PROJECT AGAINST IMPUNITY

(1995 - 2009)



INTER AMERICAN PRESS ASSOCIATION



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IMPUNITY PROJECT

The mission of the Impunity Project, created in 1995 by the Inter American Press Association (IAPA), is to help reduce violence against the press and the impunity surrounding the cases involving the murder and disappearance of journalists.

The objectives, achievements and results obtained are possible thanks to the generous support of the John S. and James L. Knight Foundation totaling \$7.7 million between 1992 and 2011 (the date the current project ends), as well as IAPA member contributions of \$30 million based on expenses incurred for participation in international missions and activities in addition to significant contributions of free space in their news media outlets.

The project has four primary strategies:

- a) Advocate before governments administrative, legal and judicial changes and compliance with international standards on defense and protection of freedom of the press and human rights; accomplished through on-site delegations, direct communications and letters, press releases and widespread dissemination in member newspapers, as well as by holding international conferences on the issues.
- b) Investigate through its Rapid Response Unit recent and cold-case murders, calling for concrete action by the countries concerned and submitting cases to the Inter-American Commission on Human Rights.
- c) Create public awareness through an advertising campaign in print, electronic and online media asking readers, listeners and users to take action by signing letters that are sent to their respective governments.
- d) Train reporters, in multi-platform seminars, workshops and international conferences to reduce the risks they face in covering the news.

Statistics of the Impunity Project (1995 - 2009)				
Murderers convicted	126			
Journalists murdered	228			
Investigations	77			
Cases before the IACHR	24			
Missions	73			
Conferences	14			
Seminars	44			
Resolutions	175			
Press releases	314			
Knight Foundation funds	\$ 7,633,955.00			
In-kind contributions	\$ 32,023,514.00			



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IMPUNITY PROJECT ACHIEVEMENTS

Among the numerous achievements of the Impunity Project (IP) the most significant are having raised public awareness and preventing that many cases of murdered journalists remain buried. This can be attested to by the family members and colleagues of Guatemalan journalist Irma Flaquer or Brazil's Manoel Leal de Oliveira or Colombia's Orlando Sierra, to mention just some of the more notable cases.

Justice is never quick and it can be very frustrating. The strength of the IP lies in the consistency of its investigations and its insistence on justice being done. These have served to turn around, to an extent, a climate of total impunity. In recent years 126 criminals have been convicted, 94 of whom as of December 2009 remained behind bars. But it is also true that in many cases justice has been suspect, it has been applied only partially and without the identification of the masterminds.

The IP's achievements would not have been possible without the IAPA. The greatness of the organization resides in its sensitivity, prestige and determination to demand action by governments and international agencies, in its ability to bring about solidarity among news media and journalists of various countries, in its readiness to organize successful forums and conferences as well as working missions in different countries to advocate justice and freedom of the press, and in the generous donation of media space that makes public awareness campaigns concerning impunity and violence against journalists feasible.

The objectives achieved that are set out below and the activities described in the following pages are a partial reference to the work that has enabled the IP to have progressive and sustained successes.

Finally, governments' political will to reform laws, constitutions or penal codes to enable war to be waged on impunity or provide greater protection for journalists would not have been possible without the IP, its on-site investigations, public demand and private letters, the forums and the seminars, and without the raised voices of colleagues and family members.

