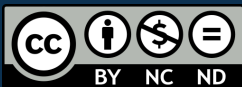


# **MEDIA AND DEMOCRACY IN THE AMERICAS II**

**#NoSoyTuEnemigo**

*Conference Summary and Recommendations*

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First Edition  
Printed In Washington, DC

Cover photo: Fundamedios USA

Layout: Tamar Ziff / Inter-American Dialogue

Text: Tamar Ziff / Inter-American Dialogue

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# **MEDIA AND DEMOCRACY IN THE AMERICAS II**

#NoSoyTuEnemigo

*Conference Summary and Recommendations*

**OCTOBER 2019**

# Foreword

The year 2018 showed both the increasing dangers for journalists trying to do their work and the immense courage of reporters who were determined to tell the truth and hold public officials accountable in the most hostile environments. In October, the cold-blooded murder of Washington Post journalist Jamal Khashoggi by the Saudi Arabian government shocked the world. His death would be one of 63 murders of journalists killed worldwide in relation to their work in 2018, according to Reporters Without Borders (RSF).<sup>1</sup>

Last year, two of the five deadliest countries for journalists were in the Americas: Mexico and, for the first time in recent history, the United States, where four journalists were murdered at the *Capital Gazette* newspaper in Maryland, a crime that underscored the danger that the United States' devastating gun violence epidemic poses to journalists.<sup>2</sup> Violence against journalists in other countries in the Americas is also dire. The Ortega regime in Nicaragua continues to arbitrarily detain and incarcerate journalists who report on its atrocities and shut down or censor critical outlets. Many journalists and editors have gone into self-imposed exile, fearing for their lives. In Brazil, the October 2018 election of Jair Bolsonaro—who openly decried outlets that gave him critical coverage as “fake news”, particularly *Folha de Sao Paulo*—has intensified antagonism towards the free press in Brazil. In Venezuela, the Maduro regime continues to censor media outlets and threaten or detain local journalists critical of the government, and even arbitrarily hold international journalists. Besides hostile administrations, journalists also face threats from criminal or paramilitary groups: in April 2018, three Ecuadorian journalists from *El Comercio* were kidnapped and killed by a dissident faction of the Revolutionary Armed Forces of Colombia (FARC) while reporting on narco-trafficking on the Ecuador-Colombia border.<sup>3</sup>

Only well informed citizens can exercise their rights in a democracy, and one of the ways that governments expose authoritarian tendencies is to reduce access to or distort information available to their citizens. Beyond physical intimidation of media workers, regimes that want to control what their citizens believe use a variety of methods to suffocate dissident voices, including co-opting news outlets, blocking certain websites or restricting internet use, and even creating paper scarcities so that newspapers are forced to stop circulating physical papers.<sup>4</sup>

Furthermore, 2018 also brought to light the growing digital threats facing a free press. Piggybacking on the “fake news” rhetoric of some political leaders who demonize the press, various groups are mounting malicious disinformation campaigns against independent media outlets and individuals, undermining their legitimacy and in many cases actively intimidating them. Disinformation makes the work of journalism more difficult and more essential as basic facts and events are denied or distorted, creating parallel false narratives that can drive people to real-world hate, discrimination and violence. Furthermore, cyberharassment—which could include trolling, cyberstalking, impersonation, and revenge porn, among others—has become a common occupational hazard for reporters in the new media environment. It is important to note that female reporters are particularly vulnerable to gender-based violence and harassment, both online and in person, and that incidents of abuse against female reporters differ from abuse of their male counterparts, due to their almost exclusively gender-based, often sexualized content. Violence against women journalists is both consistently underreported—often due to cultural or workplace stigmas, or fear of retaliation—and ignored by authorities that refuse to acknowledge its severity and redress it.

In 2019, the situation of violence against journalists has only deteriorated. Thirteen journalists have been killed in Mexico so far this year<sup>5</sup> as the country's insecurity worsens<sup>6</sup> and its President demonizes the press for “behaving badly,” that is, criticizing him.<sup>7</sup> Disinformation campaigns are the new normal in electoral politics around the region.<sup>8</sup> As it stands, impunity is the rule, rather than the exception, for violence against

journalists: in some countries, such as Mexico, it is almost absolute.<sup>9</sup> More broadly, of all the cases of journalist murders in the region between 2012 and 2019, only 13 percent were resolved in some way.<sup>10</sup>

Moreover, many news outlets are struggling to find a sustainable business model in the contemporary media environment. In the US, a 2018 study found that one-fifth of local news outlets that existed in 2004 were forced to close or merge by 2018.<sup>11</sup> Meanwhile, some larger outlets are only able to stay afloat through funding by hedge funds, private equity groups or other large media conglomerates, whose investment agendas may force them to shrink reporting staffs or pressure them to produce clickbait over quality reporting and long-term investigations.

Despite all this, amid the increasing dangers for robust and independent journalism in the Americas, we are still fortunate to have both committed journalists that proceed in the essential work of reporting stories worth telling, and organizations dedicated to defending and advocating for those journalists. We believe that it is our fundamental duty to constantly interrogate and explore the relationship between the condition of the media and the exercise of democracy in the Americas.

As such, on March 7, 2019, the Inter-American Dialogue's Peter D. Bell Rule of Law Program and Fundamedios USA—along with the Inter-American Commission on Human Rights, the Inter-American Press Association, Reporters Without Borders, the Pan-American Development Foundation, the Committee to Protect Journalists, and the National Association of Hispanic Journalists—organized Media and Democracy in the Americas II, our second annual conference to analyze both established and emerging threats to a free press in the Americas.<sup>12</sup> The conference was comprised of three panels and a roundtable discussion, and included the participation of prominent journalists, press freedom advocates, legal analysts, and governmental and intergovernmental officials, whose presentations are summarized in this report. The recommendations included below are derived from the discussions at the conference, though they do not necessarily reflect the views of all the panelists or sponsoring organizations. The summary and recommendations are followed by an homage to the murdered *El Comercio* journalists, featuring original photos by Paúl Rivas.

We hope this report will contribute to the effort to improve the understanding of and response to threats to freedom of expression and an independent press in the Americas. We would like to thank all of our partner organizations, panelists, and attendees, whose support enriched the exchange of opinions during the conference. We would also like to thank Tamar Ziff, who wrote the text for the report, and Leonie Rauls and Dagmar Thiel, who helped revise the content and provided essential input.

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# Panel 1: #NotTheEnemy – The Impact of Anti-Media Rhetoric

## Summary

Over the past few years, the emergence of political leaders in the Americas who decry and demonize a free press has created a climate conducive to violence against journalists and, as a consequence, fear and self-censorship. Violence against journalists in the region has been escalating for quite a few years: evidence from the International Press Institute<sup>13</sup> shows that Latin America and the Caribbean was the deadliest region for journalists in 2017, with more than a quarter of murders taking place in the region. From 2017 to 2018, according to the Committee to Protect Journalists, the number of journalists murdered in connection with their reporting nearly doubled.<sup>14</sup> The continued escalation of violence against journalists in Latin America relies on a confluence of factors, one of which is anti-media rhetoric by elected heads of state. Violent rhetoric against journalists is no longer just a trademark of authoritarian regimes: recent populist presidential candidates in Latin American democracies have made undermining a free press a winning campaign strategy. In order to discuss the deleterious effect of anti-media rhetoric by elected leaders and despots

alike, the first panel featured experts from four countries: Nicaragua, Venezuela, Colombia and the United States. The title—“#NotTheEnemy” or “#NoSoyTuEnemigo”—reflected the social media sensibilization campaigns launched by civil society to mitigate the effect of denunciation by elected leaders.

The panel opened with a testimonial by Maibort Petit, a Venezuelan freelance journalist, on the repressive political environment in Venezuela. Petit stated that to be a journalist in Venezuela is to choose “between censorship and self-censorship, between fear, exile, and even death.” Petit explained how journalists receive continuous threats over all possible mediums, including phones, online blogs and Twitter. In November 2017, the National Constituent Assembly, a rubber-stamp legislature Maduro created in 2017 and packed with supporters to counteract the democratically elected, opposition-held National Assembly approved the “Anti-Hate Law for Tolerance and Peaceful Coexistence,”<sup>15</sup> which in effect allowed the government to revoke licenses and block web pages that transmit content critical of the regime.



