



**Submission to the UN Committee on Economic, Social and Cultural Rights
in advance of the review of Mexico**

By ARTICLE 19 Mexico and Central America

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Introduction

1. ARTICLE 19 welcomes this opportunity to contribute to the review of Mexico by the UN Committee on Economic, Social and Cultural Rights (“the Committee”).
2. Our submission responds to four of the listed issues put to Mexico by the Committee during the 60th pre-Sessional Working Group, covering:
 - Access to information and freedom of expression as an essential means for promoting participation in cultural and social life, in particular to guarantee the security of journalists and the free exercise of their profession (issue 31);
 - Accessibility and availability of sexual and reproductive health services and information for all women and adolescents (issue 25);
 - Accessibility, availability and quality of health services (issue 24).
 - Access to internet and technological advances for disadvantaged individuals and groups (issue 32).
3. The submission additionally addresses access to information in the context of the 19 September 2017 earthquake.

About ARTICLE 19

4. ARTICLE 19 is an international human rights organisation in consultative status with the Economic and Social Council since 1991. Founded in 1987 and headquartered in London, it also has offices in New York and Washington DC, as well as regional offices in Brazil, Mexico, Senegal, Kenya, Tunisia, Bangladesh and Myanmar. ARTICLE 19 takes its name from the corresponding article of the Universal Declaration of Human Rights, and advocates for freedom of expression and access to information as a fundamental human right. Campaña Global por la Libertad de Expresión A19, A.C. (ARTICLE 19 Mexico and Central America) was established under Mexican law in 2008.

International standards on freedom of expression and the right to information

5. The right to information has been recognised by the Committee as a necessary component of the rights to water, health, and education,¹ facilitating public participation in decision-making that affects their rights and/or empowering individuals and communities to realise their rights.
6. In relation to the International Covenant on Civil and Political Rights (ICCPR), the Human Rights Committee (HR Committee) has recognised freedom of expression and access to information, as protected under Article 19(2), as “a necessary condition for the realization of the principles of transparency and accountability that are, in turn, essential for the promotion and protection of human rights.”² The HR Committee specifies in relation to the right of access to information under Article 19(2) of the ICCPR the following:

*States parties should proactively put in the public domain Government information of public interest. States parties should make every effort to ensure easy, prompt, effective and practical access to such information. States parties should also enact the necessary procedures, whereby one may gain access to information, such as by means of freedom of information legislation. The procedures should provide for the timely processing of requests for information according to clear rules that are compatible with the Covenant. Fees for requests for information should not be such as to constitute an unreasonable impediment to access to information. Authorities should provide reasons for any refusal to provide access to information. Arrangements should be put in place for appeals from refusals to provide access to information as well as in cases of failure to respond to requests.*³

7. The importance of the right to information as emphasised in both Covenants is reflected in the recently adopted 2030 Agenda for Sustainable Development (SDGs), in particular Goal 16,⁴ and its corresponding targets and indicators.⁵
8. Promoting peaceful and inclusive societies for sustainable development requires, *inter alia*, the need to “develop effective, accountable and transparent institutions at all levels”; “ensure responsive, inclusive, participatory and

representative decision-making at all levels”, and to “ensure public access to information and protect fundamental freedoms, in accordance with national legislation and international agreements.”⁶

9. Achieving Goal 16 requires not only a legal and regulatory framework to ensure access to information,⁷ but holistic protection of freedom of expression. This necessarily includes ensuring the media’s freedom to report on development, and the corresponding right of the public to receive that information, together making a dual contribution to the realisation of economic, social and cultural rights. Killings and threats against journalists directly undermine economic, social and cultural rights; for this reason, the number of journalists killed, kidnapped and forcibly disappeared, arbitrarily detained and tortured is a metric to measure Goal 16’s implementation.⁸
10. The UN Plan of Action on the safety of journalists and the issue of impunity, and UN Human Rights Council resolution 33/2 on the safety of journalists, similarly tie safety of journalists and impunity to the realisation of economic, social and cultural rights as guaranteed by the Covenant, and set out concrete actions that States should take in line with their human rights obligations.⁹

Constitutional safeguards for freedom of expression and the right to information

11. Article I of Mexico’s Federal Constitution gives prominence to international human rights law and international treaties signed and ratified by the state party. It protects both the right to freedom of expression and access to information in Articles VI and VII, and the positive correlation between these rights and the realisation of other rights has been recognised by national courts. At the same time, we recognise judicial decisions that have advanced the recognition of national standards in relation to economic, social and cultural rights in national courts.¹⁰

Access to information and safety of journalists

12. In issue 31, the Working Group requested in relation to promoting participation in cultural and social life (Article 12):

Please provide information on measures taken to ensure access to information and freedom of expression as essential means for promoting participation in cultural and social life, in particular to guarantee the security of journalists and the free exercise of their profession. Please provide information on the progress of investigations into cases of murdered journalists in the last five years and their outcomes

Access to information legal and policy framework

13. The Transparency and Access to Information Law in Mexico is considered to be world-leading in the legal protections it establishes,¹¹ but there remain serious shortcomings in the implementation of the law and the ability of individuals to exercise their rights through it. This is particularly the case for individuals from marginalised communities and groups.
14. The National Transparency System (NTS) is a notable development, and has shown some positive results. Proactive transparency, whereby government bodies actively disseminate important information rather than wait for individuals to request it, has proven effective in increasing information available to individuals and ensuring broader input to decision-making. However, at the local level, NTS guidance is not implemented and the principle of proactive transparency has not been fully embraced.
15. Many public servants, especially at the local level, resist proactive disclosure *and* providing information in response to requests. They continue to act under the logic of opacity that reigned in Mexico until the so-called “era of transparency”. This more local phenomenon further contributes to geographic disparities in the country when it comes to the right to access information, and consequently the enjoyment of Convention rights more broadly.
16. In particular, rural and indigenous communities face many obstacles – structural and institutional – to access information of any nature, including information that is held by the government. The “digital divide”, discrimination based on social class, gender, capacities, ethnicity or area of residence, determine who is able to exercise the right of access to information. These inequalities are exacerbated by the NTS, which does not foresee the obstacles that differently situated individuals and communities face in exercising their rights, privileging those who are digitally connected, urban and educated. When responding to information requests, there is no technical assistance or mechanism provided to individuals seeking information who may need help in properly formulating such requests and correctly directing them to the appropriate bodies.
17. For example, the NTS’s focus on digital strategies for providing access to information relies on individuals having access to the Internet and the communications media. The significant “digital divide” in Mexico therefore means that the rights of the poorest and most remotely located communities are neglected. Only 57.4% of the population has Internet access and 44.9% of families have a usable computer at home. In some communities Internet access is

much lower: in Chiapas only 23.1% of families have a computer, and only 13.1% of families have computers with Internet access. There is a need to identify the obstacles these communities face, and to be more creative in developing strategies and policies that effectively address their needs.

