

Annual Report on Impunity 2012: Faces and Traces of Freedom of Expression in Latin America and the Caribbean (Executive Summary)

The concept of impunity in general, and specifically regarding freedom of expression, is not easy to define. It is intimately related to the protection mechanisms existing in a country, the access to justice levels, and the legal and social guarantees in place for the fulfillment of human rights.

In Latin America and the Caribbean two trends are clear: On one hand, there is total impunity for serious violations against freedom of expression, and an environment where low intensity physical violence is not actively prosecuted by the States. On the other hand, impunity is manifested in new mechanisms of indirect censorship with a severe chilling effect on free expression. These mechanisms are not obvious, but seek to co-opt the independent press, through stigmatization, the withdrawal of radio frequencies, and even, the creation of State-funded media outlets, among other mechanisms.

With the Annual Report on Impunity 2012, the IFEX-ALC alliance seeks to prompt a reflection among States, which hopefully will turn into actions to eradicate the culture of impunity seriously affecting free expression. This is a great challenge in Latin America. Between January 2010 and September 2012, 74 journalists have been killed and only eight convictions have been issued for such killings. In the same period, 431 journalists have received death threats and been physically attacked, in at least 878 different circumstances, plus 120 journalists have been taken to court because of their publications.¹

The regional scenario is alarming, bearing in mind that democratic regimes are questionable if freedom of expression is at stake.

“Freedom of expression should be protected in practice through the effective enforcement of judicial guarantees that allow investigating, punishing and redressing the abuses and crimes committed against journalists for the exercise of their profession”

Special Rapporteur for Freedom of Expression, IACHR – 2010

The IFEX-ALC Report analysed the scenarios in 11 countries of the Latin American region and the Caribbean, identifying common issues, such as the presence of organised crime groups and actors capable of undermining the integrity of journalists. States must control this risk factor, but until they do so, they must establish mechanisms to ensure the protection of journalists that are affected by violence.

It is disconcerting to know that sometimes public servants are censoring agents and perpetrators of violations against freedom of expression. Furthermore, there is a surprising disparity between the guarantees awarded to journalists who do their work in the big cities, vis-a-vis the total lack of guarantees for journalists in the farther and more vulnerable regions. In these contexts, actions and restrictive regulations are set in place by the authorities ranging from stigmatization to criminal convictions against journalists (contrary to the guidelines on the subject issued by the IACHR).

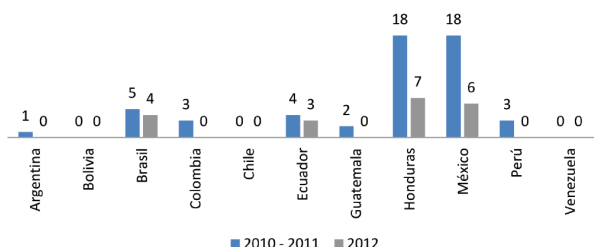
Another major concern, common to all countries, is the low effectiveness and sanctioning capacity of the judicial authorities, considering that “the impunity of these crimes encourages criminals to continue committing them”.²

¹ These figures are based on independent reports of the IFEX-ALC organisations. These figures are not entered in the Report.

² Taken from: Press Freedom in Mexico: The shadow of impunity and violence <http://www.article19.org/pdfs/publications/mexico-lasombra-de-la-impunidad-y-la-violencia> available.pdf

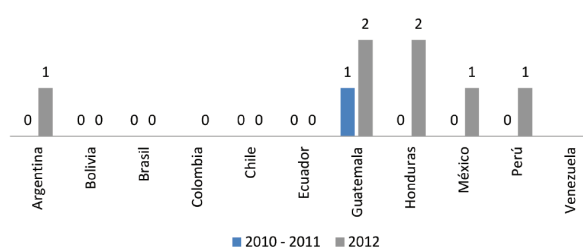
Alarming regional figures

Number of journalists killed in Latin America in 2010-2012 by country *



* Killings were recorded in eight of the 12 countries included in the report during these periods.

Number of convictions against the perpetrators of killings of journalists in Latin America between 2010-2012 *



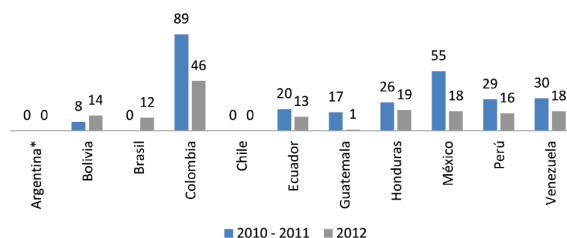
* Only five of the countries included in the report registered convictions for the murder of journalists in those periods.

Number of killed journalists vs. Convictions of intellectual and material perpetrators in Latin America between 2010-2012*



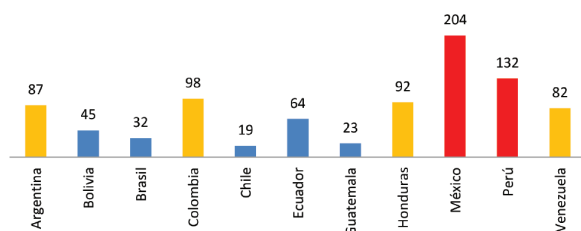
*Data is recorded until September 2012

Number of journalists that received death threats in Latin America in the period 2010-2012



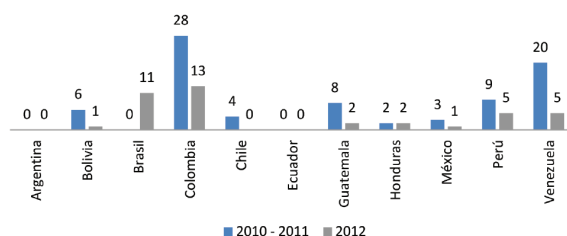
* In Argentina no data was entered, not excluding death threats against journalists, which fortunately did not materialize in murders. In Chile, however it was reported that they did not record any threats during the period of the study.

Number of attacks against journalists in Latin America in the period 2010-2012



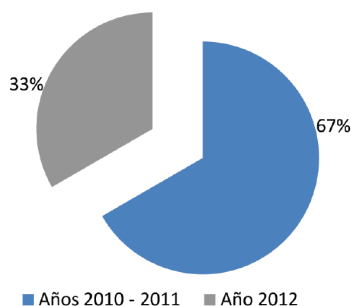
Two areas of the region have accumulated over 100 physical assaults in the past three years: Mexico and Peru. Another four countries are close to reaching the number of 100 hundred assaults.

Number of judicial complaints against journalists in Latin America between 2010-2012 *



*No data was gathered in Argentina and Ecuador

Percentage of complaints against journalists in Latin America in the period 2010-2012



One third of complaints against journalists occurred from January to September 2012, and the first period of 2013, showing an increase in this form of aggression in the region. The others occurred between 2010 and 2012.

The challenge...

It is necessary to reverse the culture of impunity and to take the right to justice seriously. The purpose of IFEX-ALC's presentation of this report at the UN is to prompt a reflection among States that turns into actions from public institutions. We insist that this is a great challenge; nevertheless IFEX-ALC though this report seeks to make a contribution to eliminate the culture of impunity, that often quietly but sometimes openly, threatens the free expression of our brothers and sisters in Latin America and the Caribbean.

Geneva, March 4 to 8, 2013