**[L TO R] GUSTAU ALEGRET, MAIBORT PETIT, CARLOS FERNANDO CHAMORRO, MARIA ELVIRA DOMINGUEZ, LORI MONTENEGRO**

The Maduro regime does not need law to support its censorship, however; many journalists are detained, attacked and threatened by forces loyal to Maduro, often on bizarre and nebulous charges of “treason”<sup>16</sup> or the like. On January 23, 2019, the day of major demonstrations when National Assembly president Juan Guaidó was declared interim president, local NGO Espacio Público counted 17 direct attacks on journalists, including arbitrary detentions, confiscation of equipment and violence by police or soldiers.<sup>17</sup>

The combination of active repression by government forces and an economic downward spiral has forced most news outlets to shutter: since 2013, three-quarters of the country’s newspapers have shut down.<sup>18</sup> In December 2018, *El Nacional*, one of Venezuela’s longstanding independent newspapers, was forced to stop printing physical papers due to “government-imposed obstacles to obtaining newsprint or other supplies.”<sup>19</sup> *El Nacional*’s managing editor, Miguel Otero, is managing the now-online-only newspaper from self-imposed exile.

Another prominent journalist operating from exile is the Nicaraguan Carlos Fernando Chamorro, editor of the Nicaraguan paper *Confidencial*, who fled to Costa Rica in early 2019 because of the intensifying crackdown on free press by the regime of President Daniel Ortega. Ortega has been Nicaragua’s president since 2007 and runs a de facto dictatorship with his wife and vice president Rosario Murillo. He was never a fan of independent media<sup>20</sup>—he has referred to journalists as “children of Goebbels”<sup>21</sup> among other slurs<sup>22</sup>—but the April 2018 protests that began over a change to the social security system and morphed into a country-wide referendum on Ortega’s increasingly brutal autocracy have intensified the persecution of the independent media. Newsrooms have been raided, civil society organizations have been blacklisted, and journalists have been extrajudicially detained and face charges for provocation and so-called criminal acts<sup>23</sup> for honest coverage of the anti-Ortega protests. Chamorro fled Nicaragua in January 2019, citing violent raids of *Confidencial* offices by the police. He is not alone: 91 other journalists have fled Nicaragua since unrest began in April 2018<sup>24</sup>. Since traditional news sources have been threatened and, in many cases, shut down, reporters such as Chamorro continue their work through social media, for example, by using hashtags like #SOSNicaragua, to share stories on Twitter.

The cases of Venezuela and Nicaragua might seem extreme, because of the breakdown of democracy and citizen security as a whole. But the legal and rhetorical moves used by Maduro and Ortega are also increasingly used by

democratic leaders in other countries in the Americas looking to silence criticism and limit free speech. Maria Elvira Dominguez, Director of *El Pais Cali*, pointed out that, when it comes to the press, even democratic leaders can act as demagogues, pontificating on television or through social media on the evils of journalism and creating an openly hostile media environment.

**The continued escalation of violence against journalists in Latin America relies on a confluence of factors, one of which is anti-media rhetoric by elected heads of state.**

One example is former Ecuadorian President and staunch opponent of independent media Rafael Correa, who used his weekly program “Citizen Link” to loudly inveigh against the free press.<sup>25</sup> Other contemporary examples include US President Donald Trump, Brazilian President Jair Bolsonaro, and Mexican President Andrés Manuel López Obrador.<sup>26</sup> Other forms of executive aggression against the press are more subtle, but no less insidious: for instance, in Peru, laws against “defamation” have been used to persecute journalists who reveal links between government officials and criminal groups.<sup>27</sup>

Meanwhile, in the United States—said Lori Montenegro, Washington, DC correspondent for *Telemundo*—an example of subtle and bipartisan stigmatization of the press is the recent reduction in the number of locations where reporters are now allowed to conduct interviews in the Capitol. Furthermore, the White House has slowly eliminated press briefings.<sup>28</sup> The increasing difficulty of demanding answers from lawmakers represents a concerning decline in government accountability, and an unprecedentedly hostile environment for the press in the United States. For the first time ever, said Montenegro, some political reporters are being accompanied by bodyguards, and she and her colleagues have been cautioned to be careful if they walk home alone.

Gustau Alegret, news host on NTN24, pointed to the feedback loop between political polarization and stigmatization of the press. When covering protests in Nicaragua, even

neutral-sounding Twitter hashtags such as “#NicaraguaWantsPeace” became politicized and certain factions refused to use it for fear of reprisal, because it was associated with Ortega’s opposition. The politicization of certain phrases and reports leads to more polarization as there is less “neutral” ground for facts, leading to the creation of divergent narratives and more stigmatization as they clash. Stigma spreads: when people hear their elected leader call reporters the “enemy of the American people,”<sup>29</sup> they will also revile a free press. In October 2018, a man sent pipe bombs to CNN headquarters and the offices of Democratic leaders who had been critical of Trump.<sup>30</sup> Three months prior, a man walked into the offices of the Capital Gazette newspaper in Maryland and killed four journalists and a press assistant, though his motive was a personal vendetta rather than a political one.<sup>31</sup> For the first time since it began compiling data on the matter, Reporters Without Borders ranked the United States as having a “problematic situation” in its World Press Freedom Index in 2018.<sup>32</sup> Similarly, Brazil fell various points due to increasing violence against journalists, which many link to President Bolsonaro’s open animosity to the press.<sup>33</sup>

Chamorro insisted that the only response to the deterioration of democracy engendered by increasing press stigmatization is to refuse to be censored and refuse to self-censor. The bravery of reporters and editors who continue to work from exile is laudable; however, many other journalists in the region cannot afford to put their jobs or their safety at risk and are forced to simply self-censor<sup>34</sup>, creating so-called “silent zones”<sup>35</sup> where reporters are unable to adequately report. In many states in Mexico, for instance, the fear of reprisal from criminal groups or corrupt politicians forces many journalists into silence: 68 percent of Mexican journalists reported self-censoring in order to either avoid assassination or protect the income of their outlets.<sup>36</sup>

Press stigmatization does not just lead to increased violence against the press. It also leads to an underinformed and misinformed citizenry. Less reporting means that people do not receive necessary information about their democracies, and supplement this dearth by relying more heavily on unverified information from the internet or social media, said Petit. This is a boon for governments propagating disinformation.

## Recommendations to Combat Anti-Media Rhetoric

### 1. Encourage politicians to denounce violence against the press and create public awareness campaigns on the importance of a free press.

Anti-media rhetoric is often both catalyst and accelerant for violence against journalists. Publicly denouncing violence against the press and emphasizing the importance of journalism to democracy is essential to deterring violence and maintaining support for mechanisms to protect journalists. Furthermore, through public messaging campaigns on a national or local level that emphasize the importance of freedom of the press to a democracy, potentially in partnership with civil society organizations, governments can put the weight of their institutions behind the message that journalists should be respected, and that they are vigilant to threats against them.

### 2. Condemn anti-press rhetoric.

Beyond organizations that defend journalists, civil society and international groups should expose and condemn harassment or denunciation of the press by public officials in order to create social pressure to meet ethical standards of behavior. Government officials should not hesitate to denounce colleagues or counterparts who engage in anti-press rhetoric.

### 3. Carefully calibrate coverage of rhetorical violence against journalists.

Excessive press coverage of violent reactions by politicians and public officials to press coverage constitute, in a way, a repetition and intensification of the offense, and thereby exacerbate the atmosphere of tension and fear. That being said, neglecting to critically cover rhetorical violence against journalists risks allowing the perpetrators to continue to abuse with impunity. Journalists must therefore carefully think about how to shape these reports, and pay attention to the effects they might have.

### 4. Remove legal restrictions on freedom of expression.

Laws that restrict the ability of journalists to investigate and report on public figures, such as broad laws against “contempt”, defamation or slander, circumscribe the press’s freedom of expression and hampers its ability to do its duty to hold corruption and misconduct to account and keep the public informed. Governments should remove or reform laws to this effect.

## IN FOCUS: Violence Against Female Journalists

It is important to note that female reporters are particularly vulnerable to gender-based violence and harassment, both online and in person. In 2018, a global survey by the International Women’s Media Foundation<sup>37</sup> showed that 63 percent of the 597 female journalists and media workers surveyed had been threatened or harassed online, 58 percent had been threatened or harassed in person, and 26 percent had been physically attacked. An Amnesty International report from that same year<sup>38</sup> found that 7 percent of Twitter mentions of female journalists in the United States and the United Kingdom made in 2017—that is, 1 in 14 mentions—were problematic or abusive.

