. They received articles written by Cuban journalists living on the island and paid them for their work. This allowed the Cuban journalists to not only have their articles published abroad thereby breaking through the Cuban Government’s blockade on information but also allowed them to support themselves economically.

<sup>3</sup> Ginger Thompson, “US Citizen Stabbed to Death in Mexican Trafficking City”, *The New York Times*, 21/3/2006.



## Coahuila (Mexico)

As from July 8, Rafael Ortiz Martínez (picture), a 32 year old reporter for *Zócalo de Monclava* newspaper, went missing and was found dead. He had written articles regarding drug trafficking and prostitution networks. He had been awarded two state prizes for journalism. María Idalia Gomez, from IAPA's rapid response unit, wrote the following two weeks after he had disappeared: "Ortiz Martínez knew the links between the authorities, businessmen and drug traffickers; he knew who was receiving money from these groups. He never wrote about these subjects, he just denounced the retail sale of drugs. Those who know him say this could be the reason for his disappearance". The State Governor declared that there was evidence that "organized crime" was responsible.



## Veracruz (Mexico)

Two journalists were murdered. On November 21, Roberto Marcos García was killed. He worked for *Testimonio* magazine and was a correspondent for *Alarma* magazine (Federal District). First they ran over him and then shot him. Seven days later Adolfo Sánchez Guzmán, reporter for *Xhora Stereo 99.3* radio was tortured then "executed". The authorities have not announced any progress in any of the two investigations.



Demonstrator in the streets of Oaxaca protesting against the violent occupation of Noticias Newspaper.

## Michoacan (Mexico)

Journalist José Antonio García Apac, Director of the weekly *Ecos de la Cuenca*, of the town of Tepalcatepec in Michoacán, is missing since November 20. This state has had the highest number of murders committed by drug traffickers in the last six years. This made the Federal Government order a military intervention against the drug dealers which could become an example to follow in other states. According to an article published in *Proceso* magazine: "Observing the criminal map produced by SIEDO (Organized Crime Specialized Investigation Sub procurator's Office), given Michoacan's strategic location, all the drug cartels are present there. This state is the "entrance door" to the Pacific, route used to ship the drugs to United States" ("Saldos del narcosexenio", Ricardo Ravelo (2/12/2006).

At the beginning of 2006, García Apac had led a demonstration against the Mayor of Tepalcatepec. Their posters accused the Mayor of being in collusion with "criminals".

His weekly publication had received funds from the town hall until the end of 2005. According to the newspaper *La Jornada*, "so far this year there have been 18 executions and on different dates decapitated bodies were found" (15/12/2006).

## Oaxaca (Mexico)

Given the violence against journalists and the media, it is obvious that journalists risk their lives while practicing their profession.

The different groups involved in the fighting in Oaxaca carry out acts of violence against the media that oppose them. On August 20 they attempted to take over a local public channel that was occupied by strikers.

That same day, they took over approximately twelve private radio stations demanding that the State Governor resign. For the last three years, the newspaper *Noticias, Voz e Imagen de Oaxaca* is being constantly harassed by the state authorities and they have still to recuperate their facility which was taken over. Other media published recorded conversations between the Director of the *Noticias* newspaper and his editors. This Director is also a substitute Senator therefore also has a political career. Other newspapers, for instance, *Tiempo* and *Extra* are accused of being in the service of the Governor.

The indigenous native, Raúl Marcial Pérez, Editor of *El Gráfico* newspaper was murdered on December 8. The newspaper's Director said that the columnist was critical of the Governor of Oaxaca. An announcement made by RSF expressed: "We are appalled that the investigation regarding Raul Marcial Perez murder does not take into account the professional hypothesis. The articles published in the *El Gráfico* newspaper show that he denounced the attempts on human rights carried out by members of Governor Ulises Ruiz Ortiz' entourage, among others. We have reason to believe that they are trying to cover up for the Governor as happened in the investigation into the murder on October 27 of Brad Will, cameraman for *Indymedia*,". Brad Will died in a shoot out between demonstrators and Municipal Police.

## **Chiapas (Mexico)**

It still is a Red Area since a journalist was murdered last semester. Another member of the press, Angel Mario Ksheratto, columnist for *Cuarto Poder*, has already been jailed twice this year for not having fulfilled formalities related to his prison sentence as a result of a slander lawsuit filed in 2002. Chiapas is the Mexican state with the severest slander laws: a maximum prison sentence of 9 years. On December 8 the new Chiapas Governor took office. That same day, Ksheratto wrote an article directed at the outgoing Governor, Pablo Salazar Mendiguchia: "From the inclemency of the prison where you ordered I be detained, and that of others that your intolerance could not bear, I have witnessed the agony of your six year term, the saddest, painful and shameful period that the residents of Chiapas have had to live through. They were six years of hate and phobias, looting and persecutions, lies and swindles, negligence and abuse. In sum, years of absolute terror and inadmissible falling back despite your elegant narcissist speeches and totally unbelievable figures" (*Cuarto Poder*, 8/12/2006)

## **Yucatan (Mexico)**

A succession of attempts against the newspaper *Por Esto!* increased journalists' physical risk. This newspaper was the target of three attacks in less than ten days after having published an article linking drug traffickers with local authorities. The directors of the newspaper blame their investigation of local corruption for the attacks.

## **Federal District (Mexico)**

On November 16, the former Director between 2002 and 2005 of *Excelsior*, one of the best known newspapers in the country, was murdered. The reports say that he had just published a book called "Excelsior, the final assault" about the change of ownership of this on-time prestigious newspaper.

## **Guerrero (Mexico)**

On November 10, Misael Tamayo Hernandez, Director of *Despertar de la Costa* was found dead in a hotel. He had investigated drug trafficking and corruption in the local government.

## **Guyana**

On August 8, a few days before elections, a band of criminals entered the printing plant of the Guyanese newspaper with largest circulation, *Kaieteur News* and killed four workmen and injured another two. The next day's editorial read: "The image of young criminals armed with assault weapons terrorizing communities is no longer an image associated with distant lands. In Guyana it has become an every day occurrence" ("No retreat, no surrender", *Kaieteur News*, 10/8/2006).

## **Guatemala**

Eduardo Heriberto Maaz Bol, journalist and Ministry of Education official, was murdered in Coban. He regularly reported on Alta Verapaz. A couple of days earlier, Vinicio Aguilar, conductor of the radio program "Hablando se entiende la gente" had been shot in the face. According to Edgar Celada, member of the Human Rights Procurator's Office, in recent months there has been an escalation of violence against members of the press and "intimidation threats have now become murder attempts". According to Cerigua Agency, Celada explained that up till September 2006 "19.35% of the attacks on journalists occurred in the metropolitan area, followed by Zacapa with 9.7%". (Cerigua Agency, 26/9/2006).