Positive Changes motivated by the Impunity Project (IP)
1995 • IAPA launches the IP with investigation into case of Jorge Carpio of Guatemala.
 1996 • IP highlights impunity in Colombia, Guatemala and Mexico and identifies murderers. • OAS and IACHR form alliance with IP after the first of 73 missions to 19 countries.
 1997 • Hemisphere leaders develop plan-of- action at IP meeting in Guatemala. • UNESCO promotes legal reform in declaration supported by the IP.
1998 • IACHR accepts first six IP investigations into unpunished murders.• IP promotes creation of OAS Office of Special Rapporteur for Freedom of Expression.
 1999 • Brazil establishes Federal Program for Assistance to Victims and Witnesses under Threat. • IACHR calls on Mexico to pay reparations and do justice in two cases submitted by IP.
 2000 • Colombia launches Journalist Protection Program. • Guatemala agrees to reparations in Irma Flaquer case based on IP evidence provided to IACHR.
 2001 • Colombia reforms Penal Code, making crimes against journalists more serious offenses. • Guatemala creates Special Prosecutors Office for Crimes Against Journalists at request of IP.
 2002 • Colombia increases number of prosecutors in Human Rights Division following IP report. • IP pioneers an anti-drug trafficker strategy following IP conference in Tijuana.
 2003 • Colombia establishes a Special Committee on crimes within Attorney General's Office. • IP launches hemisphere-wide campaign in 354 newspapers, and training in risk avoidance.
 2004 • Brazil makes crimes against journalists a federal offense in constitutional amendment. • Inter-American Court requires Guatemala to provide justice in Jorge Carpio case.
 2005 • Mexico begins federalization motivated by local editors supported by IP. • IP encourages governments to negotiate with IACHR on 24 unpunished cases.
 2006 • Mexico creates Special Prosecutors Office for Crimes Against Journalists at the federal level. • IP evaluates risks and recommends protection in areas in Brazil, Colombia and Mexico.
 2007 • IP produces documentary aired during prime time on Colombian television. • Supreme Courts in the hemisphere back legal and judicial reform at IP conference.
 2008 • IP promotes in Peru creation of special jurisdiction to deal with murder cases. • IP reviews Colombian abuse of sentence reduction, recommending reforms.
 2009 • IP brings Colombian and Mexican officials together to take action against crimes. • Brazil agrees to pay reparations and investigate Manoel de Oliveira case in response to IP action. • 94 murderers, of a total of 126 convicted, remain behind bars as of Dec. 09.

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MURDERS, CONVICTIONS, SENTENCES

The Impunity Project (IP) was launched in 1995 but the IAPA's work, condemnation and statistics initiated and have been compiled for decades now.

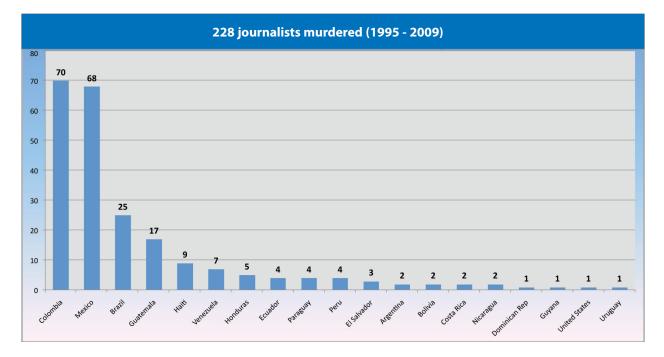
The IP counted 228 murders of journalists in the Americas between 1995 and late 2009 (a total of 366 cases in the 1987-2009 period). The statistic makes all efforts to include only those cases of journalists murdered during or because of their press work. Notwithstanding, because they are clearly cases that fit within the context of impunity and lack of justice, it is often difficult to make a precise classification of the causes of or motives for the murders. For this reason the IAPA continuously refines the list to reflect its own investigations, new evidence and legal proceeding. The changes, on most accounts, are minimal.

The IAPA's work since the last decade and its four strategies - advocate, investigate, create awareness and train - have brought about a significant reduction in impunity. Currently, 94 perpetrators are in prison out of a total of 126 sentenced, some of whom have already been released after serving their full sentences, been granted parole, escaped or died in jail.

Nonetheless, it is difficult to measure the degree of impunity for this period; while the IP has investigated 77 cases, it has compiled statistics and called for justice in a total of 366 murder cases recorded since 1987. At the same time, almost no case has been fully resolved since the perpetrators have been identified but the masterminds of the crimes have largely not. In only six cases have the instigators been convicted.

Yet the IP's contribution in the battle against impunity is clear. Before 1995 only 5 (five) persons had been charged with and convicted of murdering journalists, while 121 (one hundred and twenty-one) were convicted after 1995. Most legal proceedings came between 2004 and 2009 (see chart on Page 9).

