

Investigative journalism in a dangerous country

Adela Navarro

Adela Navarro is director of the weekly news magazine Zeta, one of the only outlets in Mexico regularly reporting on drug trafficking, government corruption, and organized crime. Over a 27 year career, Navarro has seen colleagues killed for their reporting, and lives and works under constant threat. On 13 September 2017 Navarro joined PEN and the Ryerson University International Issues Discussion Series to give a lecture entitled “Investigative Journalism in a Dangerous Country”.

Mexico is now near the end of President Enrique Peña Nieto’s administration. A little over a week ago he started his fifth year as head of the federal government, and the balance according to public perception, an overview of the political analysis and a generalized opinion in the media, is not in his favour.

Mexicans, and the world, are witnessing acts of corruption, crime and violence, as we had not seen in the past. However, in spite of how critical the national and foreign media have been regarding the administration of Enrique Peña Nieto, no legal action has been taken and, as a consequence, no legal sanctions have been issued.

Cases such as the purchase the President’s wife and First Lady of Mexico made of a seven million dollar mansion, acquired from the subsidiary of one of the favourite contractors of Peña’s Government, which clearly makes influence-peddling evident both in Mexico and abroad, have remained in impunity. Cases that have been documented by investigative journalists, and well-organized civil-

ian groups, which reveal documents, interviews, analysis, expert reports, are constantly discarded by the authority.

What the government of Enrique Peña Nieto has done in some states is officially and unofficially to enforce pressure against these journalists and these citizens. The methods are diverse, from spying on them, to ordering audits of their businesses, ignoring them, suing them or trying to slander them for their work.

Corruption, according to the Bank of Mexico, costs Mexicans anywhere between eight and nine percent of the gross domestic product, while the Institute of Geography and Statistics points out that in 2016, the cost of corruption for the business sector was 600 thousand million pesos – most of which is what businessmen paid to get through the Government’s endless red tape.

This level of corruption, however, isn’t punished accordingly. The Attorney General, the Ministry of Finance, and the Comptroller’s Office of Mexico are seriously committed to satisfying the interests of the president and the members of the cabinet who belong to his Institutional Revolutionary Party. Influence-peddling and conflict of interest are constant practices in Enrique Peña Nieto’s government, and it seems impossible for citizens to investigate this in depth, while internationally there’s frustration as everyone sees how the country sinks deep into a hole of corruption.

The abuse of public power is an issue that dominated the early years of Enrique Peña Nieto’s government. Cases such as that of Ayotzinapa in September of 2014, when local security forces abducted and disappeared 43 students and killed six more, remain in impunity, due to the involvement of officials of the Attorney General’s office in handling the evidence in an effort to not resolve it. The same thing happened in the case of Toluca in 2015, when in a confrontation with criminals the Federal Police riddled 42 of them with bullets. In both investigations low-level arrests were made, proving, on the one hand, that the federal administration is a repressive authority that uses armed force, and on the other hand exposing the inability of the authorities to investigate, enforce

the rule of law and bring the perpetrators to justice, even when they're a part of their government structure.

Drug trafficking has grown in Mexico in the last five years. By corrupting the police force and with the impunity that judicial and investigative structures provide, whether due to complicity or inefficiency, organized crime and drug trafficking networks have spread out in Mexico far and wide.

Under these conditions we went from being a transit country for drugs heading to the United States to a nation that now freely and heavily consumes and distributes drugs, and this is what led us in the past six year presidential period to the so-called war on drugs.

The arrest of major drug lords in Mexico didn't exterminate organized crime at all, but what it did do was to disperse the drug cartels. We have in the streets of Mexico less crime bosses and more low-key drug distributors who have turned street corners into a war zone because that is where they sell drugs, causing a chaos of delinquency and unleashing a wave of violence that in July 2017 and since the start of this federal government saw over 104 thousand people executed.

In this climate of violence, crime and corruption, how do journalists report the news?

Many times journalists end up doing the work of the criminal investigation authorities, which makes them very vulnerable as they face dishonest public officials that have the full power of the State on their side, or criminals who with impunity control their turf with guns and bloodshed.

Journalists in Mexico are caught in the middle of two very dangerous forces: the bullets of drug traffickers and the pressure of the government.

In recent years, investigative journalism has focused on both corruption and drug trafficking. Teams of investigative journalists in the independent media and social groups have been created to analyse official data. To follow the path of the money and reveal the source of corruption, and to observe the networks of impunity and exhibit how authorities are colluding with criminals.