## **Guayaquil (Ecuador)**

In the last year two members of the press were murdered. There are three suspects accused of murdering radio commentator José Luis Leon Desiderio. They are supposedly linked to criminal groups with no political connections. No information is available regarding the investigation into the murder of Raúl Suárez Sandoval, from *La Noticia Durandéña*. On the night of August 14, shots were fired at the offices in Guayaquil of the two newspapers belonging to the same company (Grupo Granasa).

## **Dominican Republic**

In the last semester, two journalists were murdered. Domingo Disla Florentino was an attorney who produced a television program called *Domingo Disla TV*. He was murdered on August 28 in front of his wife and two small children at the tourist resort 30 kilometers from Santo Domingo. According to the police, the material culprits have already been identified.

On September 25, the veteran journalist Lavatta, who worked for various radio stations, was murdered with two shots in the back. His daughter informed that in recent months he had been investigating drug dealing and she believes that this was the reason he was murder.

## **Haití**

Haiti is a Red Area because a member of the press was murdered during 2006. The situation in the country continues to be very tense. For that reason, a United Nations Stabilizing Mission continues in the country (Minustah).

**Córdoba, Arauca, Sucre, Magdalena, Bolívar, Barrancabermeja, Santander, Atlántico (Colombia).** Paramilitary groups and their relationship with government authorities is the main threat to the press. During the prior semester, radio commentator Gustavo Rojas Gabalo was murdered. In their October report, IAPA denounces that “IAPA’s rapid response unit manager determined that Rojas Gabalo was murdered for having denounced the link between local authorities with the Paramilitary in the area of health”. In Arauca, a paramilitary member confessed to the murder of journalist Efraín Alberto Varela Noriega. In Sucre, to reveal the connection between authorities and Legislators with the Paramilitary forces produces threats, the same happens when corruption is denounced. Various members of the press in Magdalena went into exile during 2006 because of credible threat. Atiliano Segundo Perez was murdered in Bolivar. He had been a town Councillor and Congressman and had rented radio time on *Radio Vigía de Modelar*, where he denounced the paramilitary. He had received threats. In mid 2005, close to 600 paramilitary members had been demobilized in that area. The Colombian editors in the October IAPA report considered that in the case of Perez’ murder “it could not be proved that it was as a result of being a journalist”. However, FLIP (Freedom of Press Foundation) did not seem to have any doubts. In the city of Barrancabermeja, in the department of Santander, members of the press continue to be threatened. Marcos Perales Mendoza, Director of the monthly newspaper *La Portada*, denounced corruption of local authorities. According to RSF: “On July 22, Perales Mendoza received via electronic mail a threat with an offer to send flowers for his funeral. Furthermore, the message insisted that the Barrancabermeja Mayor, Edgar Cote, would reach the end of his term in office and that the journalist would not be alive to see who would be the next Mayor”. In the state capital, Bucaramanga, one of the main newspapers was threatened and several of the journalists decided to go into exile. In Atlántico, Gustavo Bell Lemus, Director of *El Heraldo* of Barranquilla and two columnists, received believable death threats after investigating cases of corruption in the local government. Bell Lamus was Vice President of Colombia between 1998 and 2002 during Andrés Pastrana’s presidency.

“The investigation of Guillermo Cano’s murder went forward amid innumerable pressures and irregularities. The authorities accused drug traffickers Pablo Escobar, Gonzalo Rodríguez Gacha and Evaristo Porras as the intellectual authors (the authorities then dropped the charges against the first two). Escobar’s team of lawyers managed to block the use of the “no face” judicial system so as to be able to identify the investigators and judges and thereby, bribe, intimidate or murder them. Álvaro García Saldarriaga, one of the material authors, was murdered by the members of the Medellin Cartel. The other individuals involved were María Ofelia Saldarriaga, Pablo Enrique Zamora, Carlos Martínez Hernandez and Luis Carlos Molina Yepes. A year after the crime, the first three were declared innocent and Molina Yepes guilty. After various reductions in his sentence, he was released after six years”. (FLIP announcement, Bogota, on the twentieth anniversary of the murder of the Director of *El Espectador*, 15/12/2006)

### **Valle del Cauca (Colombia)**

On September 9, Milton Fabián Sánchez (picture) was murdered. He conducted various programs, among them an institutional one belonging to the Yumbo mayor’s office on the Yumbo Estéreo radio station on which he denounced cases of corruption. He was also the President of a neighborhood communal action group. According to FLIP, “rumors place the blame for his murder on him having denounced on his radio program the sale of drugs in the Town Hall”.



In Cartago, Otoniel Sánchez, a commentator on the local channel *CNC*, had to go into exile. FLIP denounced that: “Explosives experts revised the contents of a packet that contained three bullets of the same caliber and a computer printed message that read: ‘This note goes as a warning to those who are going to have a tough time, SOBs (...) You journalists believe that the bullet wont hit you but you are mistaken. Or have you forgotten what happened to that dog Polanco from the same channel?’”. Oscar Polanco, murdered in February 2004, was Director of the news program of that channel.

### **Cundinamarca (Colombia)**

In Bogota City there were many believable threats. Herbín Hoyos Medina, conductor of a program called “Voces del Secuestro”/ “Kidnap Voices”, of the Caracol chain, finally went into exile after repeated threats. Other members of the press are also being threatened.



## Meta (Colombia)

A reporter and a cameraman from the newspaper *El País de Cali* were held for two days by the FARC (Colombia's Revolutionary Armed Forces). They reported: "The FARC militias made us descend from the vehicle in which we were traveling along with 16 other people. They took us to the banks of the Duda River, the same one where the Frente 40 has murdered so many members of the Colombian army. We were searched; they took our cameras, recorders, mobile phones and press credentials. They told us we could not carry on, that we had not requested permission, that if we left the village we would be killed (...). The first twelve hours were very cold and dark, we eat eight pages of a writing pad that the guerrillas had not found on us where we had recorded information regarding the Uribe military base: results of operations against the guerrillas, the amount of guerrillas captured, soldier's names, the unit's movements. We were scared that they may think we had more information that would be useful to them. The first pieces of paper that we swallowed scratched out throats, making us vomit. Then we learnt how to mold them into the size of fritters, chew on them for hours, soften them with saliva, and mash them. The rough taste, bitter and sterile, became a mouthful of life (...). At eleven o'clock that night, still sitting on some red chairs, our hands still wet, the militiaman who had taken our press kit appeared out of the dark. He said the order was that we should leave at dawn, that they would keep some of our things to investigate, that there was no freedom of press, not to go to Uribe because they would kill us if we did, that we were not to return to that area, that the guerilla had control of it and that they were in all the country". (*El País*, de Cali, 16/8/2006)

## Ceará (Brazil)

The radio commentator Carmelo Luis de Sá was attacked on May 2 and shot in the face though he did not die. There is no information available regarding the investigation into this case.