18. According to the results of the *National Index of Institutions that Guarantee the Right to Access to Information* (INOGDAI),¹² the exercise of the right of access to information is limited to certain sectors of the population. 82.3% of those requesting public information have postgraduate qualifications, whereas nationally, over 15 year olds have on average just 9.1 years of schooling, which equates to having completed little more than secondary school education.¹³ These figures show that communities with lower levels of formal education do not exercise their right to access information. Based on ARTICLE 19's programmatic experience within these communities, this is most likely due to lack awareness of their right to access information or how to exercise it, indicating the government's failure to effectively promote this awareness among the population.
19. ARTICLE 19 considers that without an effectively implemented legal framework for the right of access to information for all people in the country, individuals are not able to enjoy their rights under the Covenant. This includes the right to take part in cultural life (Article 15), as identified in Issue 31, but also other important rights, such as the right to health (Article 12), where information is essential to empowering individuals to secure their enjoyment.

Recommendations on access to information:

20. Invest more resources to increase awareness of individuals' access to information rights, while also developing the capacity of guarantor bodies at the national and local levels to be more creative in identifying various populations' information needs, and more proactive in disclosing important information in targeted ways to populations in need, as well as making guarantor bodies more responsive to individuals' requests.
21. In particular:
- Train public servants at all levels of government to correctly apply the regulatory framework of transparency;
 - Develop and roll out educational programs for the promotion of the right of access to information;
 - Develop assistance mechanisms to assist individuals to make information requests;
 - Promote the right of access to information in targeted and appropriate ways to marginalised groups, in particular for indigenous peoples and rural populations, especially women in those communities;
 - Employ alternative mechanisms to identify information needs of the whole population, with targeted strategies to reach individuals in marginalised and remote communities, considering the barriers posed by the "digital divide", and to ensure the proactive disclosure of this information is in accessible formats;
 - Include within the national curriculum on civics education the promotion of the right of access to information.

Safety of journalists and the issue of impunity

22. ARTICLE 19 is part of *Espacio OSC*, a coalition of more than twenty Mexican civil society organisations that have denounced the pervasive impunity for attacks against journalists and human rights defenders in Mexico, as it sustains a cycle of violence against this population and denies the entire country access to information on important issues, including information essential for the enjoyment of Convention rights.¹⁴
23. The Federal Government has created two mechanisms with to advance the safety of journalists and address the issue of impunity. The Special Prosecutor for Crimes Against Freedom of Expression (FEADLE, in Spanish) was established in 2010 at the Office of the Attorney General of the Republic (PGR). The Federal Mechanism for the Protection of Journalists and Human Rights Defenders (the "Protection Mechanism") was established in 2012. However, continued killings and attacks against journalists, and ongoing impunity, demonstrates that these reactive institutional responses have been insufficient and require urgent remedy.
24. From the year 2000 to date, ARTICLE 19 has documented a total of 109 murders of journalists thought to be have been targeted for their work, with 41 perpetrated since 2012, the period under the Committee's consideration.¹⁵ According to the UNESCO Director General's 2016 report into the safety of journalists, of 58 recorded killings between 2006 – 2015, no cases have been resolved, the Government admit they have not resolved 51 (88%) and failed to provide information on 7 (12%).¹⁶
25. FEADLE was established in 2010 to investigate cases of attacks against journalists, in accordance with Article 73 of the Federal Constitution, as well as the National Code of Criminal Procedure. Between July 2010 and November 2015, it carried out only 31 homicide investigations. According to FEADLE's own figures, of the 799 investigations conducted since 2010, only three have led to an individual being prosecuted and sentenced. This translates to a rate of impunity for the cases taken on by FEADLE of more than 99%.

26. Factors contributing to continued impunity in the majority of these cases are not limited to the effectiveness of FEADLE's office. These include: the failure of public officials to condemn attacks, and what appear to be purposeful strategies by public officials to discredit victims' journalistic work; inadequate investigative standards and protocols, which do not comply with the guidance set out in the Minnesota protocol on the investigation of potentially unlawful death;¹⁷ and the failure of law enforcement to pursue, and exhaust, relevant lines of inquiry (in particular, those relevant to the victims' journalistic work); and violations of due process guarantees.
27. Human rights organisations, and the victims and survivors they work with to end impunity, face numerous obstacles. A lack of open justice at the prosecutorial stage, and a lack of disclosure of information at the investigative stages, obstructs monitoring progress on cases. The absence of accurate and timely information also constitutes a violation of the right to truth for victims and survivors and their families.
28. The government has too often reacted to attacks on journalists by discrediting their work and stigmatising them, which legitimises such violence. Although some top-level authorities have denounced violence against journalists,¹⁸ they have framed "organised crime" as the principal perpetrators, failing to acknowledge the many cases where public officials are implicated as perpetrators or are closely associated with them. More than half of the 426 attacks against journalists documented by ARTICLE 19 in 2016 involved state agents as alleged perpetrators, including two extrajudicial executions.¹⁹
29. ARTICLE 19 has issued formal information requests to the Protection Mechanism. The responses contained official Ministry of Interior documents with previously undisclosed information, which contradict official public explanations on the government's response to concerns regarding the safety of journalists. These official documents,²⁰ reveal that during 2016 both members of the police and the military were implicated in attacks on journalists in receipt of protective measures from the Protection Mechanism.
30. Ongoing attacks against journalists, including killings, illustrate the shortcomings of the Protection Mechanism. However, assessing how it could be improved has proven difficult. The Mexican Government has not been transparent with the risk analysis methodologies used by the Protection Mechanism, and has not proactively disclosed disaggregated information for statistical analysis by external stakeholders.²¹ This information is essential for the proper scrutiny of the Protection Mechanism's effectiveness, and to inform public participation in efforts to enhance it.
31. We highlight four paradigmatic impunity cases from the period under the Committee's consideration that are representative of the broader trends, and illustrate the Government's failure to meet its obligations under international human rights law. In addition, a 2017 fifth case highlights shortcomings in approaches to investigations and the experiences of victims' families in seeking the truth of what happened. While it is too early to categorically classify this as a case of impunity, it is very likely to join those statistics.

Case 1: Regina Martínez

32. On 28 April 2012, Regina Martínez, a correspondent for *Proceso* magazine covering human rights and politics in the State of Veracruz, was murdered. Though one person was eventually convicted for this crime, ARTICLE 19 considers that serious shortcomings in the investigation, including its lack of a scientific basis, and a wholly inadequate prosecution, bring the safety of this conviction into question, with the real perpetrators likely still at large.
33. The investigation and subsequent prosecution was marked by irregularities. In the immediate aftermath of the attack, the State Prosecutor of Veracruz, who was in charge of the investigation, discredited Regina Martínez and her work during press conferences. The Prosecutor seemingly intended to divert attention from Regina Martínez's journalism and the identification of the true perpetrators by directing the media to irrelevant, salacious and sexist rumours.
34. Public officials maintained that the motive for the crime was robbery, with characteristics of a "crime of passion". On the basis of patently gendered stereotypes and startlingly shallow logic, government experts relied on the existence of new cosmetics and perfumes in Martínez's home as conclusive proof that she was in a new relationship with an alleged co-perpetrator of the individual who was prosecuted. The co-perpetrator's identity and whereabouts remain unknown. No serious attempt was made to consider whether Martínez had been targeted due to her work as a journalist, while the prosecution of one alleged co-perpetrator was successfully pursued on the flimsiest of evidence. This case demonstrates how the authorities focus on the "gender of women journalists" is exploited by authorities, who focus on their vulnerability 'as women', rather than on the risks encountered due to their work, in order to conceal their failure to secure justice.
35. ARTICLE 19 notes that Beatriz Rivera Hernández, the judge who sentenced one of the alleged co-perpetrators, was promoted and now serves as a judge of the Superior Court of Justice of the State of Veracruz.