Regarding corruption, investigative journalism has shown how public officials use the federal budget to meet their personal needs, purchase aircraft, buy houses, overspend, and even use it for their own entertainment.

A few days ago a news portal, in collaboration with a social organization, published a robust piece of research to document how eleven ministries, eight universities and 186 companies had diverted over 7 billion pesos from the federal budget in two years.

The investigation included official documents, proof of the international criminal network and how the money was diverted, all with official test elements, including budgets, appropriations and the use of shell or bogus companies; so this became evident and it was published in the independent media in the country's capital and in the states. However, the Attorney General failed to initiate an investigation, and the heads of the ministries involved or the university presidents didn't do their share to at least clarify where they stand regarding how corruption is at the root of a situation in which over seven billion pesos disappeared from public funds.

Faced with the evidence of corruption that investigative journalists produced, Mexicans have clearly witnessed a network of complicity from the government sphere, and the cover-up of each other's acts of corruption.

Similarly, a journalistic piece that was prepared by a group of communicators, with the elements of a trial in Brazil, unveiled how construction giant Odebrecht bribed the director of Petr leos Mexicanos with over 10 million dollars in exchange for the allocation of public works. The investigation done by journalists didn't just consider official documents obtained from the Brazilian courts, and the analysis of the official information in Mexico related to public works contracts. Brazilian business owners were also interviewed, who stated the way in which they delivered money to public officials, not only revealing amounts and routes, but also providing bank accounts, financial institutions and dates of the transactions.

All the evidence was provided in a clear and timely manner and was documented in an inves-

tigative journalism story that only managed to have the Attorney General's Office issue an order for the public official to distance themselves from these accusations. Mexico is one of twelve countries where bribes of the Brazilian company, Odebrecht, took place and no arrests have been made in connection with this case of international corruption.

When it comes to drug traffickers, journalists constantly prove the impunity they enjoy, while investigating the routes they follow to transport drugs, launder money and gain control of a certain territory. We also investigate the trail of murders they leave behind, their names, and their pictures. All these facts, in the hands of the investigating authority and, in some cases, the judicial authorities as well, remain hidden, sheltered from researchers because of several factors: complicity, corruption, inefficiency in the Public Ministry, and the new system of criminal justice in Mexico.

About the complicity: in our weekly publication, *Zeta*, we have narrated for many years how criminal networks couldn't survive without police protection. Through investigative journalism we have shown how the Federal Police works for some drug cartels while the Local Police does another cartel's dirty work. As a result of this, police officers have been killed, detained and released, because they have favoured a certain drug trafficking structure.

While investigating corruption, we have written stories demonstrating how agents and police officers have stolen drugs, received money in exchange for protection and are on the criminals' payroll. As the first decade of the new millennium began it was explained how the Arellano Felix drug cartel spent a million dollars a month paying corrupt policemen, researchers and officials from the justice department precisely to evade justice.

Investigative journalism in Mexico has a great impact on society and presence abroad, thanks to the international media that share news stories from Mexico and sometimes they even unveil them, for example, when recently *The New York Times* ran a front-page story about how Enrique Peña Nieto's Federal Government had spied on journalists and human rights activists. This is

very important to us because investigative journalism in Mexico has no impact on the public sector, their investigations don't lead to official investigations in the Attorney General's Office or in the Comptroller's office.

The Mexican Government has practically given up on its obligation to investigate and rather they have taking the path of complicity and protectionism for corrupt public officials and impunity for criminals, whether they are white-collar criminals, fraudsters who work for the government, or drug traffickers. In Mexico all of this research remains in the reports of independent media, but it never makes it to court.

There are three elements that contribute to the non-exercise of the Rule of Law:

1. The Attorney General's Office is in a stage of transition to become the General Prosecutor's Office, and it lacks the autonomy that would enable it to investigate their own in a corrupt government, as well as to professionalize its Public Ministry by providing scientific and social tools, so that it could handle investigations that would generate arrest warrants.

2. For two years the appointment of a Public Prosecutor to investigate the cases mentioned above and others that occur because the State protects them is still pending. We need an Anti-corruption Prosecutor who can independently and with autonomy judge the unlawful acts of officials, secretaries of state, and even of the President. Mexico is the only country in Latin America where a secretary of state or a President or a former President hasn't been brought to justice. Now, with the renegotiation of the Free Trade Agreement between Mexico, the United States and Canada taking place, fighting corruption is an issue that has reached the public agenda.

