



**GLOBAL
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THE FORGOTTEN ONES

Relatives of murdered
and disappeared journalists in Mexico



**RESILIENCE
FUND**

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Cover photo: Demanding justice for journalist Javier Valdez.

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SUMMARY

Mexico is considered one of the most high-risk countries for journalism, a place where denouncing organized crime costs people their lives. Journalists there are harassed, threatened, 'disappeared' and murdered. The wave of violence, especially against journalists, permeates the lives of people at all

socio-economic levels. This paper shows the impact that this violence has on the personal experiences of families of murdered and disappeared journalists, and reveals the lack of support they face. It also advocates for effective public policies for the state to protect, inform and aid victims.

Key points

- The threats, harassment and intimidation journalists face also affect their children, partners and parents both as a result of the violence itself and when investigations are subsequently carried out.
- Labour standards in the field of journalism do not recognize employees' rights to social security benefits, which, in turn, affects the rights of their children and families.
- The lax implementation of laws meant to protect victims affected by the murder or disappearance of journalists mainly infringes on the rights to truth, justice and full redress.
- Cuts to public funding for victims as well as public policy that is susceptible to corruption and that allows crimes to be committed with impunity weaken the commitments Mexico has made in international treaties.
- Mexico sees to only some of the needs of the families of murdered and disappeared journalists, and individual and collective support networks are scarce.



INTRODUCTION

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Journalism can be one of the most dangerous professions in the world. Even in 2020, during the lockdowns due to COVID-19, Reporters Without Borders, in their annual assessment of violations of press freedom, recorded the murders of 50 journalists, a figure nearly identical to the number reported in 2019 when there were no restrictions on travel or movement.¹ Until 2016, these murders were concentrated in conflict zones or war zones. Today, however, journalists are killed in countries that are considered to be at peace, such as Mexico, India, Pakistan, the Philippines and Honduras.

According to the Committee for the Protection of Journalists, Mexico is considered the highest-risk country for the press in the western hemisphere.² The presence of criminal groups, corruption and impunity for crimes give rise to the many violent actors who make members of the press vulnerable to harassment, threats, murder and disappearances.

Between 2000 and 2020, the murders of 137 journalists in Mexico were recorded.³ Javier Valdez, the husband of the author of this report, was one of them. Murdered in Culiacán in 2017 while he was covering the conflicts in the Sinaloa cartel, he was shot in broad daylight near the offices of *Ríodoce*, the weekly paper he wrote for and had founded.

It is practically impossible to obtain justice for crimes committed against journalists in Mexico, and for their families to exercise their rights as victims and receive the necessary support that would allow them to give new meaning to their lives. Most of those who currently represent these families and follow up on investigations lack support networks, or cannot access those that do exist.

State-subsidized psychological support for the families of victims has been lacking and inadequate; in some cases, it has even revictimized family members, prompting them to reject therapeutic services. In others, they were offered such services only for a short period of time, while some families have paid for therapeutic support themselves: as they were not informed that psychiatric services could be provided to them, they did not request them.

This paper presents evidence of the lack of assistance for the families of murdered and disappeared journalists, and of the urgent need to take steps to address this situation. It aims to introduce these victims – who have been, so far, invisible – into official discourses that due to incompetence, complacency or complicity ignore the gravity of the situation facing journalists in Mexico.

We hope that this work and the recommendations made here may lead to discussion with the local, national and international actors involved in protecting press freedom and the protection of journalists.

Methodology

After the murder of Valdez, the author became not only a victim of the violence in Mexico but also an activist for the rights of the families of murdered and disappeared journalists. Driven by the interest in getting to know other families who had experienced the pain of losing a loved one, she set out to contact those survivors.

Through institutional obstacles, threats to her safety and ill effects to her health as she relived her own trauma through these stories, for nearly a year she documented the experiences of families of journalists who had been disappeared or murdered between 2008 and 2018.

A survey of 150 questions was sent to 11 members of the families of eight journalists from the states of Michoacán, Guerrero, Chihuahua and Veracruz, five of whom had been murdered and three disappeared. The survey focused on the economic conditions, health, safety and access to justice of these indirect victims, as well as the assistance they received and their support networks.

In all cases, the surveys were administered to family members, aged between 47 and 67, who were directly involved in pursuing the judicial investigations into those eight victims. Of the 11 relatives who participated, two were men and nine were women, mostly the wives of victims, as they are generally the family members who take on the task of seeking justice for murdered or disappeared journalists.