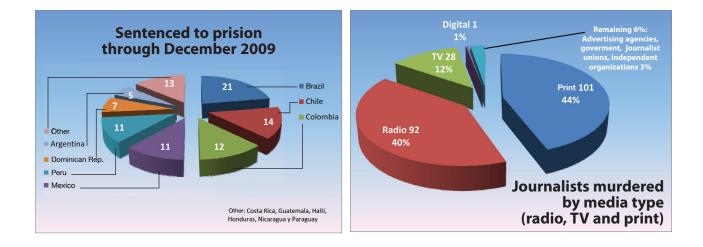




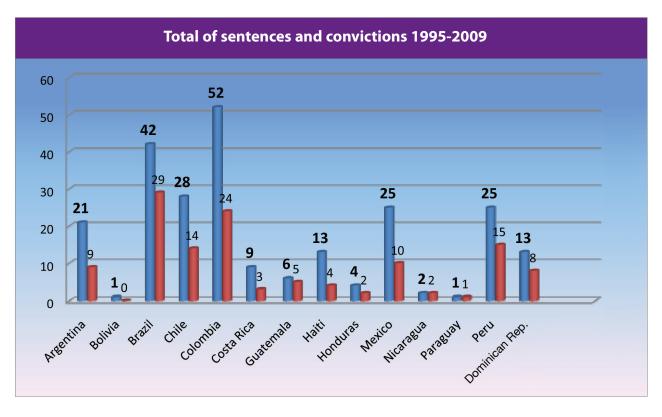
TOP: Although Colombia and Mexico registered practically the same number of murders between 1995 and 2009, the majority of cases in Mexico (44) occurred within the last five years, 2005 - 2009, while Colombia registered fewer cases during the same period (11). **BELOW**: Brazil stands out as the country with most perpetrators jailed up to December 2009.

Status of those tried and sentenced to prison through December 2009						
Country	Trials	In Prison	Released/ sentence reduced	At large		
Argentina	6	5	4			
Bolivia	2		1			
Brazil	22	21	8	13		
Chile	1	14				
Colombia	21	12	2	2		
Costa Rica	1	3				
El Salvador	2					
United States	1					
Guatemala	3	2	3			
Haiti	4	4		11		
Honduras	2	2				
Mexico	12	11		5		
Nicaragua	2	1	1			
Paraguay	2	1		1		
Peru	4	11	1	1		
Dominican Rep.	4	7	1			
Venezuela	1					
	90	94	21	33		

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TOP: A government policy giving greater consideration to human rights complaints possibly generates Brazil's higher rate of court proceedings than in other countries. **BELOW**: In this period, 1995-2009, 126 murderers have paid or are paying with jail time. The difference in the number of court decisions, 242, is that both convictions and acquittals are counted, there existing in some cases a combination of both for a defendant of a crime, issued on different dates. Also counted are those convictions that do not result in prison sentences, either because they were handed down in absentia or the defendant was at large.



Sentences 242 Convictions 126

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Convictions of masterminds						
Country		Case	Year of conviction	Mastermind		Perpetretors
Brazil	1	Samuel Román (2004)	2007	1	а	0
Colombia	1	Jaime Garzón (1999)	2004	1	b	0
Costa Rica	1	Parmenio Medina (2001)	2007	1	С	2
Peru	1	Antonio de la Torre (2004)	2005	1	d	3
Peru	1	Miguel Pérez Julca (2007)	2008	1	е	1
Peru	1	Hugo Bustíos (1988)	2007	1	f	3
	6			6		9

a. Only the mastermind went on trial, he is in prison. The perpetrators are at large.

b. Only the mastermind was tried, in absentia. He was killed before serving his full prison sentence.