Meanwhile, an October 2018 report<sup>39</sup> by the Inter-American Human Rights Commission’s Special Rapporteur for Freedom of Expression noted the particular risk of sexual and physical assault for female journalists, from State agents, sources of information, and even colleagues: 96 percent of female journalists in El Salvador interviewed for the report said they experienced sexual harassment at work from within their organizations. 75 percent of female Brazilian journalists interviewed for a 2017 report by the Brazilian Association of Investigative Journalism (Abraji) “indicated that they had received comments about their clothing, body, or appearance while working in their profession that made them feel uncomfortable.”<sup>40</sup>

Attacks on female journalists differ from those against male journalists due to their almost exclusively gender-based, often sexualized content. Although a female journalist might be targeted because she is covering sensitive content, the nature of the attacks, particularly those online, will not center on the content. As Brazilian reporter Patricia Campos Mello said, “Female journalists face threats and criticism online that go way beyond what we write, attacking our appearance, our families, and other things that have nothing to do with our reporting.”<sup>41</sup>

Violence against women journalists faces the double challenge of being both consistently underreported—often due to cultural or workplace stigmas, or fear of retaliation—and ignored by authorities who refuse to acknowledge its severity and redress it. Media companies and governments should integrate gender mainstreaming into legal protections against harassment and/or violence, and create means for female journalists to safely report violence and have those reports addressed in a timely and fair manner.

## Panel 2: “Fake News” and Digital Threats to Democracy

### Summary

Falsehoods and crackpot conspiracy theories predate the internet and social media, but current online and cellular platforms such as Facebook, WhatsApp and Twitter allow them to metastasize into malicious disinformation campaigns, sometimes referred to as “fake news.” The meaning of the latter, however, changes depending on its user: some—such as organization First Draft News, who may have been the first to use the term in the context of the 2016 US elections—use it to describe disinformation campaigns consisting of falsehoods aimed at manipulating electoral behavior or sowing social chaos. Others use the term to decry and dismiss critical, honest news coverage, not only undermining the legitimacy of independent news outlets but inventing grounds for their persecution both online and in-person.

The danger posed by “fake news”—both as disinformation and as political persecution of independent press—and attendant digital threats was the subject of the conference’s second panel, “Fake News’ and Other Digital Threats to Democracy.” The term “fake news” itself is a trap, because it is an oxymoron: the purpose of journalists and news media is to establish as objectively as possible factual information about events, or truth. In the words of Andrea Bernal, news anchor and director for NTN24, “‘fake’ news is not news.”<sup>42</sup>

The panel opened with a broad discussion of the state of the media in the US and Latin America today. In Latin America, said Roberto Rock, former director of Mexican news outlet *El Universal*, there is an ecosystem that facilitates state terror against the independent media. Free press, said Rock, came late to Latin America, which for decades had almost exclusively had partisan press which was beholden to dictatorships and strongmen. Desire Yopez, journalist



[L TO R] ROBERTO ROCK, CLAUDIA UCEDA, PAUL FARHI, DESIRE YEPEZ, MICHAEL CAMILLERI

for fact-checking site *Ecuador Chequea*, agreed: Ecuador, for example, had for years had an extremely repressive Communications Law.<sup>43</sup> Prior to the arrival of the internet, the media landscape had consisted of official propaganda battling with independent outlets which also had political agendas. The Communications Law did not cover online space, so it became a place where digital-only outlets could provide factual and non-partisan reporting.<sup>44</sup>

*Washington Post*, emphasized that while mainstream media outlets have a self-correcting mechanism wherein various people investigate and check a story to ensure veracity, there is no such mechanism on social media. The economic pressure created by the internet has led to a deterioration of local journalism, where professional reporting is becoming unsustainable and consequently endangered.<sup>45</sup> As such, many people look to social media for their news,<sup>46</sup> which is problematic—the inherently self-affirming nature of social media means people live in their own filter bubbles and will likely only be exposed to things they already agree with.

**Mistrust of mainstream media predates disinformation and Donald Trump, but Trump—and imitators across the Americas—has caused that mistrust to reify, leading in some cases to online and even real-world violence.**

Mistrust of mainstream media predates disinformation and Donald Trump, but Trump—and imitators across the Americas—has caused that mistrust to reify, leading in some cases to online and even real-world violence. Although the effects of disinformation campaigns on voting behavior are still unclear, what is certain is disinformation’s power to catalyze real violent harm to innocent civilians. In late 2018, a false news story about gangs of men looking to kidnap children that had been circulating on social media for years in various iterations caused mobs to lynch three men in Bogota<sup>47</sup>—one of whom died—and burn alive two men in a small town in Mexico,<sup>48</sup> none of whom had committed any crimes. The fake story has also fueled killings in India.<sup>49</sup> Meanwhile, Facebook has become the means for spreading false information and falsely labeled photos that have sparked ethnic violence in Nigeria<sup>50</sup> and helped facilitate a genocide in Myanmar.<sup>51</sup>

However, although the lack of online regulation can give breathing room to media under the thumb of repressive regimes, the lack of oversight—particularly on social media—can also lead to chaos. Paul Farhi, media reporter for the

Furthermore, as disinformation poses a real-world threat to journalists and communities, it also has a corrosive effect on democratic discourse. In the run up to the 2016 U.S. election, engagement<sup>52</sup> with the 20 top-performing false election stories was greater than with the 20 top-performing stories from 19 major news websites.<sup>53</sup> Disinformation was widespread in the 2016 Colombian peace plebiscite,<sup>54</sup> the 2016 US presidential election,<sup>55</sup> the Brexit referendum in the United Kingdom, and the 2018 Brazilian,<sup>56</sup> Mexican,<sup>57</sup> and Colombian<sup>58</sup> elections. In fact, disinformation and misinformation<sup>59</sup> have become a staple of election processes worldwide, both directly through dissemination of falsehoods about candidates or elections, and indirectly through 'hoax floods' around major news events.<sup>60</sup>

Michael Camilleri, Director of the Peter D. Bell Rule of Law Program at the Inter-American Dialogue, noted that one of the more startling revelations just before the 2016 US election was that one source of the disinformation disseminated prior to November 8 was a "fake news farm" in Macedonia, where teenagers were making thousands of dollars by publishing fake news stories supporting Donald Trump.<sup>61</sup> Unlike the Russian Internet Research Agency, which was a Russian government-led effort to sow chaos and swing voters toward Donald Trump,<sup>62</sup> these Macedonian teens had no interest in undermining American democracy or shifting the American public towards a particular candidate: they were in it for the cash, and found a right-wing audience more susceptible to clickbait. Although the disinformation campaigns surrounding elections in Latin America were largely driven by politically incentivized local actors, the existence of a "diseconomy" in which online misinformation becomes a source of profit—and in which financially motivated opportunists sow chaos for cash—is almost as unsettling as the ability of foreign governments to potentially affect democratic outcomes in other countries.

The conversation then turned to what role journalists can play in combating disinformation. The broad consensus was that journalists should keep doing their jobs, and doing them well. Visitor logs in both legacy and digital-native news sources show that people do continue to read—and, by extension, continue to trust—those news sources.<sup>63</sup> The challenge moving forward is to keep news outlets financially solvent when the digital information ecosystem is making small outlets extinct and concurrently making the fabrication of fake news and clickbait more profitable than reporting on facts.

A particular issue raised by Farhi is the slow merging of factual news, news analysis, and opinion in many articles, leading to hybrid pieces that smack of bias and invite skep-

ticism. According to a 2017 Knight/Gallup poll, 66% of American adults agree that "most news media do not do a good job of letting people know what is fact and what is opinion."<sup>64</sup> The fact checking outfits that have emerged as a response to the swell of disinformation may therefore be the new, digital-native face of trusted news: just the facts, verified.

**Visitor logs in both legacy and digital-native news sources show that people continue to read them. The challenge moving forward is to keep news outlets financially solvent within the digital information ecosystem.**

Yeppez further pointed out that we now have the tech tools to denounce falsehood in other media—we can find out if an image is doctored, whether a politician deleted a Tweet, and the like. There is the technological potential to counter any instance of online manipulation of facts, and the challenge moving forward will be to do so quickly and thoroughly.