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THE FIGHT FOR VICTIMS' RIGHTS

A protestor demands an end to violence against journalists. Mexico City, June 2017.
© Miguel Tovar/Getty Images

When journalists go missing or are murdered, their families are forced to confront multiple obstacles so that their rights – which include the right to personal protection from a risk that they now also face – are recognized.

Besides the psychological and emotional effects that accompany this loss, family members are exposed to harassment, intimidation and threats as well as restrictions on their personal rights, property rights, economic rights and right to health. The results of this study confirm that the majority are unaware of these rights and that the authorities do not inform them of the measures for full redress they have access to. Only two of the family members surveyed stated that they were aware of their rights as indirect victims, the status granted by a law on victims in Mexico to those individuals who are the immediate family or dependants of the direct victim.⁴ Full redress for harm is a right owed to victims of crimes and serious human rights violations, which means that it is the state's duty to guarantee their access to measures for satisfactory restitution, rehabilitation and compensation, and to prevent reoccurrences.

However, in practice, there are various barriers to accessing support for funeral costs, the survivor's pension and a special declaration of absence, which allows for a disappeared person to maintain parental rights and thus protects the rights and property of their minor children. As one of the respondents said: 'The pension payment was available, but it required another legal case because the insurance doctor ruled that it was a death due to a workplace accident; he had written [that my husband died] "in transit", but later changed it to "at work". My

lawyer said it was indeed “at work” because journalists don’t have fixed work schedules; my husband sometimes worked from home. That was our legal argument, that it happened at work and that my children should also get the pension.’⁵

The wife of another murdered journalist explained that when she went to claim the funeral payment (a survivors’ benefit for the funeral costs of pensioned and retired workers) she learned that her husband did not have social security at the media outlet where he worked. That benefit, which consists of a payment of 120 days or four months of the pension that the victim was receiving when they died, amounted to 16 500 Mexican pesos (MXN), or approximately US\$825, which the employer granted to each child after the murder of their parent. By limiting journalists’ labour rights, news outlets hinder their families’ access to other rights, such as immediate support for burying them or holding a wake.

A federal law on the special declaration of absence for disappeared people, in force since 2018, allows beneficiaries of a social security plan tied to the employment of the disappeared person to continue receiving all of the rights and benefits applicable under that plan. This protection of the rights of family members, particularly children under the age of 18, allows them to obtain the benefits that the disappeared person received prior to the disappearance.

Very few have been granted this valuable right in Mexico. According to the testimonies in these interviews, none of the families has received that benefit.

Public institutions also impose this sort of restriction. The families surveyed indicated that the Comisión Ejecutiva de Atención a Víctimas (the executive commission for victim services, CEAV) – the agency in charge of guaranteeing, promoting and protecting the rights of crime victims through immediate aid in health, education and welfare support – actually limits their rights.⁶ One of the women surveyed said: ‘Staff [from the commission] told me about the medical and psychological services available. Their lawyer pursued the case. They always gave me updates from the court: approved healthcare for my son. Supposedly, they got me a high-school scholarship – the social worker went to talk with the school and the principal told her that they had, but when I went to follow up on the process, they had done a socio-economic evaluation and rejected the scholarship, because I was paying for private school.’⁷

Scholarships are one of the forms of aid that the Mexican government cannot legally deny to the children of murdered or disappeared journalists. The law on victims states that the government has the obligation to grant such scholarships until those children complete their higher education, and, if they study at a private institution, until they complete the current academic year.

Although the number of victims is increasing, the CEAV’s annual budget has been cut for the past two years: in 2008, it was MXN976 329 241 and in 2020 it was MXN855 454 264 (approximately US\$43 000 annually). These cuts have affected the fund reserved for the aid, support and full redress for victims.

Only two of the family members surveyed stated that they were aware of their rights as indirect victims.

Data obtained from the testimonies of family members of eight journalists who went missing or were murdered in Mexico, regarding their rights, needs and aid received due to their status as indirect victims of a crime.



None of the families received information about their rights from the CEAV. Only **two respondents** said that they were familiar with their rights based on their own prior knowledge.



Only in **four cases** have the family members received **any type of support**, such as police patrols, personal security, security cameras, panic buttons, watchmen or contact numbers for local police. **One family** did not request any aid.



None of the families had a **funeral service plan** in place. Six received help with **funeral costs**: four from the government, one from a civic association of journalists and one from a charitable fundraising effort.