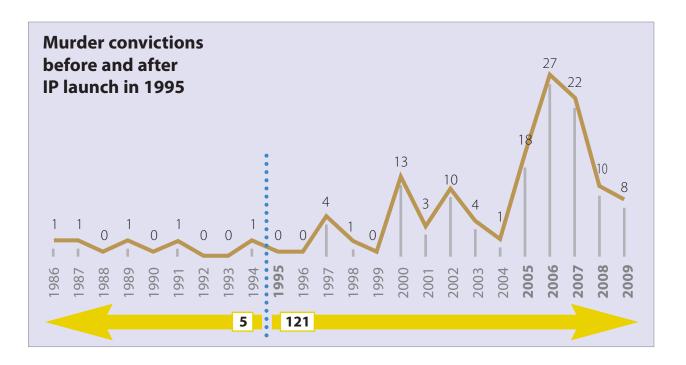
c. Another six defendants were acquitted in this case. Those convicted, the mastermind and perpetrators, are in prison.

d. A year after conviction and serving prison time the mastermind and two perpetrators had their sentences overturned.

e. Both the mastermined and the perpetrator remain in prison.

f. Both the mastermind and the perpetrators remain in prison.

TOP: In many cases justice is only partial. Of the 126 convicted felons who served or are serving jail time for murder, only six of them were convicted as masterminds. **BELOW**: In 1995 the IP is launched in what may be described as a pivotal year that witnessed an increase in court proceedings and convictions, a situation particularly notable over the last five years.



DEFENSE, MEDIATION AND AWARENESS

As part of the Impunity Project (IP) mission, the IAPA periodically sends international delegations to countries to advocate before public officials in favor of legal reforms or greater political will in the administration of justice to combat impunity. Over the 15-year period a total of 73 missions were dispatched with the participation of 403 members in addition to the organization's executives. It should be stressed that by norm members pay their own travel costs; in this way they have contributed more than \$1 million.

During this time period the IAPA also held 14 national and international conferences to inform and to create awareness of how to develop working strategies. Six conferences, on topics concerning

International activities (1995-2009)						
Country	Missions	IAPA Member Participants	Approx <i>in-kind</i> Contribution (travel, lodging and incidentals)	Conferences	Participants	Approx <i>in-kind</i> Sponsorship (newspaper donations)
Argentina	2	8	35,200.00			
Bolivia	1	3	7,800.00			
Brazil	2	12	27,600.00	1	60	2500
Canada	1	1	2,600.00			
Chile	2	9	33,400.00			
Colombia	11	37	101,400.00	2	170	500
Costa Rica	1	3	11,400.00			
Dominican Rep.	3	47	161,600.00	1	200	
Ecuador	1	6	9,000.00			
Francia	1	4	20,000.00			
Guatemala	7	42	81,900.00	1	300	20000
Haiti	0	5	13,500.00	1	45	45
Honduras	0	6	19,200.00	1	320	7500
Mexico	19	127	262,800.00	6	597	37500
Nicaragua	2	10	33,800.00			
Paraguay	2	3	9,000.00			
Peru	7	28	80,000.00	1	80	2500
United Estates	8	33	79,600.00			20000
Venezuela	3	19	60,200.00			
	73	403	\$1,050,000	14	1772	\$90,500

DEFENSE,	MEDIATION	AND AW	/ARENESS

Press releases & resolutions (1995 - 2009)					
Country	P. R.	Res.			
Mexico	81	38			
Colombia	67	33			
Brazil	31	18			
Argentina	10	9			
Guatemala	10	13			
Peru	8	8			
Venezuela	8	2			
Haiti	7	6			
Paraguay	7	8			
El Salvador	6				
Honduras	4				
Nicaragua	4	2			
Dominican Rep.	4				
Bolivia	3	2			
Costa Rica	3	3			
Ecuador	3				
United Estates	2				
Guyana	2				
Uruguay	1				
*General	53	33			
	314	175			
*General: Press releases & Resolutions on topics related to impunity					

organized crime and the press, were held in Mexico, which highlights how the organization works with those countries that require greater assistance.

IAPA members and executives also participate in intergovernmental forums and conferences at the inter-American level (Organization of American States-OAS) and global level (United Nations Educational Scientific and Cultural Organization-UNESCO) that educate, inform and help create awareness for the adoption of international anti-impunity policies and standards.