However, the problem of disinformation is not just a problem for journalists to contend with and combat: it requires a broader multisectoral conversation that requires efforts and solutions from various social sectors. Educators and policymakers should think about creating programs for and promoting digital literacy to assist in the identification of misleading information by the public. Lawmakers should push tech companies to ensure that consumers are able to know why they see certain things online: why they are targeted by certain ads, and who is sponsoring those ads. If sites cannot provide a verified owner or editor, they should not be featured. Further, tech giants such as Facebook and WhatsApp have the responsibility to monitor for extreme situations of disinformation dissemination, especially when they serve as calls to violence.

## Recommendations to Combat Disinformation

### 1. Support fact checking programs and training.

Governments and social media platforms should support the development of and promote education programs to train individuals of all ages to think critically and choose their sources carefully, as well as support fact-checking initiatives and applications developed by civil society.

### 2. Increase government transparency.

The surest way to discredit false reports on political decisions is to build a reliable, timely and transparent digital infrastructure that provides access to all official activity, be it local, national or international.

### 3. Flag false reports and reduce trolling.

To the extent possible, social media platforms should flag false reports that are posted, and block hate speech with a potential for violent incitement. Furthermore, social media platforms should develop mechanisms to hinder individuals from undertaking massive disinformation campaigns, and keep the public updated on the constitution and progress of those mechanisms.

### 4. Increase transparency of all procedures in the electoral process.

Governments should create regulations that mandate transparency in electoral financing and other aspects of campaigning, including online advertising on social media platforms. Electoral oversight bodies (EOBs) should be given the resources and authority to investigate and punish violations of those regulations.<sup>65</sup>

## Panel 3 and Roundtable: The Status and Future of Protection Mechanisms for Journalists

### Summary

The increasingly hostile environment towards journalists in Latin America points to an acute need for increased government resources toward their protection as well as an emphasis on rhetoric that defends freedom of expression and the press. However, nearly all governments in the region have been delinquent in dedicating those resources: while four countries have a mechanism in the books—Colombia, Mexico, Brazil, and Honduras<sup>66</sup>—only Colombia's has a proven track record of successfully protecting journalists. The third panel, "The Status and Future of Protection Mechanisms for Journalists," took a closer look at the mechanism in Colombia, effectively the only functioning protection mechanism in the Americas, and sought lessons learned for other countries in the Americas. This panel was followed by a private roundtable on the challenges facing protection mechanisms in the Americas. The following section summarizes salient comments and conclusions from both and distills essential recommendations for the future of protection mechanisms.

### COLOMBIAN MECHANISM

The panel opened with the observation by Pedro Vaca, Executive Director of the Foundation for Press Freedom (FLIP) in Colombia, that it was no coincidence that, of the four panelists on stage, three—he, Pablo Elías González Monguí, and Sebastián Salamanca—were Colombian. Established in 2000,<sup>67</sup> the Colombian Protection Mechanism for Journalists and Human Rights Defenders (hereafter "Mechanism") was housed under the Ministry of Justice until 2012, when a National Protection Unit (UNP) was created<sup>68</sup> with its own independent budget (around \$200 million annually) that allowed it to administer comprehensive risk assessments<sup>69</sup> and provide necessary protection for at-risk groups.<sup>70</sup> The creation of the Mechanism has contributed to the decrease in violence against journalists in the past 19 years, and as of the end of 2018, 172 reporters benefited from some kind of protection,<sup>71</sup> be it a bulletproof vest and a panic button, a bodyguard, and/or staffed protection with an armored vehicle. However, "the decline in murders of journalists is not a direct result of the program," stated Vaca; due to aggressive security programs implemented by Colombian President Alvaro Uribe



[L TO R] NATHALIE SOUTHWICK, PABLOS ELIAS GONZALEZ MONGUI, PEDRO VACA, SEBASTIAN SALAMANCA, EDISON LANZA

and his successor and former defense minister, Juan Manuel Santos, homicide rates in Colombia decreased by more than half in the first decade of the 21st century and have continued to drop.<sup>72</sup> However, the drop in homicides<sup>73</sup> has not translated into a decrease in threats: according to FLIP, there was a 50% increase in aggressions against the press from 2017 to 2018.<sup>74</sup> Although no one under the protection of the mechanism has been killed, in 2014, Colombian journalist Luis Carlos Cervantes Solano was killed shortly after he was removed from the mechanism for supposed de-escalation of threat,<sup>75</sup> and in June 2018 the UNP was formally declared responsible for his death.<sup>76</sup>

This points to one of the key deficits of the mechanism, said Vaca: of the approximately \$9 million the UNP is dedicating to protecting journalists, very little is given to addressing the source of threats. The UNP focuses on protecting and escorting journalists, without treating the underlying causes of violence through risk prevention and eradication, nor dedicating sufficient resources toward judicial investigations and prosecutions. The threats never go away, and so the mechanism just receives ever-increasing petitions for protection.

As of 2018, there had been a single conviction for threats against journalists.<sup>76</sup> Pervasive impunity is compounded by the fact that the UNP—as arguably the only functioning mechanism in the Americas<sup>77</sup>—is still desperately underfunded, so much so that in January 2019 many of the security agencies the UNP works with went on strike<sup>78</sup> due to

delayed payments and inefficiencies.<sup>79</sup> There are currently only 200 evaluators of risk working to process thousands of petitions every month,<sup>80</sup> and the number of petitioners continues to grow.<sup>81 82</sup>

**One of the key deficits of the Colombian Mechanism is that the focus is exclusively on protecting and escorting journalists, without treating the underlying causes of violence.**

Another challenge that the mechanism faces is gender mainstreaming, i.e. responding adequately to the particular kind of threats or harassment faced by female journalists. For example, if a female reporter was threatened or abused by a male police officer or member of the armed forces, placing her in an armored vehicle in close proximity to three male security guards will not make her feel safer. The mechanism does not yet have the ability to assign female security officers to female reporters, which could be one solution.

## MEXICAN MECHANISM

In 2012, responding to public pressure over the unaddressed and escalating homicides of journalists, the Mexican government established a Mechanism for the Protection of Human Rights Defenders and Journalists (hereafter "Mechanism"). And "that was pretty much that," said Sebastián Salamanca, Defense and Protection Official at Article 19 Mexico. The Mechanism exists, but it is "without teeth—enormous, diffuse, and Kafkaesque, without responsibilities and without trust" between journalists and local authorities, especially when many local authorities end up being the perpetrators of threats and violence.

In fact, it is not uncommon for the very authorities that have made the threat to then be alerted of the threat by the mechanism, and there is no recourse for action when the aggressor is a public official. According to Reporters Without Borders, Mexico is the most dangerous country in the Americas for journalists, worse even than despotic Venezuela,<sup>83</sup> with the highest number of murders of journalists and widespread impunity for perpetrators. Mexico's Mechanism was intended to support an existing special prosecutor's office for crimes against freedom of expression (Fiscalia especial para la atención de delitos cometidos contra la libertad de expresión, known by its acronym FEADLE), established in 2010. But it ended up perpetuating more of the same problems faced by FEADLE.

**The Mexican Mechanism exists, but it is "without teeth—enormous, diffuse, and Kafkaesque, without responsibilities and without trust" between journalists and local authorities.**

Since its creation, FEADLE recorded 89 cases of homicides of journalists, although only 45 of those cases specify that the motive is linked to journalistic work. Of those 45 there have only been 29 open investigations, and only one conviction has been achieved.<sup>84</sup> Edison Lanza, Special Rapporteur for Freedom of Expression at the Inter-American Commission on Human Rights, explained how the ineffectiveness of the Mechanism was further exacerbated by a lack of trust in police and the local and federal government, meaning that

many journalists who feel threatened do not apply for protection—a "damned if you do, damned if you don't" scenario.

Violence against journalists continues to increase unabated, despite the existence of FEADLE, the protection mechanism, and even a Unit for Prevention, Follow-up and Analysis within the protection mechanism, introduced in 2015 to ramp up prevention efforts.<sup>85</sup> Collusion between public officials and criminal organizations is extensive, which adds to the difficulty of ensuring independent and effective investigations. In early 2018, a former official at the Inter-American Commission on Human Rights described FEADLE as "a simulation" of justice,<sup>86</sup> and it—along with the mechanism—is perpetually understaffed and underfunded. According to Salamanca, there are five people charged with conducting follow-up for the 835 journalists protected by the mechanism, and generally there is a lack of political will to implement existing reforms, resulting in a situation where Mexico is often compared to a war zone in terms of physical danger to journalists.