Case 2: Gregorio Jiménez de la Cruz

36. Gregorio Jiménez de la Cruz, reporter for *Notisur* and *El Liberal del Sur*, was abducted on 5 February 2014 by armed commandos who broke into his home in the municipality of Coatzacoalcos, Veracruz. The assailants travelled in a grey pickup truck without number plates.²² The authorities report he was found murdered on 11 February in a clandestine grave in the municipality of Las Choapas, Veracruz. While there was a conviction, investigation and prosecution deficiencies indicate this is a case of impunity.
37. Jiménez reported on the police and, in the days before his death, he covered criminal acts in the Villa Allende area, including kidnappings. According to various testimonies, members of organised criminal gangs had threatened media personnel a few months earlier, prohibiting them from speaking about these crimes. Jiménez was therefore clearly identifiable as a person at risk and in need of protection.
38. According to the authorities, who based their conclusions on a statement made by the alleged perpetrators,²³ the motive for the crime was "personal differences" with another journalist. They alleged that a Mrs. María Teresa "N" was the mastermind behind the killing and hired an assassin "after a series of personal problems with the journalist."²⁴ However, the individual from whom this evidence was extracted subsequently alleged that this declaration was coerced, and he plead not guilty and requested his statement be obtained in writing.²⁵
39. In January 2018 ARTICLE 19 documented attacks against Mrs Carmela Osorio, the journalist's widow. In spite of the State Commission for the Attention and Protection of Journalists of the State of Veracruz having provided bodyguards, two individuals, reported by the victim to be Reyes Aguilar and Omar "N", tried to break into Mrs Osorio's home, threatened to set fire to the house, and damaged the car owned by Gregorio Jiménez' son. Mrs Osorio believes these attacks may be related to her pursuit for justice in her husband's case, in which impunity still prevails.
40. This case illustrates how instead of systematically and robustly investigating, at the earliest stages, whether a potential motivation for an attack on a journalist was their journalistic work, unsubstantiated lines of inquiry are instead pursued. It also shows how impunity leaves families of murdered journalists vulnerable to attack.²⁶

Case 3: José Moisés Sánchez Cerezo

41. José Moisés Sánchez Cerezo was kidnapped from his home on 2 January 2015 in Medellín de Bravo, Veracruz, and subsequently found murdered. The investigation into this crime has similarly been plagued with omissions, irregularities and inefficiencies on the part of the state and federal authorities. To date, neither access to justice, nor to effective remedies, has been secured for the journalist and his family, including in relation to what happened between his disappearance and murder.
42. Moisés Sánchez owned the newspaper *La Unión*, and disseminated his work through his own website and social media. His reporting on issues related to organised crime, insecurity, corruption of local authorities, and the lack or deficiency of public services, were one of the few independent sources of local information for the inhabitants of Medellín. From the point of his kidnapping, the rapid response protocols for disappeared people were not effectively activated. From the time when Sánchez's enforced disappearance was made public, the former Governor of Veracruz, Javier Duarte de Ochoa, publicly discredited his work, claiming that he was not a journalist but a taxi driver.²⁷
43. After Sánchez's body was found, the judicial investigation into the murder proceeded on flimsy evidence, with prosecutors basing their case primarily on the arrest and confession of one alleged perpetrator, despite evidence of the involvement of more than one individual and the likelihood that a mastermind was behind the murder.
44. FEADLE has been negligent in taking over and investigating this case. On 8 January 2015 FEADLE was formally requested to exercise its legal powers, as established by Article 73 of the Federal Constitution, and in what was then the Federal Code for Criminal Proceedings (now National Code), to take over this investigation. However, for 20 months, two parallel investigations were carried out, one by the State Prosecutor's Office and another by the Federal Prosecutor's Office. It was not until September 2016 that the Seventh Collegial Criminal Court of Mexico City confirmed the judgment previously issued by the Fifth District Judge for Criminal Protection in favour of the journalist's family, requiring FEADLE to take over the investigation.²⁸
45. This process of judicial appeal was pursued by the victims, with the assistance of ARTICLE 19, to force FEADLE to comply with its mandate and investigate the facts of the crime in relation to Sánchez's journalistic activity. ARTICLE 19 is intervening alongside the Public Prosecutor.

46. Both the FEADLE investigation, and the previous investigation by the Veracruz Public Prosecutor's Office investigation, have failed to identify the perpetrators of Sánchez's murder. FEADLE has focused its investigation on the assumption that the murder was committed by an organised criminal group and has failed to examine the possible involvement of public officials, notwithstanding the extensive reporting by Sánchez into the corruption of public officials in the months prior to his death, and the known connections between public officials and organised crime in the municipality of Medellín and the State of Veracruz more broadly. For example, FEADLE has made no effort to enforce an active arrest warrant for the former Mayor of Medellín, Veracruz, who continues to evade justice. Another weakness with the investigation was that FEADLE requested an inordinately large number of telephone records but has not conducted a proper technical analysis of them, in part due to a lack of technical capacity.
47. On 22 December 2017, Moisés Sánchez' son Jorge Sánchez, a reporter for the newspaper La Union de Medellín, was confronted at gunpoint by an unidentified individual while driving with his bodyguard and family in Boca del Río, Veracruz, in what was clearly an act of intimidation.
48. More than two years after the enforced disappearance and murder of Moisés Sánchez, impunity persists, and, as in other examples, attacks against relatives seeking justice in his case have been reported. There has been no progress in the investigation to identify the responsible persons and ensure accountability either for Sanchez' murder, or for the subsequent attacks against his son.