The IAPA also expands the scope of this project through sister organizations, such as the Global Coordinating Committee of Press Freedom Organizations, and through its two annual membership meetings. As a result of IAPA meetings alone, 175 resolutions have been adopted, calling the attention of governments in the region to specific cases of impunity.

The project also sent out 314 press releases urging action by the authorities in unsolved cases of murder of journalists.

INVESTIGATIONS

The development of the Impunity Project's work strategies is based largely on the results of the journalistic investigations that are carried out through the Rapid Response Unit (RRU), made up of a number of hired independent reporters.

The RRU's task is to investigate new and old cases, determine the motives for the murders and identify why they have gone unpunished.

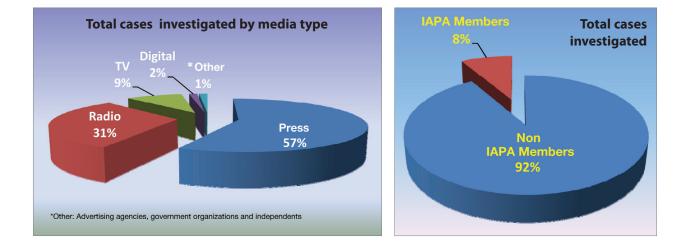
Results are published in reports, distributed in press releases and processed as IAPA resolutions which enables the IAPA to follow-up with the respective governments and, among other steps, activates the deployment of international missions to the countries involved.

The IAPA does not discriminate or favor in the selection of cases to be investigated. Only seven of those 77 cases investigated are connected to the organization's member newspapers.

When merited, the IAPA submits the results of its investigations to the Inter-American Commission on Human Rights, which only admits those legal proceedings that have run their course in the countries of origin. To date 24 cases have been submitted to the Commission, which has admitted 11 and has 13 pending acceptance.

Throughout the process each of the 24 cases requires detailed follow-up, which has led to a total	
of 142 additional investigations in the six countries concerned.	

c	Cases investigated: by media type (1995 - 2009)					
Country	Press	Radio	τν	Digital	*Other	Total
Argentina	4				1	5
Bolivia	1	1	1			3
Brazil	14	8	2			24
Chile	1					1
Colombia	9	4	3			16
Costa Rica		1				1
Guatemala	3					3
Haiti		1				1
Mexico	12	2	1	1		16
Paraguay		5				5
Peru		1				1
Uruguay		1				1
	44	24	7	1	1	77
*Other: Advertising	g agencies, gov	vernment age	ncies, and u	nions and/or ass	ociations.	



TOP: Although it is an organization dedicated to the print media, the IAPA shows its strength as defender and promoter of freedom of expression without discrimination in the types of media that it defends. Of its 77 investigations, 44 correspond to print journalists but only 8% correspond to IAPA member newspapers. **BELOW**: One of the IP's most demanding tasks is the submission and follow-up of cases to the Inter-American Commission on Human Rights together with resulting negotiations with governments on responsibility and amicable solutions deriving from that process.

Carata	Carrie	A ductor d	L. D	*Additional
Country	Cases	Admitted	In Process	Investigation
Bolivia	2		2	0
Brazil	9	4	5	40
Colombia	6	3	3	40
Guatemala	2	2		28
Mexico	4	2	2	32
Paraguay	1		1	2
	24	11	13	142