Of the **four families** that received some kind of aid, two described the **access to that aid** as 'very easy'.



Only **two families** received the pension for the death of a worker accorded to them by **social security**.



Five of the families are registered in the **national victims' register**, the platform that organizes and updates data on **victims of crime** and human rights abuses in Mexico.



Four families received **security measures**, but only two of them have kept them two years on. Both confirm that they are **insufficient**. Three families were not offered any protection, and one family did not accept it.



ACCESS TO JUSTICE

The experience that the families of murdered and disappeared journalists in Mexico have had with the justice process can be described in three words: disinformation, intimidation and bias.

Despite the existence of special protocols for handling attacks against the press, in reality, pursuing justice puts the lives of family members at risk, especially the lives of women, who take it upon themselves to see that these crimes do not go unpunished. According to the results of this study, it is the widows of murdered journalists and the wives of the disappeared who take on the work of pursuing the judicial investigation and who generally are exposed to violence during the process.

Four of the families indicated they had been the victims of some sort of intimidation during the judicial inquiry, such as threats warning them to call off the investigation, bribes offered in exchange for leaving their place of residence and obstruction in their attempts to access case files.

In one of the interviews, a family member said that a representative from the public prosecutor's office interviewed the victim's youngest daughter, at her home, the same day that the events took place, without notifying her mother and against the mother's request that they not do so. The daughter was a witness to the events, and during the interview she was put under significant psychological pressure.

Another relative said that Javier Duarte, then governor of the state of Veracruz (located in southern Mexico), offered a family member MXN100 000 (approximately US\$4 900) to leave the state, leaving him feeling humiliated and as if he had been treated like a criminal.

Mexico is considered to be one of the most dangerous countries in the world for journalists. © Siria Gastélum Félix

In addition to this sort of intimidation, family members decried the fact that the government favours the accused and violates the principle of impartiality. Often, the public prosecutor's offices do not produce evidence to advance the investigation or they are dismissive of such evidence when it exists.

The wife of a murdered journalist said that she received visits from state employees from four distinct parts of the government who sought her out immediately after the murder to interrogate her. They travelled to her neighbourhood, took photographs and confiscated papers and electronic devices without making it clear to her why they wanted them. She would not hear from them again until going to the public prosecutor's office to find them herself.

A lack of legal counsel is common, and civil society organizations lend more help than the government: only three of the eight families surveyed received legal support from the government after the journalists were murdered or disappeared, and in all eight cases, family members were contacted by a civil society organization offering to help them.

There are families who have to wait between 48 and 72 hours for their report to be accepted. According to their testimonies, the public prosecutor's office refused to accept them, asked them to go to another office or told them there was no personnel present to take the report. When civic pressure builds and leads to an investigation by the Fiscalía Especial para la Atención de Delitos Cometidos contra la Libertad de Expresión (special prosecutor for crimes against freedom of expression, FEADLE), it is not easy to determine where or with whom to monitor the inquiry. There is abundant disinformation, and access to case files related to the investigation is restricted: 'The local deputy prosecutor told me that the photocopy machine didn't work, and they never gave me [the case file] until a lawyer helped me, two years later. At the [federal] prosecutor's office, I was finally able to see the entire file (four years after the murder)'.⁸

Data obtained from the testimonies of family members of eight journalists who went missing or were murdered in Mexico, regarding their experiences with the public prosecutor's office and the criminal investigation process.



Four of the investigations were triggered by a report lodged by the family; the rest were officially launched by the government. In three cases, there were **difficulties** getting the investigation initiated.



Only **three families** initially received legal aid from the government, and in all eight cases, the families were contacted by a **civil society organization** that offered support.



Investigations into the **eight cases** were the responsibility of FEADLE. Six of the families experienced complications attempting to **access the case file**.



Depending on experience, gaining access to the case file varied **from 10 days to nine years**.



Four of the families were **subjected to intimidation** by state employees during the investigation.



Six currently receive **legal aid**.



All of them reported **the inappropriate use of evidence** during the investigation: evidence whose value is dismissed, that is leaked to the media, that gets lost or that is manipulated.