## BRAZILIAN MECHANISM

In September 2018, Brazil passed a resolution (Ordinance 300 / 2018)<sup>87</sup> to include "communicators and environmental defenders" in its existing protection mechanism for human rights defenders (hereafter, "Mechanism.")<sup>88</sup> In Brazil, "comunicadores" covers journalists as well as freelancers and bloggers. The move came as a result of a longstanding campaign by civil society<sup>89</sup> to address the unique and serious risks faced by media workers in Brazil, and relieve them of the burden of having to prove that they should be included as human rights defenders. However, despite the normative victory for civil society and journalists' organizations, existing issues with the Mechanism's design and implementation undermines its effectiveness in protecting Brazilian journalists. For example, only six of Brazil's 26 state governments have operational agreements with the federal Mechanism to help fund and organize state-level implementation. This does not mean that human rights defenders and journalists working in the other 20 states cannot apply for protection, but it may make the implementation of protective measures more difficult.<sup>90</sup> Furthermore, although the Mechanism has a variety of protective measures issued against threats, including accompaniment by security forces and continuous monitoring, its solution for serious and pressing threats involves relocating the threatened party, which is not an ideal option for journalists whose work relies on local knowledge and networks, and whose departure would mean the loss of a source of information for their communities.<sup>91</sup>

More broadly, there is a lack of awareness of the Mechanism as a resource for protection, particularly by journalists under threat, and the federal government has not taken enough proactive measures to advertise it, although it did launch a social media awareness campaign in December 2018 called "Respect the Media Worker" (#RespeiteOComunicador) which urged threatened media workers to call the Mechanism hotline.<sup>92</sup>

Unfortunately, President Bolsonaro's demonization of precisely the groups protected by the Mechanism, including media workers, seriously undermines trust between those groups and the government. The 2018 Brazilian presidential election saw increased and aggressive attacks on reporters covering the election, inspired in part by Bolsonaro's vitriolic anti-media rhetoric.<sup>93</sup> Bolsonaro's hostility towards the press has not abated since he took office in January 2019, and he even used his speech at the United Nations General Assembly in September 2019 to lambast the "lying media" for reporting on the Amazon fires.<sup>94</sup> Continued aggression by the Bolsonaro government toward journalists and oth-

er groups protected under the Mechanism undermines its legitimacy and may impede those who would benefit from the Mechanism from looking to the federal government for protection.

**President Bolsonaro's demonization of precisely the groups protected by the Mechanism, including media workers, seriously undermines trust between those groups and the government.**



**PARTICIPANTS IN THE PRIVATE ROUNDTABLE ON IMPROVING NATIONAL PROTECTION MECHANISMS**

## Recommendations to Improve National Protection Mechanisms

The panel discussions and roundtable made evident that as journalism becomes more important in an era of digital deception and increasing authoritarianism, it is also becoming more endangered. Colombia has the only functioning protection mechanism for journalists, but it is, in the words of UNP director Pablo Elías González, *sui generis*<sup>95</sup>. Colombia's particular sociopolitical situation, and relationship with the United States, resulted in the creation of a uniquely attentive, inter-agency, independent, and well-resourced protection mechanism, which would be difficult to replicate in any other country in the region. The Mexican and Brazilian examples show that simply creating more protection mechanisms will not reduce violence against the press without attendant reforms.<sup>96</sup>

### 1. Allocate more attention and resources to threat prevention, investigation and prosecution of aggressors.

The protection mechanisms for journalists that exist in Latin America are largely reactive, meaning that, in the best case, they will respond to threats and deploy resources accordingly. However, these mechanisms are not proactive in reducing or eliminating threats, meaning that, even if a protection mechanism successfully keeps reporters out of danger, there is no off ramp. This makes any mechanism unsustainable. Governments should, while maintaining the necessary protections for existing threats against journalists, devote more resources to threat prevention, investigation, and prosecution, potentially through partnering with civil society organizations and other government agencies. This would necessitate improving data collection on violence against journalists by creating uniform standards and making the data public, readable and disaggregated. FEADLE has to its credit increased the number of prosecutors and investigative police in the past year, but as threats to journalists dramatically increase, more needs to be done.<sup>97</sup>

### 2. Create safeguards within protection mechanisms to prevent government spying and intimidation of critical voices.

In 2009, Colombia's former domestic intelligence agency, the Department of Administrative Security (DAS), was revealed to be spying on many people deemed critical of the administration of President Alvaro Uribe, including reporters.<sup>98</sup> DAS was also the agency tasked with providing protection to reporters receiving threats. Ensuring that the agency overseeing reporter protection is firewalled from areas of the state bureaucracy associated with threats or surveillance of journalists is essential in maintaining journalistic independence and trust in the safety mechanism.

### 3. Create a protocol for threats from public officials.

As it stands, no mechanism has special provisions for when the threat to a journalist comes from a public official, which often happens.<sup>99</sup>

### 4. Include civil society and journalists in discussions on how to design and improve mechanisms.

The victims of violence and their advocates are the ones most intimately acquainted with its perpetrators, and so should be regularly consulted on how to best design mechanisms for effective protection, and involved in creating training material for protection personnel assigned through the mechanisms.

## HOMAGE TO MURDERED ECUADORIAN JOURNALISTS

To honor the team of Ecuadorian journalists from *El Comercio* that were murdered in April 2018, the Media and Democracy in the Americas II conference was inaugurated by an exhibit of photography of one of the journalists, Paúl Rivas, at the Inter-American Commission of Human Rights in Washington, DC.

Paúl Rivas, 45, was a sensitive and passionate photographer. Javier Ortega, 32, was an investigative journalist who had written many uncomfortable truths about narcotrafficking. They were accompanied by their driver Efraín Segarra, 60, and all three worked for the Ecuadorian newspaper *El Comercio*. They were kidnapped in March 2018, when they approached the border between Ecuador and Colombia to report on the conditions in the area after the explosion of a car bomb. Their deaths were confirmed three weeks later. They were murdered by a dissident faction of the Revolutionary Armed Forces of Colombia (FARC).

The Inter-American Commission on Human Rights issued precautionary measures for the journalists after their kidnapping, and the Special Rapporteur for Freedom of Expression convened a Special Follow-up Team (ESE) with a binational focus to investigate the crime.

The names of Javier Ortega and Paúl Rivas have been inscribed on the wall of the Newseum in Washington, DC that commemorates media workers who have died on the job. They are the only Latin Americans of the 21 journalists whose names were inscribed in 2018. Their memory joins that of Saudi Arabian journalist Jamal Khashoggi of the Washington Post, brutally assassinated by his country's government, and that of the murdered Capital Gazette media workers in Annapolis, Maryland: Gerald Fischmann, Rob Hiassen, John McNamara, Wendi Winters and Rebecca Smith.



**JAVIER ORTEGA**



**PAÚL RIVAS**



**EFRAÍN SEGARRA**

## Paúl Rivas, The Light Photographer

*Text by Ricardo Rivas Bravo, brother of Paúl Rivas*

The photography exhibit that opened on March 6, 2019 in Washington, DC is of great significance for the families of those who were murdered. After Paúl, Efraín and Javier were killed, all our lives –those of their friends, colleagues, family members, and those of the Ecuadorian people– changed. After some time we have come to learn about the falsehoods, deceptions, errors and inconsistencies that transpired in the management of their kidnapping, and which did not allow them to come out alive.

In this context, the body of work in the show aims to help the international community become aware of the different realities that our people experience. These realities range from the mundane to the nuanced feelings reflected in the faces and actions of regular folk. That's how Paúl was, "The Light Painter", as he called himself, a human being who loved to witness and convey that essence, in the way only artists know how to do.

The exhibit showed a selection of some of his award-winning photo series, which were prized for their depth. These are some examples from the exhibit.

### **Portrait series: "The Other War of the Cenepa Heroes"**

These photos are part of an eight-portrait series that Paúl made to honor those who were mutilated by landmines buried in the Ecuador-Peru border during the Cenepa war, which took place between January 26 and February 28, 1995. When this photojournalistic work was published, on February 16, 2014, Paúl wrote the following: "It's been more than 19 years, but some memories remain intact for these heroes of the Cenepa. The sounds, colors and smells of war are impossible to forget. The pain receded as time has gone by, but it's never really left. These anonymous heroes must face it on a daily basis, from the time they get out of bed and make their bodies whole thanks to devices made of special plastics and titanium. The scars from Cenepa are not just physical, but psychological as well. Adapting to a new life, after months in the hospital going through surgeries and treatments, was different for each one of them. They kept on struggling, at times with support from their families, but always proud of having done their part in defending their country. For some of them, the honors and photos of their military beginnings are treasures that they unearth on occasion. These mementos make them tear up and sigh, but also smile."