Case 4: Rubén Espinosa

49. Rubén Espinosa, a photo journalist, and collaborator of the weekly *Proceso* in Veracruz, and of *AVC Noticias* and *Cuartoscuro*, was murdered alongside the activist and cultural promoter Nadia Vera, and their three friends Mile Virgina Martín, Yesenia Quiroz and Alejandra Negrete, on 31 July 2015 in an apartment in Colonia Narvarte, Mexico City. Two of the four women murdered alongside Espinosa showed signs of having been subject to sexual violence. This case is particularly notable as Mexico City had previously been considered a relatively safe location in the country for journalists seeking protection from violence.
50. On 10 June 2015, Rubén Espinosa had noticed a person outside his house in Xalapa, Veracruz, and was later followed by two separate persons who photographed him and made aggressive gestures towards him. He left the city of Veracruz on 15 June 2015 for his safety.
51. Statements given by public officials in response to the murder sought to discredit the work of Rubén Espinoza as a journalist and Nadia Vera as an activist, in particular in relation to their criticism of then Governor Javier Duarte's government. The investigation by the Attorney General's Office of Mexico City (PGJCDMX) was particularly traumatic for the victims' families and friends as classified and sensitive information regarding the investigation was leaked to the media, whilst the victims' families and friends were denied access to information concerning developments.
52. It was only through litigation initiated by ARTICLE 19 that the victims' families and friends were able to secure access to copies of the casefile from PGJCDMX. Prior to that, the victims and their representatives had also been blocked from gaining direct access to check the documents that formed part of the initial investigation file. Although the law allows for unrestricted access to such files for victims and their families, in practice there is a lack of transparency, with authorities refusing to provide copies of case files to Espinosa's family. In this case, the files were requested in 2015 and only handed over in 2017.
53. During the investigation, images of the victims' bodies as well as other confidential parts of the file of preliminary investigation, were leaked to the media. The PGJCDMX has a duty to safeguard this file and maintain its confidentiality. The timing and content of the leaks seemed engineered to smear the reputations of the deceased, with sensationalist and unsubstantiated allegations of drug use and prostitution.²⁹ This diverted the public's attention from the work of the victims, as a journalist and human rights defender respectively. As in Veracruz, the clear intent of the authorities has been to manipulate public discourse rather than to end impunity.³⁰
54. On 21 June 2017, the Human Rights Commission of the Federal District (CDHDF), the local ombudsman's office for human rights violations for Mexico City, issued Recommendation 4/2017 to the PGJCDMX and to the High Court of Justice, both in Mexico City, for human rights violations in this case. Although Recommendation 4/2017 is still being processed and the authorities are yet to fully comply with its requirements, the human rights violations identified by the CDHDF are:
 - The right to due process and due diligence, in relation to the right to defend human rights and the right to freedom of expression;
 - The right to truth and the right of access to justice;

- The right to personal integrity in relationship with the right to memory of deceased persons and the right to honour and dignity; and
- In relation to murder of the four women, and evidence of sexual violence against two of them, their right to a life free of violence.

55. Furthermore, ARTICLE 19's assessment concludes that access to justice and the right to information relating to the investigations has been blocked by the intentional actions of the ministerial and judicial authorities.

56. As part of the 4/2017 recommendation issued by the CDHDF, PGJCDMX was requested to: submit a plan for the investigation; exhaust the lines of enquiry related to Rubén Espinosa's journalistic work and Nadia Vera's work in the defense of human rights; open an investigation into the leaking of information to the media; make a public statement acknowledging the responsibility of PGJCDMX; and compensate the victims as part of full reparation for the damages caused. The authorities have shown themselves reluctant to take these steps as part of the ongoing process of complying with Recommendation 4/2017.

57. Victims and their representatives have actively monitored compliance with Recommendation 4/2017, with a particular focus on securing the following three elements: an official public apology, a thorough investigation to guarantee the right to the truth through the creation of a plan for the investigation, and financial compensation for the damages caused to the victims by the PGJCDMX. Although the authorities have engaged in dialogue with the victims and ARTICLE 19 representatives and the authorities have committed to fully and effectively comply with Recommendation 4/2017, implementation continues to be stalled.

Case 5: Salvador Adame

58. Salvador Adame, director of *Chanel 6tv*, a local outlet of Michoacán State, was abducted on 18 May 2017 by several unidentified individuals with heavily armed weaponry in Nueva Italia.³¹ Adame became the 24th journalist forcibly disappeared in Mexico and documented by ARTICLE 19 since 2003.³² Though the authorities have subsequently claimed that his body has been found, this is contested.

59. Adame's forcible disappearance was not the first attack against him for his journalistic work. Together with journalist and TV channel owner Frida Urtiz following their coverage of a protest in Michoacán, Adame was arbitrarily detained for several hours, his equipment confiscated, and beaten by the local State Police. There was never any accountability for these crimes.³³ Adame's coverage remained critical of the government on political issues: he investigated corruption and local authorities' poor performance. Due to his work, Adame also faced many smear campaigns in social media, including fake publications released in his name to stigmatise and discredit him.

60. In 2017, following the first 72 hours of Adame's enforced disappearance and the judicial denouncement of the situation by the Adame family, local authorities sought to prevent the Adame family from receiving external legal assistance. Furthermore, the authorities tried to portray the case publicly as a kidnapping for ransom rather than as an enforced disappearance of a journalist for their reporting. The Adame family's precarious financial situation made clear that the disappearance was not economically motivated, however.

61. During the subsequent investigation, personnel from the Public Prosecutors' Office of Michoacán State reportedly advised the relatives of the victim not to speak with the media in order to allow the police to conduct their investigations.³⁴ Counselling services provided by the government were oriented to ensure minimum publicity of the case by the family.³⁵

62. On 21 June 2017 a suspect was detained, though proper investigation and due diligence standards were not followed. The main lines of investigations were related to Salvador's alleged personal relationships, rather than connected to his work as a journalist, notwithstanding that his portfolio of journalistic work was taken during the abduction. According to the authorities, Adame was allegedly in a dispute with organised crime members over an affair with a woman who, though unidentified, the authorities nevertheless assert is a gang member. The family deny this account, and have also repeatedly been refused access to information on the investigation as it has progressed, learning only of the discovery of Adame's body through media reports on 27 June.

63. On 29 June 2017, the Adame family held a press conference to demand an independent forensic analysis of the recovered body, including DNA examinations to verify the authorities' claimed identification. It is well known that in several cases of disappearances and grave human rights violations, the Mexican government has not followed the chain of custody, delivered incorrect information, or used spurious analyses to either purposefully or negligently misidentify individuals' remains.³⁶ No independent forensic analysis has yet been announced.

64. Harassment and surveillance against the Adame family has been reported to ARTICLE 19 and was ongoing at the time of making this submission. For reasons of security, we are only able to provide further information publicly on these facts privately.

Concerns regarding surveillance of human rights defenders and journalists

65. During 2017, 11 cases of targeted and illegal surveillance by the state against journalists, human rights defenders and anti-corruption activists were uncovered. The surveillance utilised a software called 'Pegasus', developed by the NSO Group, which is available for purchase and licencing exclusively to government actors. Investigations into the surveillance with our partners,³⁷ and the New York Times,³⁸ revealed how highly sophisticated spyware was used to infiltrate the mobile phones of individuals whose journalistic or human rights-related work addressed corruption by the federal government and grave human rights violations. The subsequent investigation into these cases of targeted surveillance has been compromised by the fact that the investigation body is one of the governmental bodies who was revealed to have acquired Pegasus Software.³⁹

Recommendations on the safety of journalists and the issue of impunity:

66. ARTICLE 19 has made extensive recommendations to the Government of Mexico in relation to addressing the safety of journalists and ending impunity, and provides a summary of key recommendations here for the consideration of the Committee.