## San Pablo (Brazil)

The threats and aggressions continue in the interior of this state. On July 20 the Director of the newspaper *Hoje Jornal*, founded a month earlier in the town of Sao Bernardo do Campo, was murdered. Two days earlier, the *Diario de Marilia*, whose building had been set fire to in 2005, was again attacked on October 1, the day the presidential elections were held. The journalist's organization ABRAJI (Brazilian Investigative Journalists Association) announced on October 5 that "[José] Ursílio [responsible for the newspaper] was victim of an assassination attempt. He suspects that it is a continuation of the September 2005 attempt to set fire to the newspaper. Ursilio has published articles denouncing José Abelardo Camarinha, former Mayor of Marilia of the Brazilian Democratic Movement Party (PMDB). He says he has been persecuted and threatened by people close to the former Mayor. In March, Ursilio was accused of murdering Camarinha's son".

## Journalist kidnapped by PCC

### Reporter – Which was the most difficult moment of your imprisonment?

PORTANOVA – I was most worried on three occasions: when they started commenting about Tim Lopes' history during my first kidnapping [I was kidnapped three times]. Then I was scared that they would torture me, that I could be killed violently, such as being burnt or buried alive. And the third moment was pure and total panic: I asked that they execute me, if that was what they wanted.

### Reporter – Did you make that request?

PORTANOVA – It wasn't a question of courage or bravery. I negotiated my execution because I was totally panic stricken, scared stiff that it would be a slow death. I thought for a long time in silence and spoke to them for a very short time. I was thinking how to minimize the possibility of a painful death.

### Reporter – What did you ask them for?

PORTANOVA – I called one of them and said I wanted an agreement: you are a man, you are defending an idea; I am a man, I do my work. I wanted him to promise that I would have an honorable death. I said: I want my death to be with a hood over my head and with only one bullet. It was not heroism: it was panic provoked by the image of Tim Lopes, because of the thought that came to my mind. It was a question of preserving my mental health: I wanted some guarantee that I would not suffer. (Extract from the interview by André Caramente, of *Folha de Sao Paulo*, with Guilherme Portanova, 16/8/2006). Tim Lopes was tortured before being murdered by a gang of criminals in a favela in Rio de Janeiro.

### **Anzoátegui State (Venezuela)**

On the night of August 22, eight bullets killed journalist Jesus Flores Rojas in the town of El Tigre, while waiting in his car for his daughter to open the garage door of his house. He was correspondent in that town for the newspaper *La Región* of the city of Cumaná, capital of the neighboring state of Sucre. Four days later the police announced that they had killed two people in a gunfight that were the hired killers who had murdered Flores Rojas. They formed part of a gang of hired killers called “The bloodthirsties”, well known in various states. According to Andrés Cañizález, correspondent for RSF in Venezuela, some days later the police arrested some policemen from the state of Anzoátegui who were involved in the journalist’s murder.

### **Río Grande do Sul (Brazil)**

On August 18, a journalist and columnist from the weekly *O Minuano*, of Estancia Velha, survived five shots. The victim, who is local secretary of the PSDB (Brazilian Social Democratic Party), believes the authorities could be involved because he customarily criticized the town’s PT (Worker’s Party) administration.

### **Caracas (Venezuela)**

One journalist was murdered during the last year. It was photographer Jorge Aguirre. According to Andrés Cañizález, RSF correspondent in Venezuela, “the case was closed by the police and considered a traffic accident”. The killer was a former policeman from the town of Chacao, who is under arrest.

### **Concepción (Paraguay)**

On February 4, radio commentator Enrique Galeano disappeared. Since then demands that the authorities put an end to impunity have increased and singling out those responsible for the crime. Paraguay’s *ABC Color* newspaper in its edition of August 31, published the hypothesis, based de SPP’s account (Paraguayan Journalist’s Trade union), that the police had arrested Galeano and then handed him over to a drug trafficker denounced by the journalist. The drug trafficker was supposedly protected by a Congressman from the Colorado party: Magdaleno Silva. The local Bishop, Monseñor Pablo Caceres, maintained that Galeano surely must already be dead “since he didn’t have the means to be in hiding since he was a very poor person”. The Bishop added, according to *democráticamente.com*, that Galeano had leprosy and this condition forced him to live lacking many basic needs “and on more than one occasion he went hungry”. The Bishop considered this social communicator was “a good person always concerned about the social problems in the area” and he hoped he was still alive (27/3/2006). On December 4 there was a public hearing in the National Senate regarding Galeano. Contrary to what happened in other cases of crimes against members of the press in other countries in Latin America, in this case there was a general mobilization of the social actors and politicians that to a certain extent, is driving the legal investigation forward.

### **Amambay (Paraguay)**

In the city of Pedro Juan Caballero the threats against the journalists continued. Luís Ruiz Díaz, of the weekly *Hechos de la Ciudad*, was threatened after reporting on drug trafficking in the area. On March 14 the radio commentator José Kessio was murdered. His partner, Fabio Barbosa, had been assassinated on September 15 2005.

## **BROWN AREAS**

### **Ancash (Perú)**

The local press is stunned because three people convicted a couple of months earlier for the murder of the radio commentator Alberto La Torre Echeandía were released by the National Supreme Court. Among those released is Amaro León León, who at the time of the murder was Mayor of Yungay. He resumed his position as Mayor.

“One of the largest United States export categories is entertainment and through it they continually and inadvertently impose their values, points of view and conducts. In our America, each screen and each microphone is a pulpit that preaches the United States way of life twenty four hours a day. In the Santa Fe documents, the United States foreign policy maintain they are waging a “cultural war” to win over the Latin American intellectuals and cultural institutions. We must respond to them in the same fashion.” (Luis Britto García’s interview with Hugo Chávez, taken from *lapatriagrande.net*, 7/7/2006)

## Venezuela (part 1: Presidential Elections)

During the presidential elections the relationship between the Government and the media became very tense. *Telesur* was the only channel that violated the ruling of handing in the result of the exit polls before the CNE (National Electorate Committee) published their first information bulletin with results.

*Telesur* is run by Andres Izarra, this Government's former Communications and Information Minister. CNE announced: "We reject this service provider's irresponsible conduct and we expect in a short time to apply the corresponding sanctions according to the procedures established in the Constitution and within our legal and judicial framework". In the days following this episode, there was uncertainty whether the current Communications and Information Minister William Lara would have to resign because of it. However, the President confirmed him in office.