**FIRST SERGEANT ANTONIO SEIS**



**FIRST SERGEANT JORGE FABIÁN  
BOLAÑOS**

### Series: "Disappeared and Tattooed on the Flesh."

This series displays the deep pain and uncertainty of not being able to find a loved one who has gone missing. This moving photographic series was awarded honors in the Eugenio Espejo contest of the National Union of Journalists of Ecuador, and the Jorge Mantilla Ortega contest held by *El Comercio*. Paúl took several months to crystalize an idea in which the pain of those who lost family members would be showcased visually. This body of work, originally published on April 14, 2013, was summarized for the digital edition as follows: "The photojournalistic work 'Disappeared and Tattooed on the Flesh' seeks to make visible the pain and uncertainty of being unable to find a loved one. The most important thing was to talk to each person. We didn't carry out interviews but instead met with the family member and listened to each story before we shared with them the details of the project. Displaying naked flesh expressed the vulnerability and helplessness of society in the face of danger and the lack of a clear response on the part of the justice system. These are living testimonies of a hard reality, as portraits. The body was the channel for communicating the messages, because you carry your loved ones in your heart and on your skin, like an indelible tattoo. The messages are also aimed at society, which is sometimes lethargic in the face of dramatic events such as people disappearing. We all need to be aware of what's going on around us and become involved."



**TELMO PACHECO,  
HIS SON ORLANDO HAS  
BEEN MISSING SINCE 2011**



**ELIZABETH RODRÍGUEZ AND RONNY CAMOVERDE,  
THEIR DAUGHTER JULIANA HAS BEEN MISSING SINCE  
2012**

### Series: "Migrants"

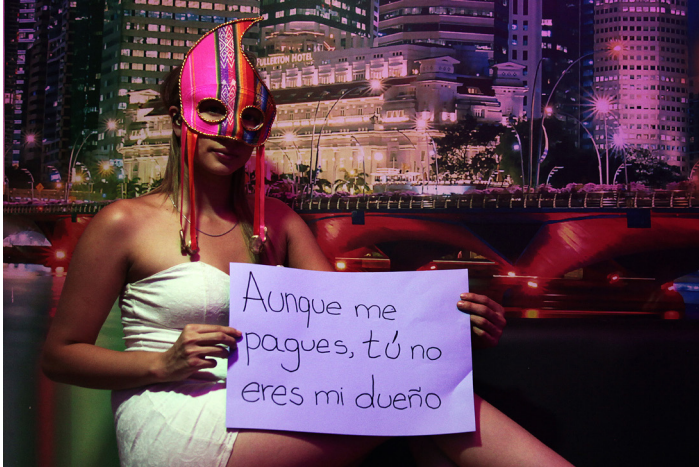
This portrait series was published on December 18, 2016, observing the International Day of the Migrant, as declared by the United Nations. Paúl made these photos in order to raise awareness among Ecuadorians and to help abolish xenophobic practices. He made this series because he was convinced that borders are just imaginary lines and, consequently, they cannot become barriers to those who travel thousands of kilometers searching for a corner of the world to make their home.



**GHAUTH K. JASIM (IRAQ)**



**ALEXIS M. (VENEZUELA)**



**"EVEN THOUGH YOU PAY ME, YOU DON'T OWN ME"**



**"MY JOB DOES NOT NEGATE MY RIGHTS!"**

### Unedited series: "Rights of Sex Workers"

After covering several stories related to sex work in Quito, Paúl started to create a new portrait project in the middle of 2015. This time, he wanted to highlight the struggle of women who engage in prostitution so that their rights are respected and so they can live in peace, without having to endure social stigma or violence. During several months, Paúl planned out his work, and little by little, he built up contacts among organizations that defend the rights of sex workers. This series was shot in May of 2016, at a brothel located in the north-central area of Quito, as well as in the streets. The women chose which masks they wanted to wear and they came up with phrases which then were written up in colored poster boards highlighting their requests both for working conditions and for protection of their rights. Part of this series, which was unedited until now, was on display for the first time at the March 2019 photography exhibit at the IACHR in Washington.



**Series: "Palma Real, The Cradle of the Shell"**

Paúl and Efraín were part of a journalistic team that traveled the coastline of Esmeraldas and parts of Manabí, reporting on issues of security. Paúl loved to make portraits of people who lived in every place he visited and, in that way, to showcase their ordinariness. These photos were taken in Palma Real, an Ecuadorian town on the Colombian border. In 2009, Paúl visited this small corner of the Esmeraldas province twice. Around that time, he wrote, "This is the kind of coverage that makes you feel alive." He also wrote that he wished to return someday, so as to paint with light the realities these children face. Paúl returned in 2018 to show how the children and adults living on the border play and work harvesting shells, while trying to forget the constant danger that lurks around them, a danger which cost Paúl, Efraín and Javier their lives.



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<sup>43</sup> The Organic Communications Law (commonly referred to as LOC, its Spanish acronym) was introduced in 2013 under the Correa administration and contained broad restrictions on freedom of expression, including creating a censorship body (called the Superintendencia of Information and Communication, or Supercom) and prohibiting media outlets from so-called "media lynching," or being overly critical of public figures. (See: Alejandro Martínez, "8 puntos para rentender la controversial Ley de Comunicación en Ecuador," Knight Center for Journalism in the Americas, June 20, 2013, <https://knightcenter.utexas.edu/es/blog/00-14066-8-puntos-para-entender-la-controversial-ley-de-comunicacion-en-ecuador>) However, the law did not cover digital native news outlets or sites, allowing for the growth of online-only independent media (See below.) In December 2018, the National Assembly accepted reforms to the law which allowed for greater freedom of expression in Ecuador, including the elimination of Supercom. (See: "Asamblea Nacional aprueba reforma a Ley Orgánica de Comunicación, El Comercio, December 18, 2018, <https://www.elcomercio.com/actualidad/asamblea-aprobacion-reforma-ley-comunicacion.html>)

<sup>44</sup> Susana Moran, "El auge de los medios nativos digitales en Ecuador," Plan V, August 31, 2015, <https://www.planv.com.ec/historias/sociedad/el-auge-medios-nativos-digitales-ecuador>

<sup>45</sup> Christine Schmidt, "What kind of local news is Facebook featuring on Today In? Crime, car crashes, and not too much community," Nieman Lab, April 8, 2019, <https://www.niemanlab.org/2019/04/what-kind-of-local-news-is-facebook-featuring-on-today-in-crime-car-crashes-and-not-too-much-community/>; Rani Molla and Kurt Wagner, "Facebook wants to share more local news, but it's having trouble finding it," Recode, March 18, 2019, <https://www.recode.net/2019/3/18/18271058/facebook-local-news-journalism-grant>

<sup>46</sup> "News Across Social Media Platforms 2018," Pew Research Center: Journalism and Media, September 10, 2018, <https://www.journalism.org/2018/09/10/news-use-across-social-media-platforms-2018/>

<sup>47</sup> Boris Miranda, "La ola de cadenas falsas de WhatsApp sobre secuestros de niños que provocaron el linchamiento de una persona en Bogotá," BBC Mundo, October 31, 2018, <https://www.bbc.com/mundo/noticias-america-latina-46051654>

<sup>48</sup> "México: Cómo un mensaje de WhatsApp llevó un pequeño pueblo a quemar vivos a dos hombres inocentes," T13 Noticias, November 13, 2018, <http://www.t13.cl/noticia/mundo/bbc/mexico-como-mensaje-whatsapp-llevo-pequeno-pueblo-quemar-vivos-dos-hombres-inocentes>

<sup>49</sup> Calum Heath, "How WhatsApp Fuels Fake News and Violence in India," Wired, December 12, 2018, <https://www.wired.com/story/how-whatsapp-fuels-fake-news-and-violence-in-india/>

<sup>50</sup> Yemisi Adegoke and BBC Africa Eye, "Like. Share. Kill." BBC News, November 13, 2018, [https://www.bbc.co.uk/news/resources/ids-h/nigeria\\_fake\\_news](https://www.bbc.co.uk/news/resources/ids-h/nigeria_fake_news)

<sup>51</sup> Paul Mozur, "A Genocide Incited on Facebook, With Posts from Myanmar's Military," New York Times, October 15, 2018, <https://www.nytimes.com/2018/10/15/technology/myanmar-facebook-genocide.html>

<sup>52</sup> Engagement is sharing, reacting to, or commenting on content.