To the Executive Branch:

- Submit, in consultation with civil society, a clear plan with specific goals and indicators to implement the "Actions for Freedom of Expression and for the Protection of Journalists and Defenders" announced by the President on 17 May 2017, targeted at ending impunity through comprehensive implementation of effective prevention and protection mechanisms;
- Establish, through the Ministry of Foreign Affairs, an Advisory Council against Impunity, as recommended by the UN High Commissioner for Human Rights, composed of experts to recommend reforms and strategies to end impunity, and in particular to address the shortcomings of the Special Prosecutor's Office for Crimes Against Freedom of Expression (FEADLE);
- Institute a national awareness and recognition campaign on the work of journalists and human rights defenders in Mexico, from the President and through all respective agencies and at all levels of government, to ensure attacks on journalists are swiftly condemned and to acknowledge the positive contributions of journalists to society;
- Publish, in an open data format and in collaboration with relevant State and Federal agencies, statistics on current investigations, including disaggregated data, about judicial decisions related to investigations regarding condemnatory and absolutory decisions on cases of crimes against journalists;
- Publicly acknowledge the problem of public officials' involvement with threats to the safety of journalists, including through their collusion with organised criminal gangs, and commit to ensure protection from such attacks and to work with relevant mechanisms to ensure accountability where they occur;
- Guarantee a thorough, prompt, impartial, and exhaustive investigation into the use of Pegasus spyware (and any other similar technologies) to spy on journalists and human rights defenders, and to ensure accountability for human rights violations, provide redress to those targeted, and take measures to prevent future violations, including by ensuring full transparency in respect of recent abuses, in particular Pegasus spyware purchased by the Attorney General's Office and other state agencies of the Federal Government, including in respect of the contracting processes for the acquisition or licensing of that technology.

To FEADLE:

- Initiate *ex officio* criminal investigations into all crimes against journalists, in accordance with Article 73 of the Federal Constitution, as well as in the National Code of Criminal Procedure.

To State and Federal Prosecutors' Offices:

- Investigate cases in a scientific manner and with due diligence, ensuring that both intellectual and material perpetrators (i.e. both "foot soldiers" and masterminds behind attacks) are brought to justice;
- Proactive and publicly disclose updates on ongoing investigations, to ensure that the public and families remain informed of their status;
- Provide training to prosecutors assigned to crimes against freedom of expression in order to guarantee technical capacities to investigate crimes in relation to journalistic activities, as well as increase awareness of their duty to avoid any misrepresentation of confidential information to the public with the purpose of stigmatising journalists, re-victimising them or their families;
- Ensure transparent and consistent communication between authorities and victims and/or families of victims regarding the status of the investigation and access to information.

To the Federal Mechanism for the Protection of Journalists and Human Rights Defenders and Ministry of the Interior:

- Develop comprehensive protection measures, set out clearly in accessible protocols, that allow individually tailored responses to journalists and human rights defenders and their family members at risk facing threats to their safety, taking into account each individual's personal circumstances and preferences;
- Ensure proactive disclosure of the protection mechanisms' methodologies for analysing risk, and the criteria used in determining whether to assign or withdraw protection;
- Publish public information on the status of the implementation of protection measures, driven by the Protection Mechanism with the Human Rights Defense Unit, and disseminate it among relevant local and state authorities as well as beneficiaries of the mechanism and civil society.

Accessibility and availability of sexual and reproductive health services and information for all women and adolescents

67. In issue 25, the Working Group requested in relation to compliance with the right of everyone to the enjoyment of the highest attainable standard of physical and mental health (Article 12):

Please report on the steps taken by the State party to ensure the accessibility and availability of sexual and reproductive health services and information for all women and adolescents in all states. Please provide information on the steps taken by the State party to investigate complaints of mistreatment and medical negligence affecting women in the course of the provision of obstetric health services.

68. ARTICLE 19 has information pertaining to the first part of this issue, having worked with women in communities to secure information relating to sexual and reproductive health services.

Case Study: North Zone Chiapas

69. In June 2015, women from different communities in the North Zone of the State of Chiapas formally requested information from the government agency 'Holistic Development of the Family' (DIF by its Spanish acronym) about the results of a July 2014 mammography campaign which had not been made public to the community. According to the "Obstetric Violence" research carried out by the Committee of the Center for Studies on the Advancement of Women and Gender Equality (Coceameg),⁴⁰ in Mexico there has been an increase in complaints about inhuman treatment and obstetric violence, mainly affecting indigenous women.

70. Responding to this information request (Reference HAMC/UAIPM/092/2015) in June 2015, the Holistic Development of the Family (DIF), affirms that they did not have this information because the Ministry of Health of Chiapas was the responsible for safekeeping and processing the results: "[...] the information requested concerning the results of the mammography campaign that was carried out as part of the community campaign "DIF in your community", has been requested from the Ministry of Health of Chiapas twice in the last year without any response. Because it is a highly sensitive issue, we have requested the information again in this year."

71. A follow-up letter sent by the community of Lázaro Cárdenas in 2015 did not prompt the information to be released. This constitutes an ongoing violation of the right to information, and also breaches data protection rights (derived from the right to privacy), given that individuals should be granted access to health information that is personal to them. The case also exemplifies how failure to provide information potentially contributes to violations of Article 12 of the Covenant, since those who received mammograms and may require follow-up healthcare remain in the dark regarding their health.

72. It is a priority for women living in indigenous and rural contexts to have access to more information on their sexual and reproductive rights and on the various manifestations of obstetric violence, so that they have the necessary resources to demand proper attention and to be informed about the procedures and treatments that will be performed on them.

Recommendations on accessibility and availability of sexual and reproductive health information:

- Ensure the proactive disclosure of information relating to sexual and reproductive health, including at the Federal and State level, in an accessible format and with culturally appropriate content, in particular for indigenous communities;
- Ensure that specific requests for information relating to sexual and reproductive health information are provided in a timely manner, with respect to individuals' rights of access to information and principles of data protection to ensure individuals' right to privacy, removing barriers that individuals and groups from indigenous communities may face in this regard.

Accessibility, availability and quality of health services

73. In issue 24, the Working Group requested in relation to compliance with the right of everyone to the enjoyment of the highest attainable standard of physical and mental health (Article 12):

Please provide information, including statistical data, on how measures taken have helped ensure the accessibility, availability and quality of health services in the State party, especially in rural and remote areas and for the most disadvantaged and marginalized groups, including persons on a low income and older persons.

74. ARTICLE 19 works to strengthen the role and performance of guarantor bodies (i.e. public bodies under an obligation to comply with requests for access to information) to promote transparency and the right of access to information. We also work with Mexican civil society organisations and human rights defenders to equip them with the necessary tools to make use of their right to information, often to enable them to demand other rights.

75. Examples of this work include our projects working with indigenous communities from the tropical forests of North Chiapas and swamp areas of Tabasco. In the context of empowering individuals to employ access to information tools, we have documented numerous examples of corruption that severely hamper the realisation of the right to health, in particular for disadvantaged and marginalised groups in rural and remote areas, and especially for women.