CNE monitored the election coverage and constantly made announcements for the media to adjust their conduct to the electoral rules. As an example, on August 20, Vicente Díaz, President of CNE's Political and Financing Participation Commission announced in the *El Nacional* newspaper that: "There are excesses in the press coverage. For example, there was an excess in Channel 8's (State owned) coverage of President Chavez' candidacy inscription; *Globovisión* gave excessive coverage to the micros with Manuel Rosales' biography. We have spoken to the media and there is good receptivity on their part to adapt their transmissions to the established regulations". But CNE does not seem to have taken any action regarding imposing sanctions.

The European Union's Observer Mission reported that "the Supervisory Group presented the results of the monitoring made of the main media election coverage that showed that the state run *Venezolana de Televisión* dedicated 86% of their news space to the candidate up for reelection and the remaining 14% to the opposition candidate, Manuel Rosales. The private stations *Radio Caracas Televisión* and *Globovisión* dedicated to the opposition candidate, Manuel Rosales, 69 and 65%, of space respectively and 29 and 35% respectively to the President" (December 6, 2006).

*Globovisión* seems to have been target of most aggressions during the electoral campaign. Their press teams were attacked or detained at least on September 30 in the state of Tachira, and on October 30 and November 24 in the city of Caracas.

## Venezuela (part 2: 2007-2011 Government)

What policy President Chavez will adopt towards the press during his second term is uncertain. There is one indicator that could help: his agenda of what was done and his agenda of what was announced during the election campaign.

In the IPYS (Press and Society Institute) Venezuela July report, it stated that "the President has lowered his confrontational stance with the media because the pressure is now coming from other sources such as the National Telecommunications Commission and the tax authorities (SENIAT) as well as from different regional and local leaders who insistently attack the private media". The agenda of what has already been done was included in the previous report. There are no changes. According to Andres Cañizalez, professor at Andres Bello University and RSF correspondent in Caracas: "In the last two years, more than 30 lawsuits have been filed against members of the press for 'opinion offenses'".<sup>4</sup>

What remains to be seen are which of the many initiatives announced during the electoral campaign will be enforced. So far, the initiatives that are being acted on are the following:

- (1) Non-renovation of all or some of the private radio and television stations licenses. In the last two months of 2006, the President repeated it at least three times (November 3 and 17 and December 1). He announced the decision not to renew *Radio Caracas TV (RCTV)* owned by Marcel Granier<sup>9</sup>, license when it falls due, according to the Government, in May 2007. The station denies this. On December 28, President Chavez announced that their license would be withdrawn: "There will be no concessions for that coup mongering television channel called Radio Caracas Televisión. (...) we will not tolerate any media that serves the coup mongerers, who are against the people, against the nation, against national independence, against the dignity of the Republic: Venezuela will be respected". The next day, Vice President Jose Vicente Rangel, replying to a wave of local and international criticism, declared: "The political excuse given by the Directors of *RCTV* regarding a supposed Government retaliation because they are a media that supports the opposition lacks all validity". He then added: "If the *RCTV* Directors' use the political excuse, they implicitly validate that they are participating in politics. Their position should therefore be evaluated on those grounds where undoubtedly each one has its reasons. Luckily we live in a democratic country where we can all express our opinions with total freedom. In this case

<sup>4</sup> Andrés Cañizález, "Cinco factores que caracterizan la relación medios-poder político en Venezuela", CIC-UCAB, December 2006.

this happens in the political arena but not in the legal arena where the rights of society and State are clear. If it is necessary to clarify this, there is the legal route". *RCTV* and *Globovisión* are now members of IAPA and what is known as the Panama Doctrine is being applied. This establishes that the printed and audiovisual press international organizations, grouped under AIR (International Radio Transmission Association) must support each other when faced with political aggressions from Government sources.<sup>2</sup> Both IAPA and AIR have condemned President Chavez' decision.

- (2) The Government's decision to export their communication model. On July 30 at the MERCOSUR meeting, the Venezuelan Government's spokesman Nelson Gonzalez Leal, proposed that the new Venezuelan Radio and Television Law should be copied by the other member countries. It was rejected by all the members.

In Bolivia, the Venezuelan Government is financing, with Cuban technical assistance, the enlargement of the media network that President Evo Morales is developing. In an interview, President Chavez expressed: "How much does it cost the United States empire to maintain newspapers and television stations that loose money, how many members of the press in our countries, in Latin America, Caribbean, are paid by United States. It is a government that each year invests thousands of millions of dollars to try to impose their supremacy.

We also invest, never as much as they do, but some millions of dollars, as much as we can, not to impose anything but to try to apply some restraint, first in our country, and second, in some allied countries in our geopolitical area, trying to stop that permanent aggression that wants to trample the world. Up to a point, I think we have been successful. Most importantly, this policy has two objectives: on one hand, stop the imperialist incursion and on the other, to promote our ALBA proposal as opposed to ALCA" (Hugo Chavez' declarations, *Panorama digital*, 10/9/2006).

- (3) Sanction a law to regulate printed media: Vague reference has been made by different Government

spokesmen that a law would be passed to regulate the printed media, similar to what applies to radio and television.

- (4) Increase the quantity and coordination of the media controlled by the Government. In the Ministry of Communications and Information there is increased support for what is known as *Mission: Communications*. Its content is still very vague but in essence it wants to promote what is known as "alternative and communal" media with greater coordination among them so as to conduct a "media war". At the National Convention of Alternative and Community Media (MAC) last November 11, the Mission Communications was presented as "the incorporation of all the population in the media war that has been declared by the displaced sectors of power against the State and Venezuelan society whose response can not be any other than the popular asymmetric communications war". This "mission" would be coordinated by the state owned media and it would have "Chavist" objectives.

According to the same document: "For the *Mission* to materialize, it will require a strategic alliance of the state communication apparatus with the broad movement that includes a diversity of alternative and communal broadcasting, printed and electronic media operating in all the country. The principal objective of the strategic alliance is to defend the homeland, to denounce and unmask imperialism, to promote government action, to contribute in the enterprise of creating a new state as contemplated in the Bolivarian Constitution; to shape a renewed critical conscience in the hearts of the people and promote mass incorporation of social movements and communal councils in building a new communicational model. This requires the combined and synergistic effort of society and State, of the people and the Bolivarian Government".

The Government considers the communal media as an extension of the state media. It would seem that *Mission: Communications* will reduce the autonomy of the communal media.