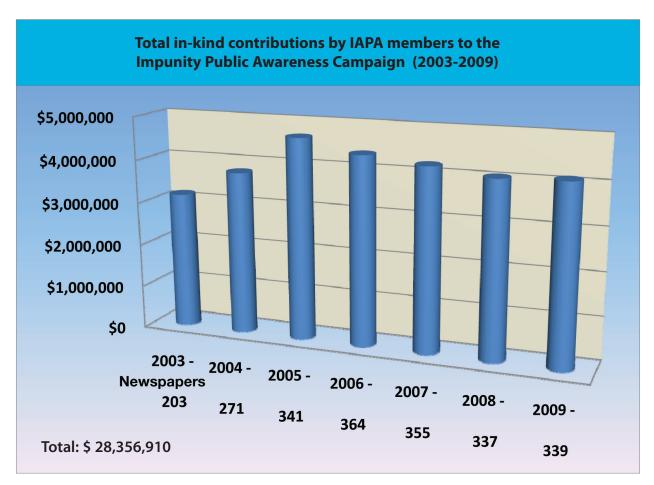
PUBLIC AWARENESS CAMPAIGN

2003 saw the launch of an advertising campaign to create and raise public awareness of the lack of justice and violence against journalists.

IAPA member newspapers were invited to publish pro-bono a monthly ad reporting a case of impunity and requesting readers to send letters directly to relevant authorities or do so through the Web site www.impunidad.com

Approximately 350 newspapers a year have taken part in the campaign by publishing ads on their advertising and public service pages. Annual contributions amount to an average of \$4 million per year, in total, according to information supplied by newspapers.

The campaign was also extended to radio and television during a limited timeframe. Over the last quarter of 2006, 34 television stations aired five 20-second spots, contributing a cumulative total of



TOP: A total of \$32,023,514 in-kind was provided by members of the IAPA, taking into account their support for the monthly education campaign, the equivalent in freeof-charge space of \$28,356,910. Television air time donated in a campaign in late 2006 amounted to \$2,526,104, while the remaining \$1,140,200 (see Page 13) is the equivalent of IAPA members' sponsorship of 14 conferences and their expenses as participants in 73 international delegations. \$2.5 million, according to information supplied by media outlets.

In that period hundreds of Latin American radio stations also joined the campaign, through their ties to the International Association of Broadcasting. Six 30-second spots were broadcast overall, but given the nature of the medium it was difficult to keep a record of this campaign.

In late November 2009 a campaign was launched for the publication of banners on IAPA member newspaper websites. In the first few weeks 98 joined the campaign. Details are not yet available on dollar values of the web space donated, but the campaign has had a great impact on visits to www.impunidad.com

TV Spots (20 second) September - December, 2006

Country	Channels			
Argentina	2			
Colombia	11			
Dominican Rep.	3			
Ecuador	6			
El Salvador	3			
Mexico	1			
Nicaragua	1			
Panama	1			
Paraguay	2			
Peru	2			
United States	1			
Uruguay	1			
Total	34			
US\$ 2,526,104.00				

BANNERS - IMPUNITY



In the last two months of 2009 a banner campaign was launched on the websites of more than 100 newspapers in the region; it has resulted in a rise in numbers of unique visits to www.impunidad.com, as well as the number of letters signed by citizens calling on authorities for justice. At the same time, as part of the Web-marketing campaign, the IP is using social networks such as Facebook and Twitter and has launched its own blog on Geography of Risks, which is focused in this initial stage on the violence unleashed against the press in Mexico.

TRAINING

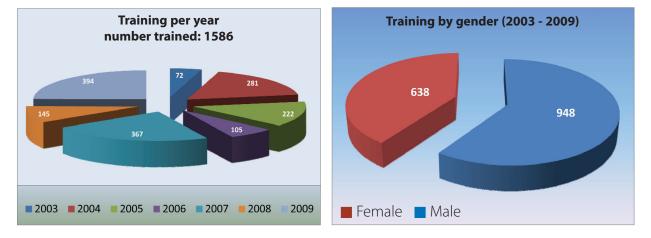
Given the fact that recklessness and negligence in covering and distributing news help contribute to higher levels of violence against the press, the Impunity Project launched a series of instructional seminars to educate journalists on how to reduce or prevent dangerous situations.

Since 2003, 39 activities, between seminars and workshops, have benefitted 1,314 news men and women from countries throughout the region. Numerous courses were given by members of the military to help reporters develop strategies for safer coverage in areas of high risk, such as Brazil, Colombia and Mexico, where journalists do their work in locations alongside special security forces waging war on drug traffickers and guerrilla groups. A special course was developed for the IAPA featuring Argentine "blue helmets" from the United Nations at the Caecopaz training base in Campo de Mayo, Argentina.