Case 1: Lázaro Cárdenas-Chiapas

76. In the community of Lázaro Cárdenas, municipality of Palenque, Chiapas, access to health services has been a priority for the local population. During a workshop for women on the right to information, it was identified that the health centre lacked a general physician: there was only one nurse offering services and a lack of medications.

77. Lázaro Cárdenas Community Health Centre was supposed to be offering health services to six communities with a total population of 1275 inhabitants. However, it was poorly equipped, with a lack of basic medical supplies such as vaccines, antibiotics and other general and more specialised medicines.

78. In 2015, after ARTICLE 19 and partners held right to information workshops in the community, an information request was made to the local Secretariat of Health regarding the resources allocated to the population. In the response given by the government, the community discovered that a general practitioner had been assigned to the health centre receiving a monthly salary of 28,105.00 MXN, and a monthly budget for resources and medications of 15,778.00 MXN, working on a Monday to Friday schedule from 8:00 a.m. to 3:30 p.m. This information revealed that allocated resources weren't reaching their intended beneficiaries.

79. The information provided led to the communities of Lázaro Cárdenas and Nuevo Egipto mobilising to take action: they submitted complaints, on the basis of their rights in law, demanding the proper budgetary designation to effectively provide healthcare services to the communities. These were sent to the local Secretariat of Health, the mayor of Palenque, the Commission of Human Rights, and the VI Selva Health Care Jurisdiction. These authorities responded by assigning a general practitioner to the health centre at the end of September 2015, and the Centre began providing regular health care services to all the communities.

80. Consequently, the Lázaro Cárdenas community created a committee that supervises the health centre in order to supervise the role of the physician and the Ministry of Health.

Case 2: San Miguel Canxanil-Chiapas

81. The main problem facing the San Miguel Canxanil-Chiapas community is access to adequate healthcare. The response to an information request made by ARTICLE 19, regarding the budget allocated in 2015 and the beginning of 2016 for community visits of a doctor from El Clavo Health Centre, revealed a budget allocated to cover a monthly visit by a doctor to the community. However, no such visit had occurred in the previous ten years, violating the right to health of those in the community.

82. The community is trying to promote an autonomous health service and considers that to demand health services from the government is contrary to their objectives as a community. Nevertheless, following this information request, groups of women from similarly situated communities have used the example to demand resources towards healthcare in their communities. Unfortunately, the response of the authority has not been as favourable as in the case of the Lázaro Cárdenas Health Centre.

83. Barriers to accessing information for persons in rural and remote areas is a particular problem in ensuring that persons are able to assert their rights to access quality health services in Mexico. The case studies above

demonstrate that by equipping communities with the skills to make use of access to information legislation, obstacles to the enjoyment of the right to health can be identified and in some cases remedied.

84. However, the government engages in insufficient outreach to marginalised communities to ensure that they know about their right to information and how to exercise this right.

Recommendations on accessibility, availability and quality of health services:

85. Ensure, through targeted outreach campaigns and the provision of information and services in appropriate languages and formats, that all individuals, in particular those in marginalised communities and rural areas, are aware of their legal rights to access to information from government bodies that are responsible for providing essential services to them in furtherance of their economic, social and cultural rights.

Internet access, connectivity and marginalised groups

86. In issue 32, the Working Group requested in relation to compliance with cultural rights (Article 15):

Please provide more information on how measures taken, in particular the Special Programme for Science, Technology and Innovation 2014-2018, have helped promote scientific research. Please also indicate to what extent scientific and technological advances, including access to the Internet, benefit the most disadvantaged and marginalized individuals and groups.

87. Data collection related to Internet access and Internet penetration rates in Mexico is inconsistent, excluding significant groups of population and thereby preventing a full assessment of the impact of advances in innovation, connectivity and technology programmes. Statistical information available from the National Survey on the Availability and Use of Information Technology in Households (ENDUTIH)⁴¹ only concerns the connectivity of homes nationally, and at state level. It's necessary for data to be collected at a municipal level, and in rural areas, to effectively examine inequalities in access to the Internet in greater detail, in particular to consider the experiences of indigenous communities and the most marginalised sectors of society. There is no publicly available data that supports the government's claim that the number of people with Internet access has increased from 40 to 70 million in the last four years.⁴²

88. According to the National Institute of Statistics and Geography (INEGI), 53% of homes in Mexico do not have an Internet connection. The percentage of homes without an Internet connection is even higher in those states with greater social and economic inequalities such as Chiapas (86.7%), Guerrero (66.9%), Oaxaca (79.4%), Puebla (70.8%), Tlaxcala (71.6%) and Veracruz (69.7%). This lack of Internet access reduces individuals' access to the benefits of innovation, knowledge and technology programmes, and hinders the exercise of other economic, social, and cultural rights.

89. The Federal Telecommunications Institute (IFT) and other telecommunications-related institutions should promote connectivity policies that address new actors, such as small Internet service providers and community networks, and include them in the regulatory and legal frameworks. This would be beneficial not only through increasing competition in the market, but also by promoting alternative models of connectivity, that address Internet access as a fundamental human right, instrumental for the full exercise of the right to freedom of expression and information, the right to privacy, and economic, social, and cultural rights.⁴³

90. The IFT has delayed the consultations on, and publication of, the specific regulations that would ensure compliance with the principles of net neutrality established by articles 145 and 146 of the Federal Telecommunications Law for over two years. As such, all those who enjoy access to the Internet are nevertheless currently subject to measures by Internet Service Providers that do not respect the capacity, speed or quality of connections that users' signed contracts stipulate. Users' connections are subject to throttling dependent on the content, origin, destination, terminal or application used.

91. In rural and indigenous communities, generational divides for access to Information Communication Technologies (ICTs) and the Internet persist. This low access is even more acute in the case of rural and indigenous women, further compounding pre-existing inequalities in terms of access to education and illiteracy levels experienced by this social group.

92. Despite the increase in the number of mobile phone users in the country, economic inequality continues to have a direct impact on mobile phone ownership and on users' ability to purchase mobile data.

93. The lack of Internet infrastructure and updated computer systems in schools, as well as teachers' lack of technical knowledge and capabilities, prevents them from encouraging the adoption of new technologies and from promoting digital rights, undermining Internet access.
94. The *México Conectado* programme, run by the Federal Government through the Ministry of Communications and Transportation (SCT) is constitutionally mandated to guarantee the right to internet access. The programme aimed to "extend Internet connectivity to 250 thousand public places and spaces" before 2017, however it achieved only 40 percent of this target. In those public spaces where the programme is operational, the Internet service does not work effectively, and the service has not had the expected impact on education.
95. Fewer rural communities have benefited from access to satellite Internet provided by the *México Conectado* programme; where it is available a lack of digital literacy skills and ICT equipment within these communities, together with a paucity of content relevant to rural and indigenous communities available online, has undermined its impact. In the absence of a holistic approach, these communities have not been able to benefit from the knowledge and the opportunities the *México Conectado* programme otherwise provides, in terms of potential for innovation and digital inclusion. Internet access alone has not been able to drive or facilitate the exercise of other rights or promote local development, rather it has had the opposite effect: widening the social and economic exclusion that these communities have historically endured.
96. Among the OECD countries Mexico had the lowest number of subscribers per 100 inhabitants in 2016: 13.3 per 100 inhabitants.⁴⁴ While active subscriptions for mobile broadband increased from 51 to 58.8 per 100 inhabitants from 2015 to 2016⁴⁵, the majority of the Mexican population does not have affordable or good quality access to Internet.