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<sup>5</sup> The doctrine was created in 1952, following the repercussion in all America caused by General Juan Peron' expropriation of the newspaper La Prensa. This doctrine reads: "Any aggression against freedom and individual dignity, or any act that infringes or limits freedom of expression of any individual or entity that defends or practices freedom of expression through the printed press or radio broadcasting constitutes an aggression against the Interamerican Press Society and the International Broadcasting Association"



## Bolivia

This country is in a state of internal conflict as a result of the strong confrontation between the new Government and the opposition. In this conflict, President Morales is trying to reformulate the media system to support his governmental project since as he now perceives it, the existing media is an obstacle.

The unknown factor is how much the Government will respect freedom and guarantees of the media that they consider as opposition. There is no reason to be optimistic as Morales identifies his government with the Cuban and Venezuelan experiences.

With the Government still in its first year of office, the press is going through a severe internal polarization process that could strangle the profession. The Venezuelan model of government communications appears to be replicating itself in Bolivia with the 30 new communal radios that President Evo Morales has proposed creating with Chavez and Fidel Castro's support. It is a move to strengthen the Government's communicational power. Marcelo Paredes, from IPYS, said when the first radio of the series was inaugurated that "it was installed by Cuban technicians and financed by Venezuela" ("President Evo Morales inaugurates first community radio station", *Interprensa* n° 103).

At the last IAPA meeting in October, the Bolivian editors said that: "It is the Government's intention to create their own media network with Venezuelan financial support. They have started up five "communal" radios in rural areas of the west and plan to install a television channel to generate 'alternative information in the original communities'".

The radio stations set up in 2006 will form part of New Homeland Network (*Red Patria Nueva*) that will be coordinated by the state owned station *Illimani*. This will then be part of a National System of Original Community Radios (Sistema Nacional de Radios de Pueblos Originarios). The government's Director of Social Communication, Gaston Núñez stated that at the beginning of 2007 President Morales will have his personal radio program on this network. In an interview with *La Razón* newspaper of La Paz, owned by the Prisa Group, he said: "The social sectors that share the Government's 'change line' will have air space on the State communication media". Asked if all social sectors, including the Civic Committees, could express their demands using the State media, he responded: "I understand that when we refer to social movements, we are referring to those sectors that consider themselves represented at this moment. They are people who share our views and change project". (*La Razón* newspaper, 28/8/2006).

President Morales also declared that: "We are thinking of setting up our own newspaper" (14/10/2006).

So far President Morales has taken no action against the media although his aggressive and stigmatized announcements may have had a direct relationship with some attacks carried out by militant government supporters belonging to MAS (Movement to Socialism). On September 27 in the city of Sucre he announced: "Our other big problem is that Evo Morales' principal enemy is most of the communication media. Fellow men and women, we are not scared, say what they may say, the best communications media we can have is word of mouth. We congratulate some of the media, welcome them if they love their country, the unity and integrity, welcome". The President continued: "We know that in some states the owners of the media are also large land owners and as the Constitutional Assembly is going to eliminate the large estates, they have started attacking Evo Morales, the Government, Comrade Álvaro García Linera and the Constitutional Assembly itself".

In those states where the opposition dominates, the hostility towards State media is manifest. On September 8, in the city of Santa Cruz, two incendiary bombs were thrown against the government owned Channel 7 building, the same day that the opposition held a demonstration there. In Pando, where the opposition also dominates, the correspondent for the government radio station *Red Patria Nueva* was attacked. The Government maintains its public criticism against the television network *Unitel* and *La Razón* newspaper, both owned by the Spanish Prisa Group.

This last mentioned newspaper had a conflict though it would appear that the Government was not involved. The distribution of its September 17 issue was blocked.

"Since Saturday when the trouble started, the Police gave all their support to the newspaper, protecting its installations and providing security to its personnel" ("Muñoz and the

"The Executive Branch delivers means of communication to the social movements so as to enable them to reach the population directly without the interference of commercial media. Ever since his election campaign in 2005, President Evo Morales denounced that he was being persecuted and his words distorted by some newspapers and national television channels. Given this situation, the President promised that if he won the elections, all the social segments that suffered from this presumed discrimination by the press, would have their own communications media so that the truth could be told". (*La Prensa* newspaper, La Paz, 28/8/2006)

Police responded to the newspapers' request", *La Razón*, 19/9/2006).

The debate in the Constitutional Assembly will include various initiatives affecting the media, some could restrict journalism's professional development and freedom of expression.

Several of the MAS leaders want to regulate the media. Iván Canelas, journalist and MAS representative in the Constitutional Assembly, prepared a project to oblige the media to self-regulate by creating a National Council of Ethics and a Media Observer. He has two basic justifications to support his proposal: on one hand those related to coverage for children, adolescents, privacy and presumption of innocence; on the other, regarding the

interpretation and approaches that the media may have regarding individuals and sectors.

The MAS Senator, Antonio Peredo, also wants a law to regulate the media. Considering this big constitutional debate, IAPA organized a conference titled "The Constitutional Assembly and freedom of press in Bolivia". At the conference, the National Press Association (ANP) on September 1 presented the Sucre Declaration, which reads: "We exhort the Bolivian Constitutional Assembly that the new State Political Constitution explicitly guarantees freedom of expression and of the media". In recent years, Bolivia has ranked high in Latin America in freedom of press but there are social tensions and possible Government initiatives that may affect this.

## YELLOW AREAS<sup>6</sup>

### Uruguay

The Contempt Law is still in effect and there is prison sentence for slander. During his visit in December 2006, Ignacio Alvarez, special envoy for the Freedom of Expression of the Organization of American States (OEA), asked that the: "Contempt offense be repealed"; "Eliminate penal sanctions for slander or reputation derived from disseminating information regarding subjects of public interest", and to remove the restrictions on the development of community media.

### Brazil

The Contempt Law is still in effect. Local legislation also prohibits that community media use commercial advertising to finance their operation, seriously affecting their development. However, according to Gustavo Gomez, from AMARC (World Community Radio Association), the Government is considering "changing legislation according to the Inter-ministerial Group's recommendation.

Uruguay. "All information systems are basically designed to maintain the people submerged in a state of numbness where things that are not urgent, that are not issues, that can be resolved tomorrow become priority topics as if our life depended on them and they remove us from the fundamental issues". (Jose Mujica, Minister of Stockbreeding, Agriculture and Fishing, on May 10 on his program "Hablando al Sur" on Radio Montevideo M24)

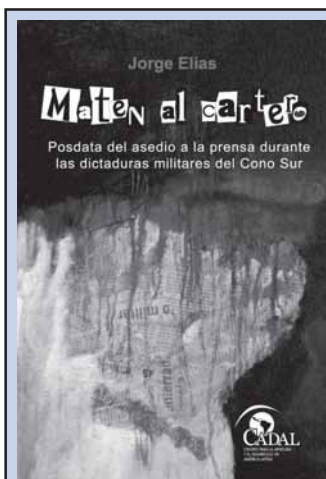
### Paraguay

There are prison terms for slander.