3. The new system of criminal justice in Mexico is guarantee-based granting an extreme level of protection to the accused by prohibiting their names or their crimes being made public. Even the list of offenses that require detention was amended, leaving out of prison criminals who, for example, carry weapons in a country where fire arms are still illegal and execution-style murders are a very serious issue.

In this context, journalists who investigate issues of corruption and drug trafficking are vulnerable to threats, attacks, demands, smear campaigns, and espionage. Recently espionage focused on the most critical journalists of Peña Nieto's administration was exposed, but this has also happened to activists who have openly criticized the actions of the Government. Others have had to face audits.

The disdain the Presidency shows when investigative news stories are released has reduced their uptake by other media. This occurs along with the manipulation of official information and a communication strategy on the part of the government to minimize negative news in exchange for multi-million dollar advertising contracts with major news media outlets. This hasn't only affected justice and democracy, but the right of the people to be well-informed.

In June 2016, the New System of Criminal Justice in Mexico was implemented. It's an adversarial, accusatory system, and it also includes a new catalogue of criminal offences that require preventive detention. In fact, nowadays a detainee can only be imprisoned after having committed one of seven crimes: organized crime, murder, rape, kidnapping, human trafficking, crimes committed with weapons and explosives, and offences against national security.

Criminal offences such as violent assaults, and one of the most common in Mexico, carrying weapons that exclusively can only be used by the army and the armed forces, aren't serious according to this new system, and don't deserve prison.

With the modification of the list of offences that warrant preventive detention, in the next few months around 69,000 prisoners could be let out of prison, many of them dangerous members of drug cartels who were arrested while only carrying a gun. In fact, 30% of inmates in Mexican prisons have now regained their freedom, due to the change in the crime catalogue.

In addition, while being an adversarial accusatory system, it always protects the suspect. In order for a detention to happen the police practically must stop the criminal while committing the crime. The research apparatus in Mexico isn't

good, they're not professional, they don't have sufficient scientific tools, and that is why the accused ends up being released.

The same thing has been happening with notorious members of the drug cartels who were arrested in possession of firearms. They recover their freedom almost immediately. They're the same petty criminals who rob, assault, harass the common citizen. In fact, the new system of criminal justice has been wryly considered to be a "revolving door", because as soon as an offender is arrested he or she is released.

Other changes that contribute to criminal impunity in Mexico are restricting information. Now we know the name of the victims, but we can't expose the offender. Judges may prohibit the publication of the names of offenders or their picture. And it doesn't matter if we're dealing with a public enemy.

Here's an example. At the height of this new system, a few months ago the son of one of the leaders of the Sinaloa drug cartel escaped from prison, and when the Attorney General's Office issued an alert for his search that included a reward, they omitted his full name, and his head shot was blurred. Practically the government wanted people to identify a faceless and nameless thug.

The criminals, especially the members of the drug cartels, have learned to circumvent justice with the legal tools that the new system of criminal justice provides, and they have learned this faster than police agents have learned how to implement it and help produce successfully an arrest warrant.

The armed criminals, that today don't deserve to spend time prison in Mexico, are the authors of more than 104,000 execution style murders in the country in the last five years. They are the ones that have murdered journalists; they are the ones that control the territory with blood and lead. They're the ones that today terrorize Mexico without facing any legal consequence.

Social participation

Not all is lost. With investigative journalism and a self-empowered society reporting what happens in Mexico in terms of corruption, impunity and

drug trafficking, social organizations sponsored by major companies and business leaders have been created to contribute to freedom of expression and the rule of law.

Today, more than ever, there are research organizations that focus on missing persons, victims, corruption, public funds and violence. Hand in hand with independent journalists, these organizations are demonstrating what happens between the government and the criminals, and how federal, state or local funds are managed to the detriment of the population.

These same social groups and independent journalists have promoted the creation of institutions that supervise the actions of the government and access to information, putting in the hands of the citizens some of the spaces that were in the hands of public officials. This way these institutions can obtain a better resolution of the cases. Certainly these steps are small in terms of the transparency of resources and information, but they are steps nonetheless.

Murdered journalists

In five years of Enrique Peña Nieto's government, 37 journalists have been murdered. Their cases have been handled by a specialized Prosecutor's Office that maintains a 4% of effectiveness. Ninety six per cent of the crimes against journalists remain in impunity.