<sup>53</sup> Craig Silverman, "This Analysis Shows How Viral Fake Election News Stories Outperformed Real News on Facebook," BuzzFeed News, November 16, 2016, <https://www.buzzfeednews.com/article/craigsilverman/viral-fake-election-news-outperformed-real-news-on-facebook#.emA15rzd0>

<sup>54</sup> "Consejo de Estado dice que hubo 'engaño generalizado' en campaña del No en el Plebiscito," *Semana*, December 19, 2016, <https://www.semana.com/nacion/articulo/consejo-de-estado-reconoce-que-hubo-engano-generalizado-en-campana-del-no-al-plebiscito/510010>

<sup>55</sup> Disinformation, 'Fake News' and Influence Campaigns on Twitter," Knight Foundation, October 4, 2018, <https://knightfoundation.org/reports/disinformation-fake-news-and-influence-campaigns-on-twitter>; Hunt Allcott and Matthew Gentzkow, "Social Media and Fake News in the 2016 Election," *Stanford University Journal of Economic Perspectives*, Spring 2017, <https://web.stanford.edu/~gentzkow/research/fakenews.pdf>; Jane Mayer, "How Russia Helped Swing the Election for Trump," *The New Yorker*, October 1, 2018, <https://www.newyorker.com/magazine/2018/10/01/how-russia-helped-to-swing-the-election-for-trump>; Craig Timberg and Tony Romm, [https://www.washingtonpost.com/technology/2018/12/16/new-report-russian-disinformation-prepared-senate-shows-operations-scale-sweep/?utm\\_term=.680f234b6e30](https://www.washingtonpost.com/technology/2018/12/16/new-report-russian-disinformation-prepared-senate-shows-operations-scale-sweep/?utm_term=.680f234b6e30)

<sup>56</sup> Mike Isaac and Kevin Roose, "Disinformation Spreads on WhatsApp Ahead of Brazilian Election," *New York Times*, October 19, 2019, <https://www.nytimes.com/2018/10/19/technology/whatsapp-brazil-presidential-election.html>

<sup>57</sup> "8 millones bots y trolls operan este 2018: buena onda con Meade y PRI, y rabiosos con Anaya y AMLO," *SinEmbargo*, April 22, 2018, <https://www.sinembargo.mx/22-04-2018/3409934>

<sup>58</sup> Diana Ravelo and María Paulina Arango, "Estas fueron las noticias falsas que se movieron en las elecciones," *El Tiempo*, May 27, 2018, <https://www.eltiempo.com/elecciones-colombia-2018/jurados-y-votantes/noticias-falsas-durante-las-elecciones-presidenciales-2018-222280>

<sup>59</sup> Disinformation is the deliberate spreading of falsehood with the aim of distorting the facts. Misinformation is the dissemination of false information without established intentionality.

<sup>60</sup> 'Hoax floods' are waves of misinformation spread around major, controversial news events, such as the confirmation of conservative Justice Brett M. Kavanaugh in the United States or the migrant caravan from Central America (See: Kevin Roose, "We Asked for Examples of Election Misinformation. You Delivered," *New York Times*, November 4, 2018, <https://www.nytimes.com/2018/11/04/us/politics/election-misinformation-facebook.html>)

<sup>61</sup> Craig Silverman and Lawrence Alexander, "How Teens In The Balkans Are Duping Trump Supporters With Fake News," *Buzzfeed News*, November 3, 2016, <https://www.buzzfeednews.com/article/craigsilverman/how-macedonia-became-a-global-hub-for-pro-trump-misinfo>

<sup>62</sup> "Assessing Russian Activities and Intentions in Recent US Elections," United States Office of the Director of National Intelligence, January 6, 2017, [https://www.dni.gov/files/documents/ICA\\_2017\\_01.pdf](https://www.dni.gov/files/documents/ICA_2017_01.pdf).

<sup>63</sup> Indira A.R. Lakshmanan, "Finally some good news: Trust in news

is up, especially for local media," Poynter, August 22, 2018, <https://www.poynter.org/ethics-trust/2018/finally-some-good-news-trust-in-news-is-up-especially-for-local-media/>

<sup>64</sup> Jeffrey M. Jones and Zacc Ritter, "Americans See More News Bias; Most Can't Name Neutral Source," *Gallup*, January 17, 2018, <https://news.gallup.com/poll/225755/americans-news-bias-name-neutral-source.aspx>

<sup>65</sup> For more detailed recommendations on how to increase transparency and accountability in electoral financing, see IDB Expert anticorruption report: Engel et al, "Report of the Expert Advisory Group on Anti-Corruption, Transparency, and Integrity in Latin America and the Caribbean," Inter-American Development Bank, November 2018, <https://publications.iadb.org/en/report-expert-advisory-group-anti-corruption-transparency-and-integrity-latin-america-and-caribbean>

<sup>66</sup> Since we did not have a representative from the Honduras mechanism or civil society in the conference, there was no discussion of Honduras' mechanism.

<sup>67</sup> Government of Colombia, "Decreto 1592 de 2000," *Proyecto Impunidad*, n.d., [http://www.impunidad.com/upload/reformas/det\\_sp\\_7.pdf](http://www.impunidad.com/upload/reformas/det_sp_7.pdf)

<sup>68</sup> "Annex 4: Colombia: Decree 4065 (2011), Creation of the National Protection Unit - objective and structure established," *Protection International*, 2012, [https://www.protectioninternational.org/wp-content/uploads/2012/04/annex\\_4.pdf](https://www.protectioninternational.org/wp-content/uploads/2012/04/annex_4.pdf)

<sup>69</sup> Carried out by the Risk Assessment and Protection Measures Committee, or CERREM. CERREM includes a journalists as a permanent member of the committee, which is a nod towards the need to involve journalists in the means for their protection, and includes a special gender consideration that recognizes that women face particular risks linked to sexual harassment and violence that require specific protective measures. However, CERREM is understaffed, and that combined with bureaucratic obstacles leads to a processing time of 30 to 90 days for each risk evaluation, which is far too long.

<sup>70</sup> National Protection Unit, "¿Qué Hacemos?," *National Protection Unit*, April 26, 2019, <https://www.unp.gov.co/la-unp/que-hacemos/>

<sup>71</sup> "El Asedio de la Violencia," *Foundation for Press Freedom (FLIP)*, 2018, <https://flip.org.co/micrositios/informe-2018/violencia.html>

<sup>72</sup> Katherine Vallejo et al, "Trends of Rural/Urban Homicide in Colombia, 1992-2015: Internal Armed Conflict and Hints for Postconflict," *BioMed Research International*, 2018, <https://www.hindawi.com/journals/bmri/2018/6120909/abs/>

<sup>73</sup> In urban areas; violence in rural areas has experienced an upsurge with the strengthening of the ELN and violence from former FARC members, which resulted in the kidnapping and murder of 3 Ecuadorian reporters near the Colombian border in April 2018.

<sup>74</sup> "El Asedio de la Violencia," *Foundation for Press Freedom (FLIP)*, 2018, <https://flip.org.co/micrositios/informe-2018/violencia.html>

<sup>75</sup> Juan David Ortiz Franco and Juan Carlos Monroy, "El periodista Luis Carlos Cervantes fue asesinado en Tarazá," *El Colombiano*, August 12, 2014, [https://www.elcolombiano.com/historico/el-periodista\\_luis\\_carlos\\_cervantes\\_fue\\_asesinado\\_en-taraza-FGEC\\_306443](https://www.elcolombiano.com/historico/el-periodista_luis_carlos_cervantes_fue_asesinado_en-taraza-FGEC_306443)

<sup>76</sup> "15 años de protección a periodistas en Colombia: esquivando la

violencia sin justicia," Foundation for Press Freedom (FLIP), August 27, 2015, <https://flip.org.co/index.php/es/publicaciones/informes/item/1816-15-anos-de-proteccion-periodistas-en-colombia-es-quivando-la-violencia-sin-justicia>

<sup>77</sup> According to Catalina Botero, the former special rapporteur for freedom of expression for the Inter-American Commission on Human Rights and current dean of the law school at the University of Los Andes in Colombia (See: Catalina Lobo-Guerrero, "Writing with a bodyguard," Index on Censorship, n.d., <https://journals.sagepub.com/doi/pdf/10.1177/0306422016657022>)