### Chile

There are prison terms for slander.

<sup>6</sup> Belén Oliveros cooperated with information to define Yellow Areas.



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### Argentina

Argentina is probably the Latin American country with fewer restrictions on journalism. There are no national *gag laws*. However, they resort to most of the gag practices analyzed in this report, these being: assigning Government advertising based on political motives; assigning radio and television licenses based on political motives; the Government stigmatizes the journalistic profession and/or the media; blocking action by Government offices to limit or make dependent for political reasons setting up new media, both commercial and non-commercial. In the private sector, although it is difficult to establish and there is limited public information, it is common practice that the private media use their dominant position to inhibit competition.



“President Kirchner renewed the Supreme Court of Justice and so far there have been no lawsuits against journalists. However, in three years as President he has never given a press conference, a system of harsh telephone calls to journalists has been instituted complaining about their articles and the President’s press spokesman does not provide any news. There is a similar situation in Brazil with Lula, the same with Lagos in Chile and other countries. But in Argentina, Kirchner’s government also pressures the owners of the media: in 2005 he extended by decree, not by law, the radio licenses for ten years more, three months before key Parliamentary elections and handles, at his discretion, the allocation of Government advertising”. (Daniel Santoro (photo), President of Argentine Journalist Forum, FOPEA, in a speech delivered at the Investigative Reporters and Editors Conference, IRE, June 19 2006, in Texas).

## TENDENCY OBSERVATORY

### Journalism face to face with the criminal coalition

Criminal groups have become the principal threat to the practice of journalism in various Latin American countries. This does not mean that harassment by Government officials has ceased, since there are cases that these are part of the same criminal coalitions

The new president of IAPA, Rafael Molina, in his end of year message said: “It has been some time since we have had such a violent year. Nineteen 19 journalists were murdered and 5 are missing since 2005. Organized crime, responsible for many of the murders that took place in countries such as Mexico where this year 9 journalists were killed, is the biggest challenge that the Governments must face”.

These groups are not politically motivated but their actions certainly have political effects. This “uncivil society”<sup>7</sup> takes advantage for their own benefit of the guarantees and freedoms provided by democratic process. This causes a debasing of the culture of law and socially promotes the use of violence as a way to resolve conflicts. Furthermore, it erodes in the population’s conscience the legitimacy of democracy as a political system.

The main effect of the participation of political, judiciary, police and military authorities in these criminal organizations

is the breakdown in the rule of law. Ensuring public order, so that citizens (and members of the press) can exercise their rights and guarantees, turns into a type of intrastate civil war where some police shoot in one direction and others in the opposite direction.

Sometimes the press also becomes part of the criminal coalition. The fine line of legality is not only smudged in the political, judicial and security sectors but also in journalism.

The CPJ (Committee to Protect Journalists) report, referring to Mexico’s northern border, states: “In Nuevo Laredo corruption is rampant and the press is no exception. Some newspapers reported that they were offered money to work for the drug cartels or to buy their silence. The journalists say that in some cases it is their colleagues who offer the money. Some reporters accept the offers made by criminal organizations or work for the police as informers so the journalists suspect their own colleagues”.

In Central America they are known as Maras, in Brazil: unionized delinquents, in Colombia: semi-retired paramilitaries, or groups of drug traffickers in nearly all the countries. The networks of public corruption in these

<sup>7</sup> Kees Koonings, “The New Violence and the Politics of Coercion in Latin America”, ILAS, London, 28 May 2004.

and other countries also have their armed groups to settle any controversy that arises.

Faced by this criminal coalition, the tools that professional journalism has are insufficient. Without rule of law, without basic security, journalism is easily intimidated and gagged by their instinct of survival. The initial conclusion is obvious: the building of a state is essential in the promotion of quality journalism.

If political, judiciary and police officials are not reliable in their commitment to public objectives they are equally not reliable as sources of information. Therefore, journalists have no security on the job as well as no reliable information that they can publish. This leads to an environment where fear and disinformation become self breeding. In some places, the media deliberately promotes this confusion as they may be on the payroll of one of the factions.

In Mexico there is a flood of criminal violence seriously affecting journalism creating a gigantic and expanding Red Area. In the last semester, five journalists were murdered and two missing. RSF maintains that after Iraq, Mexico is the most dangerous country for journalists.

The geographical distribution of the violence against journalists shows that Mexico's northern border and southern part of the country are the most dangerous. If we look at a map of the drug business, the geographical distribution of violence coincides with the country's entry & exit ports for drugs.

But it is spreading throughout all the country. A document of protest from various organizations says that: "The threat has extended from the north of the country to other states". In an interview shortly before his death, Jesús Blancornelas, editor of the weekly *Zeta*, said that: "In the six years [Vicente] Fox was in government, the narcos extended their influence to all the country".<sup>8</sup>

The Mexican Government's ability to establish rule of law is nearly nil. The crimes against journalists are a prime example. Because of jurisdiction reasons, responsibility as to which State should resolve a crime gets diluted.

Prosecutors and police tend to blame "organized crime" for most murders and this allows them to pass on the investigation to federal jurisdiction, where thousands of cases from all over the country go piling up and finally are never investigated. Recently a Special Prosecutor's Office for Crimes against Journalists was created as part of the General Prosecutor's Office (PGR) but they are not entitled to investigate drug related crimes. Furthermore,

they have a great incentive to make believe the crime against the journalist was not press related by which it is outside that Prosecutor's Office jurisdiction. Finally, as no government institution really has an investigative vocation, it is never determined who has jurisdiction over it and the cases pile up in the archives of impunity.

The recent murder of Enrique Perea Quintanilla is the latest example of this.

The victim's families are the only ones interested in solving the crime but their efforts are fruitless when faced with Government inaction. There are police, political, judiciary and military personnel that are part of the criminal coalition and they block any effort by their colleagues to enforce the law.

A IAPA communiqué condemning a shooting incident against the *La Mañana* newspaper of Nuevo Laredo that took place on February 2006, mentions categorically the two factions that they consider responsible for Mexican violence: "The originators of these aggressions that take place throughout the country are members of organized crime and municipal, state and federal public officials". Officials publicly admit that the Government is completely infiltrated by these criminal coalitions.