Recommendations on access to internet, technology and marginalised groups

- Gender, generational and sociocultural divides must be addressed through law and policy. Data must be collected and connectivity programmes for digital inclusion must be evaluated, particularly for indigenous and marginalised communities;
- Legislation and regulations related to Internet access and connectivity at national and local level must be revised in order to encourage competition, innovation and the involvement of new local actors, such as small Internet providers able to provide access in remote areas and enable the creation of community networks and local content creation. Specifically, these are the Federal Law on Telecommunications, Radio and Television, the regulations of the Federal Institute of Telecommunications, and the Internet access and connectivity initiatives of the Ministry of Telecommunications and Transportation (such as *México Conectado*, Shared Network, Trunk Network). Also, the Federal Institute of Telecommunications should develop a regulatory frameworks in order to increase community Internet network models ensure a human rights approach is integrated to, all government initiatives aimed at improving Internet access, and promoting digital literacy, access to and the use of new technologies, and specialised training in the use of ICTs, to enable the exercise of economic social and cultural rights.

Information management in the context of natural disasters

97. During the first phase of the response to the earthquake in Mexico City on the 19 September 2017, the official information circulated by the government did not serve to ensure the effective protection or guarantee of human rights. ARTICLE 19 documented an information vacuum, which impacted on the rights to life, and physical integrity and the right to health in particular.⁴⁶
98. Official information released concerning the number of fatalities and number of people hospitalised was inconsistent, and no single list was distributed containing these figures. Purportedly 'official' statistics were disseminated through Locatel (a public telephone service provider for Mexico City) but faced with the shortcomings of these statistics, a more accurate list was generated by the local population using Twitter, and Facebook.
99. Access to timely and critical information was hampered by the authorities' attempts to restrict information flows. In various areas of Mexico City affected by the earthquake, an apparent policy of official silence prevailed, and journalists struggled to access reliable information to facilitate their reporting. ARTICLE 19 documented a number of obstructive practices imposed on a number of individual journalists, preventing them from carrying out their journalistic work. For example, a reporter for the daily *El Sur* newspaper, Vania Pigeonutt, told ARTICLE 19 that she encountered obstruction by members of the police force in Mexico City: "*a policeman told us that we were not allowed to speak to the family [of the victims] [...] I'm a correspondent for a paper in Guerrero, and they didn't want to let me pass, but they did let foreign journalists pass*".

100. These types of practices constitute a violation of both the journalists' right to freedom of expression, and of society's right to receive information, during natural disasters. According to the Core Humanitarian Standard on Quality and Accountability⁴⁷ and the IASC Operational Guidelines on the Protection of Persons in Situations of Natural Disasters,⁴⁸ all those persons who find themselves in the midst of natural disasters or humanitarian crises should receive timely, clear, precise, accurate and high quality information regarding matters such as their particular vulnerability; the potential ongoing risks; the location of high risk areas; voluntary and forced evacuation procedures, and the reasons for any evacuation; rescue centres; the expected available resources to carry out the rebuilding works; and the controls and administration procedures governing the disbursement of those resources. The government's failure to comply with these principles is reflective of its approach to transparency and information sharing in relation to the grave crisis in human rights observed by ARTICLE 19 over the past six years.⁴⁹

101. The fact that the post-earthquake reconstruction phase will take place in the midst of a national election period is of particular concern. It is highly likely that the needs of victims will be used to buy support and to influence voters. It is also highly likely that the existence of an 'emergency' will be used as a pretext to bypass ordinary public sector tendering requirements and that public sector contracts will not be subject to the normal controls. Two weeks after the earthquake, the head of city government, Miguel Ángel Mancera, asked President Enrique Peña Nieto to accelerate the provision of resources from the Natural Disasters Fund (Fonden). Mancera requested that various procedures be made either more flexible or waived entirely to enable rapid access to the resources necessary to rebuild the city's infrastructure. Past experience, reported on by the daily *El País*⁵⁰ show that when funds from Fonden are accessed and used in this way, federal audits always reveal irregularities.

102. On 15 January 2018 an investigation was made public which revealed that the Comisión Nacional Bancaria y de Valores (CNBV – Mexico's banking and securities regulator) had found irregularities in a debit card programme for those affected by the earthquakes. Among the irregularities reported was the issuing of 3,079 cards, with a total value of 69 million Mexican pesos (approximately USD 3,693,200), to beneficiaries already in receipt of cards in their name; the cards purported beneficiaries were duplicated or listed multiple times. Cases such as these should be investigated and disclosed, to eliminate any doubt regarding possible corruption.⁵¹

Recommendations on transparency and the right to information post-disaster reconstruction

- Create the necessary controls and regulations so as to prevent political exploitation of the victims' needs in the context of the upcoming election;
- Establish effective oversight mechanisms, capable of ensuring that disaster relief reaches those in need;
- Distribute the resources collected and assigned transparently, proactively disclosing information on disaster relief distribution, directly to those affected and generally to people at large;
- Regularly and publicly provide reports, disseminated to a diversity of media organisations, on progress in the investigations into alleged acts of corruption, and ensure that accountability will be sought from those involved, including public servants.

¹ General Comment No. 15 on the right to water (2002); General Comment No. 14 on the right to the highest attainable standard of health (2000); General Comment No.13 on the right to education (1999).

² General Comment No. 34, HR Committee, CCPR/C/GC/34, 12 September 2011; at para. 3

³ *Ibid.* At para. 19

⁴ General Assembly resolution 70/1 on "Transforming our world: the 2030 Agenda for Sustainable Development", A/RES/70/1, 25 September 2015

⁵ The global indicator framework, developed by the Inter-Agency and Expert Group on SDG Indicators, agreed to at the 47th session of the UN Statistical Commission, March 2016

⁶ Target 16.6; Target 16.7; Target 16.10

⁷ Indicator 16.10.2

⁸ Indicator 16.10.1

⁹ UN Human Rights Council Resolution 33/2 on the safety of journalists, A/HRC/RES/33/2, 6 October 2016; preambular paragraph 10.

¹⁰ Tribunal Colegiado de Circuito, Décima Época, Tesis I.1o.A.99 A (10a.) April 2015; Décima Época, Tesis 2a. XXIX/2016 (10a.); Primer Tribunal Colegiado en Materia Administrativa del Primer Circuito, Amparo en revisión 378/2104, January 2015; Tribunal Colegiado de Circuito, Décima Época, Tesis Aislada, I.4o.A.86 A (10a.), October 2013; Cuarto Tribunal Colegiado en Materia Administrativa del Primer Circuito, Amparo en revisión 19/2013, May 2013.

