

PEN CANADA

for FREEDOM of EXPRESSION

August 9, 2010

Prime Minister Stephen Harper
Office of the Prime Minister
80 Wellington Street Ottawa
Ontario K1A 0A2
Fax: 613-941-6900

Lic. Felipe de Jesús Calderón Hinojosa
Residencia Oficial de “Los Pinos”
Casa Miguel Alemán
Col. San Miguel Chapultepec
México D.F., C.P. 11850
MÉXICO

Dear Prime Minister Harper:

I write on behalf of the members of PEN Canada, the Canadian centre of the world's oldest literary and human rights organization, PEN International, to share our concerns about the grave and deteriorating human rights situation in Mexico.

Since President Calderón took office in December 2006, Mexico has become the most dangerous country in the western hemisphere for working journalists. The deployment of military and federal police to fight drug trafficking organizations has led to unprecedented levels of violence, particularly in northern border areas. The ongoing conflict has claimed more than 25,000 lives and made Ciudad Juárez – with a murder rate of 130 per 100,000 citizens – more dangerous than Baghdad.

During this time the media have paid a heavy price. According to The Committee to Protect Journalists, more than 30 reporters have been killed and many more threatened, kidnapped or forced to practice self-censorship. Freedom House, an independent monitor of press freedom around the world, has found that: “Reporters probing police issues, drug trafficking, and official corruption all face a very high risk of physical harm. As a result, self-censorship has increased, and many newspapers in high-violence zones no longer publish bylines on stories involving organized crime.” It also notes

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PEN Canada
Suite 301
24 Ryerson Ave.
Toronto, ON M5T 2P3
Tel (416) 703-8448
Fax (416) 703-3870
queries@pencanada.ca
www.pencanada.ca

that “Weak investigative capacity and corruption within law enforcement and the judiciary means that impunity for these crimes—as with the rest of Mexico’s criminal violence—is the norm.”

In March, Article 19 and Mexico’s National Centre for Social Communication (Cencos) reported that out of 244 threats recorded against the press last year, 65 percent were made by government officials. (The same study found that only six percent of the threats originated from organized crime networks.) And yet, despite this and other well-documented allegations of criminal activity by state security agents, the Calderón government has taken no credible action to curb further abuses. This indifference is inexcusable. We believe that any government that continues to tolerate such flagrant evidence of impunity has effectively surrendered the right to freedom of expression.

According to the National Human Rights Commission, more than 60 reporters have been killed in Mexico since 2000 (including seven killed during first six months of this year). In 2006, President Vicente Fox created a Special Prosecutor for Crimes Against Journalists (FEADP) specifically to address this situation, but in the absence of federal oversight for crimes against the media, this did little to improve the situation. Since then, despite repeated calls from press freedom organizations, the Federal Criminal Code has not been amended to give the government the legal authority to undertake proper investigations into crimes against the media.

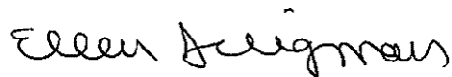
Last month, after meeting with a delegation from the Inter-American Press Association, President Calderón restructured FEADP and announced the creation of a Special Prosecutor for Crimes Against Freedom of Expression (FEADLE). This initiative is certainly welcome but it remains to be seen how effective the new prosecutor can be in the continued absence of federal oversight.

The true cost of crimes against the media cannot be measured by statistics alone. The public interest suffers whenever a journalist is silenced or intimidated. Every denial of the right to freedom of expression harms the flow of accurate information essential to a deliberative democracy. With little support from the government, Mexico’s journalists have bravely reported on a long and dangerous military campaign against the drug cartels, on crime, corruption and other matters of vital public interest. The conditions under which they are being asked to continue this important work are simply unacceptable.

Principle 9 of the Inter-American Declaration of Principles on Freedom of Expression states: "The murder, kidnapping, intimidation of and/or threats to social communicators, as well as the material destruction of communications media violate the fundamental rights of individuals and strongly restrict freedom of expression. It is the duty of the state to prevent and investigate such occurrences, to punish their perpetrators and to ensure that victims receive due compensation." For the last three and a half years, the Calderón government has done little to discharge its obligations to this principle and the penalty for this failure has been borne by Mexico's journalists.

Knowing your commitment to the protection of human rights, PEN Canada requests that the government of Canada convey these concerns to President Calderón, urge his government to honour its obligations to working journalists, defend the right to freedom of expression robustly and take action to end Mexico's shameful record of impunity.

Sincerely,

A handwritten signature in black ink that reads "Ellen Seligman". The signature is written in a cursive, flowing style.

Ellen Seligman,
President, PEN Canada