In this interview, Jesús Blancornelas, said that "the principal accomplices, the principal protection [of drug dealers] is to be found in PGR, because there are the principal accomplices, the agents, the delegates". Blancornelas said that the political information that a drug trafficker needed was not the name of the President or Governor but the name of who will be that States' PGR delegate. Blancornelas fear is that this infiltration made by drug dealers will eventually contaminate the highest levels of national politics.

In the Red Areas, the actual level of violence is most probably higher than what is reported. In many cases the media and journalists in these locations prefer not to report threats and aggressions they receive so as not to irritate their intimidators. Furthermore, they do not trust the authorities.

Referring to the journalists along the northern Mexican border, Ricardo Trotti, in charge of Press Freedom for the IAPA, wrote that: "Journalists not only self-censure when having to publish information but also when they have to report threats they receive"<sup>9</sup>. Sauro Gonzalez and Carlos Lauria, in their report for the CPJ in Nuevo Laredo, reveal the case of a journalist who has been kidnapped three times and never once informed the police.<sup>10</sup>

<sup>8</sup> Jesús Blancornelas died due to illness on November 23. He was the contemporary Mexican journalist who was awarded most international prizes: he won the *International Prize for Freedom of Press* awarded by the Committee for the Protection of Journalists; the *María Moors Cabot* prize awarded by Columbia University, New York (1998); the *UNESCO-Guillermo Cano* World prize for Freedom of (1999); the Freedom of Expression Prize awarded by the Interamerican Press Association (2002); the Reporters without Borders (RSF) prize, the French Foundation for Press Freedom & the Daniel Pearl prize for Bravery & Integrity (2006).

<sup>9</sup> Ricardo Trotti, "Silent Violence", in *Journalist's Risk Map*, SIP, Miami, 2006, p. 24.

<sup>10</sup> Sauro González Rodríguez & Carlos Lauria, "Terror at the border", CPJ, February 24 2006.



## United States press and its coverage of drug trafficking

The drug business works. It is produced in Latin America and is consumed, principally, in United States. Supply meets up with demand. The drug businessmen are efficient in avoiding the law either side of the Rio Bravo.

However, in California, Arizona, New Mexico and Texas, organized crime violence is not comparable to what takes place in Mexican states.

These are two Government's that fail to stop the drug business but the difference is that on one side there is a monopoly of violence while on the other side not.

The consequence for the press is that, although both societies are riddled by drug trafficking, the United States journalists do not suffer the violence epidemic that afflicts the journalists on the northern Mexican border.

At a meeting in January 2006 organized by IAPA in Nuevo Laredo for the Northern Mexican Border editors, there seemed to be consensus that the United States press did not investigate drug trafficking within their territory.

Bob Rivard, Director of *San Antonio Express News*, one of the most important newspapers on the southern border of United States, in Mexico said that: "If the Latin American countries ask themselves why United States, DEA, FBI, CIA and the rest of the federal agencies do not detain the leaders of the drug traffic, it is pure and simply because they are not interested".<sup>11</sup>

Journalist Gerardo Reyes added that not even in Mexico coverage of drug dealing is of interest for the national press. It is for the local press.

It is possible that for the United States press there is more interest in investigating the effects of drug usage or of drug trafficking outside their country.

Since 1917, when the Pulitzer Prize was first awarded, on only one occasion the winning subject was a dug investigation within the United States. It was won by *Newsday* newspaper in 1974.

## The police as the center of journalistic quality

Police corruption is one of the worst scourges for the democratic structure because it strengthens the criminals and obstructs the Government's effort. Without democratic quality the journalistic quality is suffocated. It can be said that with greater police corruption, greater danger for the

journalists and for the coalition of democratic forces. The police are not only there to help justice but also journalism as their mission is to preserve the fulfillment of the rule of law.

In Brazil there are times and places where organized crime overpowers and blocks the Government's effort to preserve the rule of law. Clarinha Glock, Brazilian member of IAPA's Quick Response Unit, asks: "For example, how does one investigate and report the link between the authorities and organized crime when Justice itself does not know how to fight it?"

When analyzing the intellectual and material responsibility for the crimes against journalists in Brazil, the most frequent pattern is that the intellectual authorship tends to be local politicians and police the material authorship.<sup>12</sup>

This generalized police degradation that occurs in the majority of countries in the region reinforces the security crisis because it destroys the bridge of confidence between the pro-rule of law police and the rest of society, particularly the journalists.

In the City of Sao Paulo a full scale urban war being waged that keeps flaring up between the police and the criminal organization called PCC (Capital's First Command). The confidence crisis between police and journalists was pointed out by Marcelo Beraba, ombudsman of *Folha do Sao Paulo*, who stated that the newspaper he worked for, the most important one in the country: "Did not give sufficient attention to the tragedy of the murdered policemen". He added: "After many years of criticism (in my opinion, merited) of inefficiency and corruption, the impression I have is that we have lost all empathy with the police, to the point that we were unable to see the tragedy that faced us: 41 public servants (military police and civilians, municipal and prison guards, firemen) hunted and murdered in the most cowardly way, particularly during the first three days".

Beraba said that the list of murdered police was published in the newspaper on page five various days after it occurred but in was announcement made by a bank in homage to the police. Journalism was defeated by advertising"<sup>13</sup>

The PCC sometimes has hostile attitudes toward the press. During the first week of August, they sent a video to an *audiovisual media (SBT television channel) and a*

<sup>11</sup> *Proceso de México* magazine, January 27 2006.

<sup>12</sup> See the cases listed in the Brazilian Impunity Resolution, SIP, March 20 2006.

<sup>13</sup> "The war in Sao Paulo", *Folha do Sao Paulo*, 21/5/2006. In the *Journalist's Risk Map* published by IAPA there are many examples of police involved in corruption. Mauri König, of the *Gazeta do Povo*, of Parana State, in his book describes his experience with the police: "I left the town of Foz de Iguazu because of threats after I published an interview regarding the participation of the upper echelon of the Civil Police in the car chop shop business with cars stolen in Brazil and smuggled to Paraguay. The Brazilian police acted as intermediaries in recovering the cars. I found this out because my car was stolen. As an ordinary citizen, I reported it to the police, it was found the next day. They said it was in Paraguay and that the thieves were asking for US\$1500 to return it. The newspaper lent me the money which I handed to the Police Superintendent. It was a network and I reported it. As soon as I did this, they began threatening me. I moved out of Foz de Iguazú quickly", (p. 176)

newspaper (*Folha de Sao Paulo*). The video was not given the coverage that the criminal group expected. Because of this, on August 12 they kidnapped a journalist, Guilherme Portanova, and a technician from *O Globo*, Alexandre Coelho Calado. The technician was freed and given the same video but this time stipulating that it must be included in one of the channel's program's called "Fantástico". The *O Globo* management consulted the International News Safety Institute (INSI [www.newssafety.com](http://www.newssafety.com)), who had them contact The Ake Group, a company specializing in risk management that works with INSI. Following their recommendation, they yielded to the blackmail.