<sup>78</sup> "La huelga de escoltas que la Unidad de Protección califica de ilegal," *Semana*, January 27, 2019, <https://www.semana.com/nacion/articulo/protesta-de-los-escoltas-de-la-unidad-de-proteccion/599417>

<sup>79</sup> The UNP was also rocked by a massive corruption scandal in 2014 wherein hundreds of millions of dollars had been embezzled by a former Secretary General, which created a crisis of legitimacy for an agency that has since not had consistent or strong leadership (See: Colprensa, "Secretario General de la UNP salió del país tras escándalo de corrupción," *El Colombiano*, September 6, 2014, [https://www.elcolombiano.com/historico/secretario\\_general\\_de\\_la\\_unp\\_salio\\_del\\_pais\\_tras\\_escandalo\\_de\\_corrupcion-GGEC\\_309924](https://www.elcolombiano.com/historico/secretario_general_de_la_unp_salio_del_pais_tras_escandalo_de_corrupcion-GGEC_309924))

<sup>80</sup> "Este año las amenazas se pueden agudizar": director de la UNP," *El Espectador*, February 1, 2019, <https://www.elespectador.com/colombia2020/pais/este-ano-las-amenazas-se-pueden-agudizar-director-de-la-unp-articulo-857604>

<sup>81</sup> Adrián Atehortúa, "Estamos desbordados en solicitudes de protección": director de la UNP," *Hacemos Memoria*, February 16, 2019, <https://hacemosmemoria.org/2019/02/16/entrevista-a-pablo-elias-gonzalez-unidad-nacional-proteccion/>

<sup>82</sup> One strategy that the UNP has successfully implemented to reduce protection costs is to promote "collective protection" strategies, or encouraging communities to undertake protective measures within their own territories. The UNP gives financial and logistical support but does not directly intervene. This also allows communities themselves to determine what resources they need and ask for them. It is cheaper to support collective protection than to provide heavy individual protection.

<sup>83</sup> "Mexico," *Reporters Without Borders*, 2019, <https://rsf.org/en/mexico>

<sup>84</sup> According to a February 2019 report by Article 19, the level of impunity for cases investigated by the FEADLE is 99.13% (See: "Protocolo de la impunidad en delitos contra periodistas," *Article 19*, 2019, [https://articulo19.org/wp-content/uploads/2019/02/A19-2019-InfomeImpunidad\\_final\\_v3.pdf](https://articulo19.org/wp-content/uploads/2019/02/A19-2019-InfomeImpunidad_final_v3.pdf))

<sup>85</sup> "El mecanismo de protección para personas defensoras de derechos humanos y periodistas en México," *Washington Office on Latin America*, May 2016, <https://www.wola.org/wp-content/uploads/2016/05/Mecanismo-de-Protección-para-Personas-Defensoras-de-Derechos-Humanos-y-Periodistas.pdf>

<sup>86</sup> Jan-Albert Hootsen, "Mexico's special prosecutor says FEADLE is improving, but impunity continues," *Committee to Protect Journalists*, January 29, 2018, <https://cpj.org/blog/2018/01/mexicos-special-prosecutor-says-feadle-is-improvin.php>

<sup>87</sup> "MDH inclui comunicadores e ambientalistas no programa de proteção aos defensores dos direitos humanos," *Brazilian Ministry*

of Women, Family and Human Rights, September 3, 2018, <https://www.mdh.gov.br/todas-as-noticias/2018/setembro/mdh-inclui-comunicadores-e-ambientalistas-no-programa-de-protecao-aos-defensores-dos-direitos-humanos>

<sup>88</sup> "PORTARIA N. 300, DE 3 SETEMBRO DE 2018," *MINISTÉRIO DOS DIREITOS HUMANOS*, Lex Editora S.A., 2019, [http://www.lex.com.br/legis\\_27697268\\_PORTARIA\\_N\\_300\\_DE\\_3\\_DE\\_SETEMBRO\\_DE\\_2018.aspx](http://www.lex.com.br/legis_27697268_PORTARIA_N_300_DE_3_DE_SETEMBRO_DE_2018.aspx)

<sup>89</sup> "Brazil's protection for human rights defenders extended to journalists," *Reporters Without Borders*, September 12, 2018, <https://rsf.org/en/news/brazils-protection-human-rights-defenders-extended-journalists-0>; Marcos Barbosa, "Violência faz comunicadores e ambientalistas serem incluídos em programa de proteção," *Brasil de Fato*, August 6, 2019, <https://www.brasildefato.com.br/2019/08/06/violencia-faz-comunicadores-e-ambientalistas-serem-incluidos-em-programa-de-protecao/>

<sup>90</sup> Anna Beatriz Anjos, "Sem políticas sociais, defensores seguem em risco de morte," *Pública*, April 24, 2019, <https://apublica.org/2019/04/sem-politicas-sociais-defensores-seguem-em-risco-de-morte/>

<sup>91</sup> "Americas: The Situation of State Protection Mechanisms for Human Rights Defenders," *Amnesty International*, October 2018, <https://www.amnesty.org/download/Documents/AM-R0189122018ENGLISH.PDF>

<sup>92</sup> "Governo lança campanha pelo fim da violência aos comunicadores," *Meionorte.com*, December 13, 2018, <https://www.meionorte.com/noticias/governo-lanca-campanha-pelo-fim-da-violencia-aos-comunicadores-350220>

<sup>93</sup> "Brazil: ARTICLE 19 urges all public authorities in Brazil to protect and defend freedom of expression and human rights," *Article 19*, October 31, 2018, <https://www.article19.org/resources/brazil-article-19-urges-all-public-authorities-in-brazil-to-protect-and-defend-freedom-of-expression-and-human-rights/>

<sup>94</sup> "Bolsonaro attacks 'lying' media on Amazon fires, demands respect for Brazil's sovereignty," *Reuters*, September 24, 2019, <https://www.reuters.com/article/us-un-assembly-brazil/bolsonaro-attacks-lying-media-on-amazon-fires-demands-respect-for-brazils-sovereignty-idUSKBN1W91WV>

<sup>95</sup> In an interview in February 2019, Director of the UNP Pablo Elías González called it "sui generis," or "of its own kind," (See: Adrián Atehortúa, "Estamos desbordados en solicitudes de protección": director de la UNP," *Hacemos Memoria*, February 16, 2019, <https://hacemosmemoria.org/2019/02/16/entrevista-a-pablo-elias-gonzalez-unidad-nacional-proteccion/>)

<sup>96</sup> "Crear más mecanismos de protección no resuelve la violencia contra la prensa en México," *Article 19*, June 14, 2017, <https://articulo19.org/crear-mas-mecanismos-de-proteccion-no-resuelve-la-violencia-contra-la-prensa-en-mexico/>

<sup>97</sup> Jan-Albert Hootsen, "Mexico's special prosecutor says FEADLE is improving, but impunity continues," *Committee to Protect Journalists*, January 29, 2018, <https://cpj.org/blog/2018/01/mexicos-special-prosecutor-says-feadle-is-improvin.php>

<sup>98</sup> "Colombian intelligence service wiretapped journalists," *Committee to Protect Journalists*, February 25, 2009, <https://cpj.org/2009/02/colombian-intelligence-service-wiretapped-journali.php>

<sup>99</sup> According to a WOLA report, "public officials were determined to be the likely aggressors in 39 percent of cases [of crimes against journalists and human rights defenders] the Mechanism has overseen" (See: Gina Hinojosa et al, "Turning the Tide on Impunity: Protection and Access to Justice for Journalists and Human Rights Defenders in Mexico," Washington Office on Latin America, March 2019, <https://www.wola.org/wp-content/uploads/2019/03/EN-GLISH-WOLA-PBI-2019.pdf>)

### **About the Peter D. Bell Rule of Law Program**

Established in 2015 with support from the Ford Foundation and named in honor of a founding Dialogue co-chair, the Peter D. Bell Rule of Law Program aims to elevate policy discussions around corruption and transparency, democracy and human rights, and citizen security in the Americas.

### **About Fundamedios**

Fundamedios is a civil society organization committed in the defense of freedom of expression, freedom of the press and access to information to advance transparency and human rights as pillars of democracy. Fundamedios was established in 2007 in South America and operates since 2017 as a 501c3 in the United States.



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