Evolving seminar content in other countries saw some courses begin to incorporate instruction on post-traumatic situations, strategies for group coverage and basic training in investigation, given evidence that quality in all facets of journalistic production serves to dissuade violence.

Training (seminars,workshops and survival courses)				
Year	Training	Male	Female	Participants
2003	3	49	23	72
2004	9	153	128	281
2005	9	142	80	222
2006	3	78	27	105
2007	7	221	146	367
2008	4	100	45	145
2009	9	205	189	394
	44	948	638	1586





TOP: The content of the IP's in-person training has been personalized to meet each country's problems, while still employing general patterns of conduct in the areas of prevention and protection, as well as investigative criteria for reporting on such dangerous activities as guerrilla warfare, drug trafficking and social conflicts. In late 2009 the IP held as its pilot project the first Webinar on risks for Brazilian reporters and expects to increase the number of courses in the future.

Training per country (seminars, workshops, survival courses)			
Country	Seminars	Participants	
*Argentina	240	240	
Bolivia	85	85	
Brazil	22	22	
Colombia	149	149	
Dominican Rep.	80	23	
Ecuador	23	45	
Guatemala	142	142	
Haiti	70	70	
Honduras	47	47	
Mexico	380	380	
Nicaragua	25	25	
Paraguay	122	122	
Peru	70	70	
*United States	45	80	
Venezuela	86	86	
	44	1586	

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COMMUNICATION

The following are details of the communication channels that enable the IP to publicize and promote its investigations, missions, conferences and seminars with the objective of creating public awareness and greater justice, and influencing public officials to take action to reduce impunity and violence against journalists.

- 1. www.impunidad.com
- 2. www.sipiapa.org
- 3. Twitter, 2009
- 4. Facebook, 2009
- 5. Geografía de Riesgos (Geography of Risks), 2010
- 6. Impunity Bulletin, since 2008
- 7. Press, TV and radio ads and banners, since 2003
- 8. Biannual reports, to IAPA membership meetings, since 1995

Videos:

- o Journalists Murdered 1 (Murders) July 1997
- o Journalists Murdered 1 (Witnesses) July 1997
- o Journalists Murdered 2 October 1997
- o Irma Flaquer, a Woman Who Never Kept Silent 2001
- o The Declaration of Hermosillo August 2005
- o The Battle of Silence (Orlando Sierra) March 2007
- o Crunching Words (Francisco Ortiz Franco) November 2009



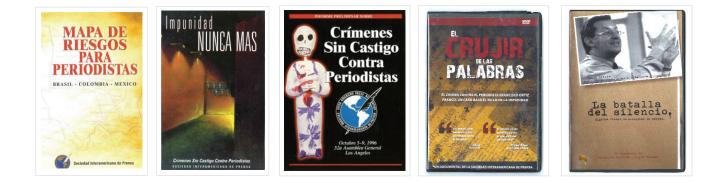






Books and booklets:

- o Unpunished Crimes October 1996
- o Unpunished Crimes 1997
- o Impunity No More 1999
- o Risk Map for Journalists (Brazil, Colombia, Mexico) 2006
- o Murdered Journalists Cases That Call for Justice July 2007
- o Procedures for Denouncing Threats to Journalists February 2008
- o Bolivia: Summary Execution (Carlos Quispe Quispe). Jorge Elías October 2008
- o Brazil: A Country of Contrasts That Manages to Punish Those Guilty of Crimes. Why? Clarinha Glock, RRU-Brazil - October 2008
- o Mexico: Michoacán Self-Censorship: The Only Weapon Against Fear Following the Death of a Journalist. María Idalia Gómez, RRU-Mexico October 2008
- o X-Ray of Crimes Against Journalists in Colombia 1993-2008: 25 Years. Diana Calderón, RRU-Colombia - December 2008
- How to Combat Impunity in Crimes Against Journalists. Inter-Governmental Documents and Statements, IAPA - 2007 and 2008





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