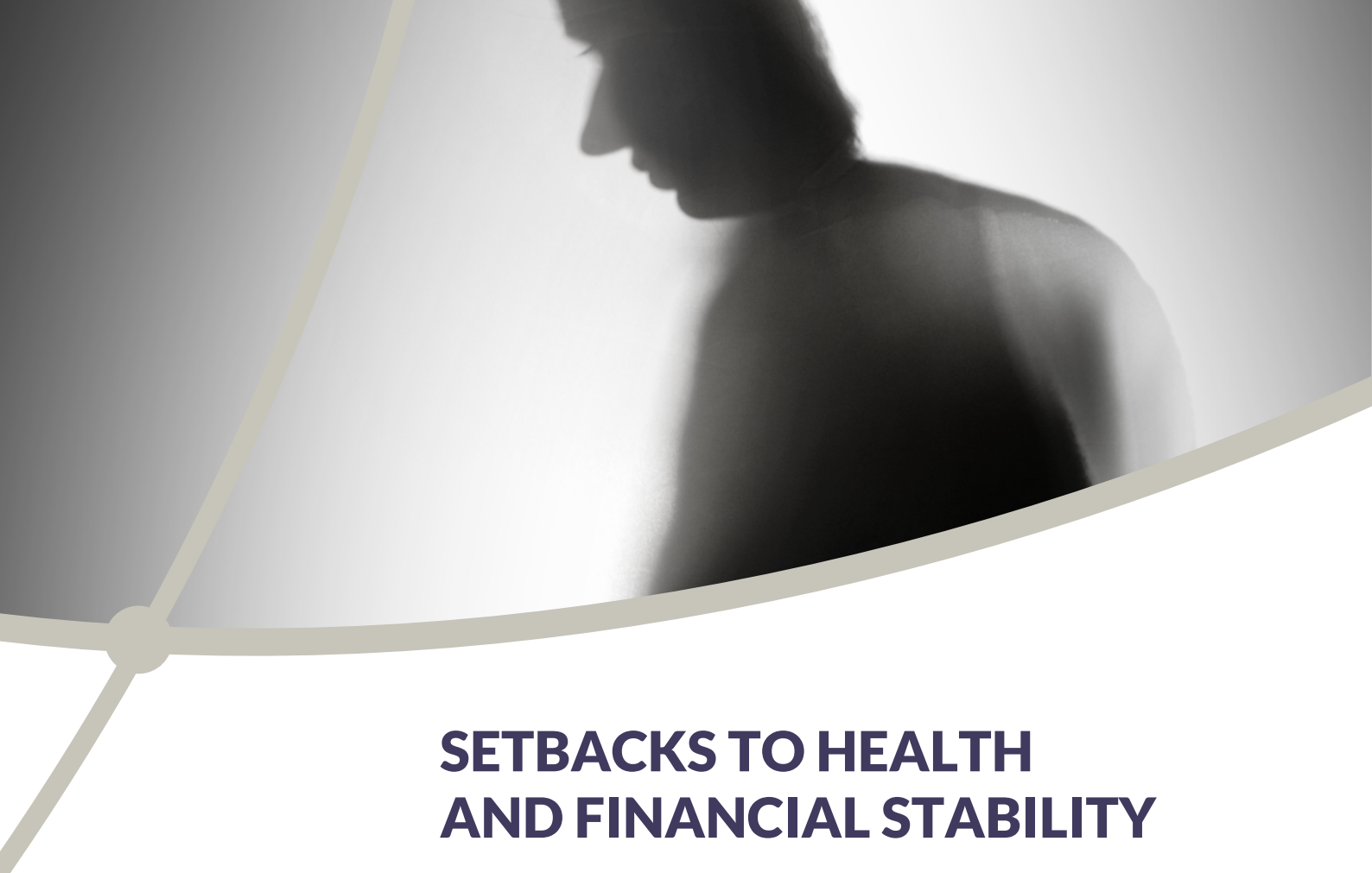
Respondents had a negative perception of **the actions of the judicial system**. They had **minimal** expectations that those responsible for their loved one's murder or disappearance will be identified and punished.



Respondents' perception of **the progress being made in the investigation** is also highly negative. Only one interviewee cited 'high levels' of progress in the case, **nine years after** it was launched.



Four families judged the performance of the public prosecutor's office based on whether or not arrests were made.



SETBACKS TO HEALTH AND FINANCIAL STABILITY

In addition to suffering the loss of a relative and being ignored by the authorities, victims often experience illness and poverty. © TomFullum/Getty Images

Financial instability, chronic illnesses and addiction are three of the main effects of violence against the press in Mexico.