The attacks against journalists come from organized crime and drug trafficking, after drug lords are either exposed or after they show their relationship with government officials in cities and states, they are the ones that have attacked them after being involved in acts of corruption or criminal complicity.

According to Article 19 Mexico, in the last 17 years 109 journalists have been killed, 101 were men, eight were women. This does not count those who have been threatened, journalists who have had to leave their hometown and their jobs while facing the threats of the government or a cartel.

At *Zeta*, the weekly news magazine where I work in Tijuana, Baja California, the climate of violence and crime has touched us all. Being a

weekly publication that uses investigative journalism to focus on issues of government, politics, corruption, impunity, drug trafficking, and the cartels, we have paid the consequences of exercising free speech and contributing to the right people have of being well-informed.

This has included two murders and one attack, while more recently we have faced threats by two drug cartels, defamation on the part of the state government, and the pressure of audits and frequent notices from the Internal Revenue Service.

In 1988 one of our founders, Héctor Félix Miranda, was killed when he was on his way to the offices of *Zeta*. He was shot four times. The men who murdered him were released on May 1st 2015, while the intellectual author of this murder was never tried, and now he has again hired the killers who were released from prison as part of his security team, (which is the same job they had in 1988 when they killed this journalist).

In 1997, our other co-founder, Jesus Blancornelas, suffered an attack. Nine members of the Arellano Félix cartel were identified as the perpetrators, but none of them has been tried and imprisoned for the crime against the journalist. Blancornelas survived nine more years, but his driver and bodyguard died during the shooting.

Francisco Ortiz Franco, Editor of *Zeta*, wrote a story in April 2004 that included photographs and names of the new members of the Arellano Félix cartel. His investigative journalism led him to discover that the criminals had taken those pictures to have State Judicial Police credentials made out for them. Clearly that was the corrupt link between the drug traffickers and the government. Two months after that publication, members of the Arellano Félix cartel killed him.

For those who currently work in *Zeta* it hasn't been easy. After 37 years of journalism, we continue to suffer the threat of criminals who are able to hide under State-sanctioned impunity.

Almost four months ago, in Culiacan, Sinaloa, Javier Valdez, a writer and a journalist, was shot to death. He was shot 12 times, obviously by members of the Sinaloa drug cartel. However, the Attorney General hasn't provided the results of

the criminal investigation. Not a single word.

Javier's murder, as well as my colleague's assassination and the attack on our former director are among 96% of the cases of journalists that remain unsolved. The Government has failed to investigate, the killers enjoy total impunity.

Those are the risks of doing investigative journalism in Mexico. You can end up dead; you will be threatened, spied on, defamed, and at least audited.

But I insist: not all is lost, social awareness has been generated with the publication of in depth news stories and this has led us to take important steps and participate socially with the task of monitoring and denouncing acts of corruption and collusion with the Government.

In this regard, Zeta, as I am sure is the position of all independent media in my country, will not tire, beyond the risks and threats, to do investigative journalism, assert our right to free speech, the right to have access to information, and thus, contribute to social justice in Mexico, a country that anxiously awaits a time of peace and justice for all where corruption and impunity can finally be a part of the past. To sum it up: that's why we do what we do.

Source: ifex

Radio Progreso defends human rights in Honduras

Sean Hawkey

The following interview with Fr Ismael Moreno, Director of Radio Progreso, took place at the end of 2017. Radio Progreso is a Jesuit radio station based in Honduras, Central America.

The station is internationally recognized for its role advancing human rights, promoting peace, supporting community-based communication initiative, and advocating for environmental protection across Honduras. Radio Progreso has been broadcasting since the 1980s and has been involved in numerous community mobilization efforts in support of Indigenous people, Afro-descendants, peasants, women, and youth, both in Honduras and across Central America.

Honduras has been mired in a series of human rights and democratic governance crises since 2009, when then-president Manuel Zelaya was ousted in a widely denounced coup. High profile corruption cases, weakening institutions, and impunity followed.

The country is presently one of the most dangerous places in the world for journalists, human rights defenders, LGBTQ activists, and environmentalists.¹ Latent discontent in the country erupted in late 2017 following a disputed and controversial presidential election that ultimately saw Juan Orlando Hernandez, the incumbent president, elected. The situation sparked mass demonstrations and violent state repression.^{2 3 4}

Radio Progreso has been at the forefront of the post-election movement to call for transparency, accountability, and respect for human rights in Honduras. Fr Ismael Moreno, Director of Radio Progreso, spoke with Sean Hawkey during his most recent visit to the country.

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