While waiting for Guilherme Portanova's release, they published the following announcement:

"In view of what has been occurring in Sao Paolo en the last months, there is no doubt as to how far the bandit's actions will go: it is sufficient to say that the deaths can be counted in hundreds. As there is no doubt whatsoever regarding the risk that journalist Guilherme Portanova is in and as there is no time for a joint decision with his colleagues, TV Globo showed the DVD to the police and decided to air it in the State of Sao Paolo".

An hour later, the journalist was released. *O Globo's* action generated some debate but the general opinion was that it was the only thing the media could do. (*See interview with Portanova on page of this report*)

*Folha de Sao Paulo's* editorial supported *O Globo's* action, though some of their columnists published contrary opinions. This editorial read: "What the authorities must do to set an example is rapidly identify the culprits and the brains behind this kidnapping because what up till now has been an isolated episode of the so called PCC, could turn into the first of a long series. We cannot accept that the richest and most populated state in Brazil be submitted to a fascist coercion comparable to what the drug cartels and guerillas in Colombia, that at one time were leftists, exerted on the media in that country". (Editorial, 15/8/2006).

In the same newspaper, one of its main columnists, Elio Gaspari, questioned *O Globo* in an article titled: "How many kidnappings buy this space?" and pointed out that it seemed that the security crisis did not concern the journalists: "During the public security crisis, the journalists appeared to take protective cover. Portanova and Calado's kidnappings showed that the criminals cut a new slice of salami. This increases the size of the problem but helps in finding a solution. As more people realize that security is for everyone or for nobody, the better it will be". (16/8/2006).

In Colombia they refer to the transition from conflict to post-conflict. However, although Mexico has now heads the region's ranking in violence against journalists, this scourge continues to seriously affect journalism in Colombia. The key in understanding the aggressions against the press are the link that exists between the paramilitary and the corruption of the local authorities, especially Municipal.

In other countries the Maras or gangs are the criminal organizations that are becoming powerful and may develop into threats for journalists. The murder of the radio commentator José Luís León Desiderio in Guayaquil the night of February 13 is an example. While the gangs are growing in strength they are not newsworthy but when they are powerful they are very difficult to eliminate to recuperate rule of law.

In Guyana a criminal group carried out the most violent murder against a member of the press in Latin America in many years: they killed four workers in the main newspaper's print shop by shooting them in the back of the head. Five were shot but one survived. In Dominican Republic it is suspected that drug dealers killed one journalist and the same in Paraguay. In Venezuela there were murders that it is believed was carried out by criminal gangs.

The presence of criminal coalitions promotes violence as a way of solving conflicts. When violence becomes rampant it is difficult to determine who ordered the crime. This impunity encourages other groups to resolve their conflicts by the use of arms." Manuel Clouthier, Director of the newspaper *El Noroeste*<sup>14</sup> declared: "A country where drug trafficking exists is always more dangerous because there is always a smoke screen". Organized crime benefits from enormous impunity in societies where the law does not exist but they are also accused of other crimes that take place there.

### **The democratic coalition**

The democratic actors, such as professional journalists, are immobilized when faced with violence because they have precisely renounced using that type of language in favor of the monopoly of the use of force by the democratic state.

Professional journalism in Latin America can form part of a democratizing coalition that includes politicians, public officials, judges, police and members of the civilian society. This is a network of joint efforts that generates public opinion that influences the governments.

But violence paralyzes and blocks the democratizing effects that journalism can promote. When there is a large

<sup>14</sup> *Map of Journalist's risks*, SIP, 2005, p. 67.

opposing coalition that constantly resorts to violence it is difficult to organize and maintain a democratizing coalition. The different elements of the democratizing coalition begin retreating and there only remain some isolated individuals (many times journalists) that pay a heavy price for their risk and isolation.

Nevertheless, voices have been raised against this danger. Organizations such as FLIP in Colombia, ABRAJI in Brazil and, at the time, Argentina Journalist Association were created as reactions to the criminal aggressions against journalists.

IAPA from the beginning understood the threat that the criminal coalition represented to the media and in 2006 carried out various activities in the critically dangerous countries regarding the Maras, drug trafficking and following the incident with the *O Globo* journalist, regarding journalist's security in Brazil.

Finally, journalism is carving out a path for itself in Latin America. In a Brown Area such as Venezuela, the newspapers *Última Hora* and *El Universal* published the two investigations that won the investigative journalism award given by Press and Society Institute (IPYS). The second prize was awarded to *El Imparcial* of Hermosillo, on the red hot northern border. In 2005 one of their editor's was murdered and 17 Colombian printed media joined up in a "media alliance" to simultaneously print an investigation of how paramilitary groups control countrywide one of the most popular gambling games: Chance.

In other words, Venezuela, Mexico and Colombia, the three countries where this report found the gravest problems in practicing journalism, have been the source of the three best investigative reporting articles in recent times.

### Category definitions:

- (A) **Black Areas.** Legislation prohibits freedom of press and the State is sufficiently efficient to impose it.
- (B) **Red Areas.** The law protects freedom of press but the State protection is not sufficient for journalism not to be at physical risk. Locations where a journalist was murdered in the last year are included in this category.
- (C) **Brown Areas.** The law protects freedom of press but journalism is in a *state of disturbance* though they are not in immediate physical danger.
- (D) **Yellow Areas.** The law protects freedom of press and there is no *state of disturbance*. But gag laws exist though they may not be applied consistently: we are referring to contempt offenses, prison sentences for slander, mandatory membership of journalist's professional associations, restrictive rules for media content or for different types of ownership.
- (E) **Violet Areas.** There are no gag laws but there are *gag practices* such as assigning government advertising for political motives, assigning radio and television licenses with political motives, the stigmatization by the government or important social sectors of journalism &/or the media; obstructionist action by Government offices or control entities to curtail new media, either commercial or non commercial. There can also be gag practices by the private sector such as abusing their dominant position in the market to inhibit competition.

### Note

This half-yearly report is part of a long term investigation project regarding the integral relationship between the press and the democratic quality in the region. In this sixth report we analyse what happened between June 1 and December 21 2006. To see the previous reports please enter [www.cadal.org](http://www.cadal.org). You can send your criticisms, suggestions and contributions to [fernando.ruiz@fci.austral.edu.ar](mailto:fernando.ruiz@fci.austral.edu.ar)