Members of five of the eight families surveyed developed some kind of disability or illness following the loss of their relative, mainly vision problems, attention deficit, diabetes, hypertension, depression, bipolar disorder and neurological problems. In six cases, family members also said they had difficulty sleeping that continued to affect them years after the incident occurred. Some developed an addiction to alcohol, food or work, and stress-induced conditions as psychological and emotional effects of the experience.

Although six of the families received psychological and/or psychiatric care provided by the public prosecutor's office and the CEAV, in five cases it was for a short period ranging from two or three sessions to one, three or nearly 11 months. With the exception of one case, they were not familiar with the term 'victim support', despite the fact that it refers to a right meant to facilitate access to truth, justice and full redress for victims through direct personal support from specialists in the field.

The families generally regarded the assistance they received as poor: they mentioned the public prosecutor's office's and the CEAV's attempts to manipulate them into calling off the search for their relatives, as well as treatment that they identified to have adverse effects. In two cases, the family members decided to suspend the sessions as they felt they were negatively affecting their health. One of the respondents said: 'I don't feel well. ... There are times when I don't want to live anymore, and then I see my son, and he doesn't deserve that, to be left alone. ... I see that he's happy, I feel like I've done

well providing for my son, but there's a huge emptiness inside of me.⁹

The economic situation that most of the families face worsened after the murder, as they had to pay off mortgages and debts taken on by the journalists. In Mexico, journalists earn an average of MXN6 919 (US\$346) per month.¹⁰

This study reflects the press's precarious working conditions in Mexico, where the majority of journalists have to practise their profession without health or life insurance, without training or adequate protective equipment even in high-risk areas.

Members of five of the eight families surveyed developed some kind of disability or illness following the loss of their relative.

Data obtained from the testimonies of family members of eight journalists who went missing or were murdered in Mexico, regarding their financial situation after the loss of their relative.



In all **eight cases**, the murdered or disappeared journalist left a property behind, but in none of the cases did they have a will.



In **seven of the families**, the victim left **unpaid debts**.



Five of the families' property or assets were affected following the murder or disappearance, which led to a **worsening of their economic situation**.



SUPPORT NETWORKS

Lack of legal advice is common, and civil society organizations provide more help than the government.

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Given their limited options for exercising their rights as indirect victims of a murder or disappearance, families come to depend heavily on support networks.

In four of the cases surveyed, the relationship with some member of the family worsened following the loss, and the majority of those closest to the journalist experienced some kind of depression or lack of understanding: 'I mention it to family members and they tell me that I'm crazy. They don't understand what I'm feeling. Even now, I'm afraid when someone knocks on my door, afraid that they're coming for us now; I feel terror. I'd rather not talk about what I'm feeling so they don't [tell me that I'm crazy]. I don't want my son to leave the house, that's something I can't let go of'.¹¹

Such traumatic incidents have been known to separate victims from their relatives and friends, mostly due to fear, mistrust and prejudice. In four cases, the reason for this growing distance was fear of rejection or poor treatment by those who knew what had happened.

Most of the family members surveyed turned to religion or their nuclear family for a space to recover from their grief. The testimonies indicate that more support groups and more training on human rights issues are needed: 'I would like for there to be a workshop where we could share and help one another in various ways. How is it possible that there is no support network? When Javier Valdez was murdered, I thought about his wife, I wanted to be able to hug her and tell her that she would be all right ... a support network is important'.¹²

Victims' participation in spaces of individual or collective support where they can interact with other victims is part of the comprehensive care that the state must provide to create a restorative process enabling them to recover the wellbeing they had prior to the murder or disappearance of their relative. However, this study has found that none of the families surveyed formed part of a group or network after the incident occurred, and the contact they had with other victims was limited to a single, isolated event, organized by a civil society organization. This reaffirms that spaces of this type are all too rare despite being extremely necessary, as the testimonies indicate.

Full redress implies institutional measures that take into consideration the seriousness and magnitude of the victimizing act or the violation of the victims' rights, under the principles of equality and non-discrimination, free access, the best interests of children, maximum protection, progression rather than regression and accountability, among others.

Data obtained from the testimonies of family members of eight journalists who went missing or were murdered in Mexico regarding the spaces they most frequently turned to in order to find peace.



Three families turned to **religion** when they suffered emotionally.



Five of the families considered their home to be the place where **they felt safest**.



Five considered their **nuclear family** to be the group they most trusted.