¹¹ This ranking is carried out by the international non-governmental organisations Centre for Law and Democracy and Access Info Europe. The Mexican legislation scored 136 points out of an available 150. See, Milenio "Ley de transparencia, la mejor de 112 países", 2 October 2016.

¹² Available (in Spanish).

¹³ INEGI, Encuesta Intercensal 2015

¹⁴ ARTICLE 19 Office for Mexico and Central America, "Acciones anunciadas por gobierno mexicano para proteger a periodistas deben traducirse en políticas públicas efectivas", 17 March 2017, available (in Spanish).

¹⁵ ARTICLE 19 Office for Mexico and Central America, "Periodistas asesinados en México", 9 August 2017; available (in Spanish).

¹⁶ UNESCO Director General Report on the Safety of Journalists and the Danger of Impunity, 17 November 2016.

¹⁷ OHCHR, The Minnesota Protocol on the investigation of potentially unlawful death, 2016.

¹⁸ See, for example, by Presidential Speech of Enrique Peña Nieto, "Actions to promote freedom of expression and the protection of journalists and human rights defenders", 17 May 2017.

¹⁹ ARTICLE 19 Office for Mexico and Central America, "Libertades en Resistencia", Informe anual de actividades 2016, available here

²⁰ Mexican Ministry of the Interior Oficio USPA/004/2017.

²¹ Federal Government of Mexico, "Mecanismo de Protección para Personas Defensoras de Derechos Humanos y Periodistas", 21 August 2017; available (in Spanish).

²² ARTICLE 19 Office for Mexico and Central America, "#Alerta: Privan de la libertad a periodista en Veracruz", 5 February 2014; available (in Spanish).

²³ Since ARTICLE 19 does not know the procedural status of the file in relation to the probable perpetrators and in order not to violate the principle of presumption of innocence, it was decided not to publish the identification data of the suspects involved with the crime committed against Gregorio Jiménez.

²⁴ Animal Político, "Encuentran muerto al periodista veracruzano Gregorio Jimenez", 11 February 2014; available (in Spanish); See, also, a document in which part of the Press Conference made by the then State Prosecutor of the State of Veracruz is reproduced: available (in Spanish).

²⁵ Animal Político "Detenidos acusan que fueron obligados a implicarse en asesinato de Gregorio Jiménez", 14 February 2014; available (in Spanish).

²⁶ Document in which part of the Press Conference made by the then State Prosecutor of the State of Veracruz is reproduced; available (in Spanish);

Animal Político "Detenidos acusan que fueron obligados a implicarse en asesinato de Gregorio Jiménez", 14 February 2014; available (in Spanish).

²⁷ Proceso "Subestima Duarte labor de reportero levantado: "Es conductor de taxi y activista vecinal, dice", 3 January 2015; available (in Spanish).

²⁸ ARTICLE 19 Office for Mexico and Central America, "Periodistas asesinados en México", 25 September 2016; available (in Spanish).

²⁹ Mundo Ejecutivo Express, "Fui por sexo pagado: detenido por caso Narvarte", 21 August 2015; available (in Spanish).

³⁰ ARTICLE 19 Office for Mexico and Central America, "Autoridades obligadas a localizar con vida a Salvador Adame, periodista desaparecido en Michoacán", 26 May 2017; available (in Spanish).

³¹ ARTICLE 19 Office for Mexico and Central America, "Periodistas Desaparecidos en México", 26 May 2017; available (in Spanish).

³² ARTICLE 19 Office for Mexico and Central America, "Periodistas son golpeados y detenidos arbitrariamente por policías de Michoacán durante una protesta", 9 March 2016; available (in Spanish).

³³ ARTICLE 19 Office for Mexico and Central America, "Gobierno de Michoacán no da certeza en la investigación de la desaparición de Salvador Adame y revictimiza a sus familiares", 27 June 2017; available (in Spanish).

³⁴ ARTICLE 19 Office for Mexico and Central America, "Gobierno de Michoacán no da certeza en la investigación de la desaparición de Salvador Adame y revictimiza a sus familiares", 27 June 2017; available here.

³⁵ *Idem*.

³⁶ Interdisciplinary Group of Independent Experts, IACHR, "Ayotzinapa Report II", Ch. 6; available. See, also E-Veracruz, "Padres exigen juzgar a Duarte por desapariciones ante corte internacional", 16 April 2017, available (in Spanish).

³⁷ ARTICLE 19 Office for Mexico and Central America, "Gobierno Espía: vigilancia sistemática a periodistas y personas defensoras de derechos humanos en México", 19 June 2017; available here.

³⁸ Periroth, Nicole "Using Texts as Lures, Government Spyware Targets Mexican Journalists and Their Families, 19 June 2017, available here.

³⁹ Mexicanos Contra la Corrupción y la Impunidad, "PGR compró Pegasus", 28 July 2017, available here.

⁴⁰ Cámara de Diputados, LXIII Legislatura "México ocupa primeros lugares en violencia obstétrica", Boletín N° 2575; available.

⁴¹ INEGI, Encuesta Nacional sobre Disponibilidad y Uso de Tecnologías de la Información en los Hogares 2016, available (in Spanish)

⁴² Enrique Peña Nieto's declaration, El Universal, "Rechaza Peña Nieto limitación a la libertad de expresión y prensa", 10 November 2016, available at <http://www.eluniversal.com.mx/articulo/nacion/politica/2016/11/10/rechaza-pena-nieto-limitacion-libertad-de-expresion-y-prensa>

⁴³ General Assamembly United Nations Resolution A/HRC/32/L.20, Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development, 27 June 2016.

⁴⁴ OECD, "Fixed and broadband wireless subscription per 100 inhabitants", December 2016, available here.

⁴⁵ ITU, "Informe sobre la Medición de la Sociedad de la Información 2017", volumen 1, 2017, p.144, available here.

⁴⁶ ARTICLE 19 Office for Mexico and Central America, "Información oficial: la gran ausente después del sismo", 29 September 2017; available (in Spanish)

⁴⁷ CHS Alliance, Group URD y el Proyecto Esfera (2015) La Norma Humanitaria Esencial en materia de calidad y rendición de cuentas; available in Spanish

⁴⁸ Proyecto de brookings – BERN sobre desplazamiento interno (2011) Directrices operacionales del IASC sobre la protección de las personas en situaciones de desastres naturales, Washington, available in Spanish.

⁴⁹ For previous examples see here and here, in Spanish.

⁵⁰ Zoraida Gallegos, "Un fondo para atender desastres en México, atrapado en la burocracia", Diario El País, 9 de octubre de 2017; available in Spanish.

⁵¹ León A. Martínez (2018), "¿Qué sabemos de la clonación de tarjetas de Bansefi para los damnificados del sismo?", Diario El Economista, 18 de enero, available in Spanish.