CONCLUSIONS

Mexico only partially secures the rights of families of journalists who have gone missing or were murdered in the country. © Leonardo Álvarez Hernández/Getty Images

Mexican law recognizes the families of journalists murdered or disappeared in Mexico as victims, but current conditions severely limit their abilities to fully exercise their rights. They often are subjected to intimidation, harassment and obstruction of justice, and they are also affected by the lack of support from media outlets.

The situation these families face casts doubt on the efficacy of public policies in support of victims of crime and serious human rights abuses in Mexico, due to practices that are largely the responsibility of the state, such as the lack of immediate support and attempts to persuade families to call off investigations.

Facing personal risk and complicated financial and health situations, the children, partners and parents of murdered and disappeared journalists seek support from civil society organizations, which also offer few spaces for mental and emotional recovery and lack human rights training.

The absence of effective mechanisms for assisting victims – including transparent and accessible channels of communication with the government – violates the rights to aid, protection, assistance, truth, justice, full redress and due diligence, all prescribed by the Mexican constitution and the international treaties to which Mexico is party.

Although this study reflects the experiences of eight families and does not represent a wider range of victims, we can affirm that Mexico only partially secures the rights of families of journalists who have gone missing or were murdered in the country while practicing their profession.

Recommendations

Based on the information obtained from interviews with the families of murdered or disappeared journalists in Mexico, our recommendations are:

To the CEAV

- Heed the UN Human Rights Council's recommendations regarding the condition of family members of disappeared journalists as victims of torture.
- Improve the methods of communication with indirect victims of the disappearance or murder of a journalist, so as to accelerate and facilitate the receipt of aid that they are entitled to.
- Ensure mechanisms to guarantee the property rights of disappeared journalists, through the special declaration of absence for disappeared people.
- Publish a public version of the national victims registry, including open access to the database.

To legislators

- Examine the budget for programmes, actions and plans tied to the prevention, investigation and penalization of attacks against journalists so as to produce recommendations regarding planning for a given fiscal year, and assign a sufficient budget for reducing crime and impunity.

To the Attorney General

- Accelerate and facilitate the process of investigation for attacks against journalists, issuing pending sentences.
- Train personnel who have direct contact with victims, with special emphasis on eliminating corruption, intimidation and threats.

To civil society organizations

- Organize workshops on digital security and personal security for family members of murdered and disappeared journalists.
- Create support networks among victims, with a focus on mental, emotional and physical health.
- Promote training courses on victims' rights, focused on the available legal resources.

To the media

- Improve the working conditions of journalists, granting them benefits, training and the necessary equipment, particularly for those working in high-risk areas.

NOTES

- 1 Reporters Without Borders, *Balance 2020 periodistas asesinados*, 2020, <https://www.rsf-es.org/wp-content/uploads/2020/12/201229-RSF-BALANCE-ANUAL-2020-II-PERIODISTAS-ASESINADOS.pdf>.
- 2 Jennifer Dunham, *Los asesinatos de periodistas aumentan en más del doble a escala mundial*, Committee to Protect Journalists, 22 December 2020, <https://cpj.org/es/reports/2020/12/los-asesinatos-de-periodistas-aumentan-en-mas-d-el-doble-a-escala-mundial/>.
- 3 Article 19, *Periodistas asesinados en México, en relación con su labor informativa*, <https://articulo19.org/periodistasasesinados/>.
- 4 Ley General de Víctimas de México, see http://www.diputados.gob.mx/LeyesBiblio/pdf/LGV_061120.pdf.
- 5 Interview conducted on 16 November 2019 in Ciudad Juárez, Chihuahua, with the widow of a murdered journalist. The respondent currently receives a pension of MXN17 000 per month for her and her three children (US\$850).
- 6 CEAV is an agency created in January 2014 to guarantee the rights of crime victims. It is supported by service centres and state commissions located in the 32 federal states in Mexico.
- 7 Interview carried out on 16 November 2019 in Ciudad Juárez, Chihuahua, with the widow of a murdered journalist. The respondent was denied her right to a scholarship.
- 8 Interview with the widow of a murdered journalist, 16 November 2019 in Ciudad Juárez, Chihuahua.
- 9 Interview conducted on 20 September 2019 in Uruapan, Michoacán, with the partner of a murdered journalist.
- 10 See <https://mx.indeed.com/>.
- 11 Interview carried out on 20 September 2019 in Uruapan, Michoacán, with the widow of a murdered journalist.
- 12 Interview with the widow of a murdered journalist, carried out on 16 November 2019 in Ciudad Juárez, Chihuahua.



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