



Getting Away With Murder

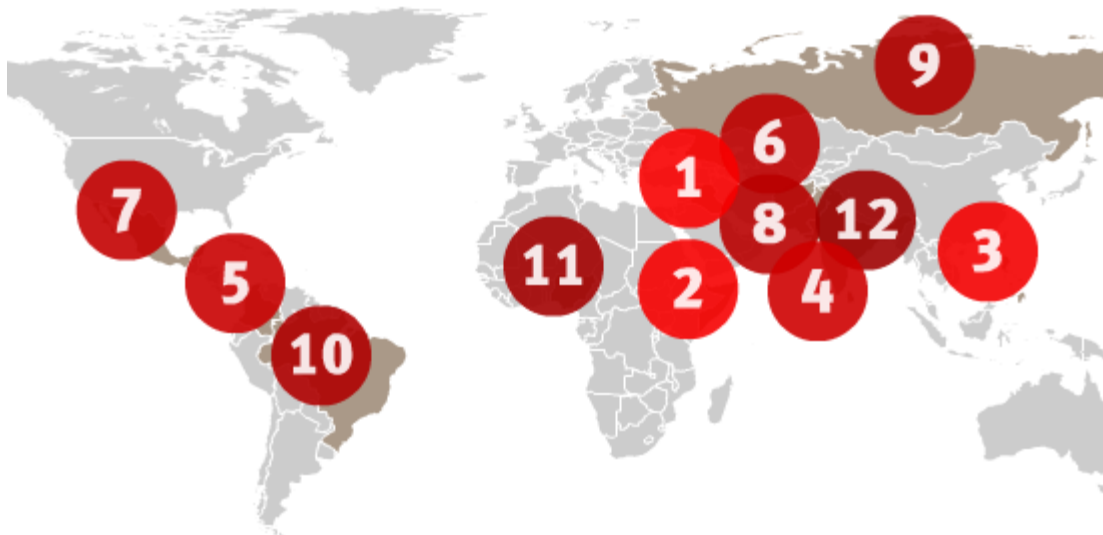
CPJ's 2013 Impunity Index



Committee to Protect Journalists

Getting Away With Murder

CPJ's 2013 Impunity Index spotlights countries where journalists are slain and the killers go free



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Rocked by militants in the north and politically inspired aggression nationwide, Nigeria has become one of the worst nations in the world for deadly, unpunished violence against the press, the Committee to Protect Journalists has found in its newly updated Impunity Index. The global index, which calculates unsolved journalist murders as a percentage of each country's population, also found soaring impunity rates in Somalia, Pakistan, and Brazil.

"Investigations into these killings are usually carried out with sloppiness, and no real culprits are caught," said Ayode Longe, a senior officer with the Media Rights Agenda, a press freedom group in Nigeria, where at least five journalists have been murdered in direct relation to their work since 2009. None of the cases has been solved. "That has emboldened others to assault journalists, believing nothing would be done to them," Longe said. Nigeria, which had previously experienced a decade of relative security for journalists, joined the index for the first time this year, ranked as the 11th worst in the world in combating deadly anti-press crime.

CPJ's analysis found improving conditions in Nepal, which dropped off the index entirely, and in Russia, which has had one of the world's most deeply entrenched cultures of impunity. Although both nations remain dangerous for the press, both have seen a general decline in deadly anti-press violence and a handful of partly successful prosecutions in journalist murders.

The Impunity Index, published annually, identifies countries where journalists are murdered regularly and governments fail to solve the crimes. The 2013 index examines journalist murders that occurred from January 1, 2003, through December 31, 2012, and remain unsolved. Only nations with five or more unsolved cases are listed. Cases are considered unsolved when no convictions have been won. There are 12 countries on the index this year.

The release of CPJ's 2013 index comes at a pivotal moment in the global struggle against impunity. A U.N. plan to combat deadly anti-press violence gets under way this year, with Pakistan being an early focal point. Among its many measures, the plan aims to strengthen journalist safety programs and assist member states in developing ways to prosecute the killers of journalists.



President Hassan has asked for faith. (Reuters/Omar Faruk)

CPJ's analysis found intensifying anti-press violence in Somalia, Pakistan, and Brazil—with the circumstances exacerbated by national leaders' unwillingness or inability to address the problem. Somali President Hassan Sheikh Mohamed has asked the international community to have faith in his country's judicial system, but 23 journalist murders have gone unsolved over the past decade in the country, ranked second worst on the index. Somali authorities have sent contradictory law enforcement messages in recent months, offering rewards for the killers of journalists but imprisoning a reporter for two months on spurious charges that he insulted the government by interviewing a woman who said she was raped by soldiers.

"Killing a journalist does not look like a crime in the eyes of the Somali security forces and judiciary," said Abukar Albadri, director of Badri Media Productions, an independent news production company in the country.

Brazil, which has a long history of anti-press violence, seemed to have turned the corner as recently as 2010, when it briefly dropped off CPJ's Impunity Index because of declining attacks and a number of successful prosecutions. But a three-year spree of murders—many targeting provincial bloggers and online reporters, and all unsolved—has shown the gains there to have been illusory. Brazil is ranked 10th worst on the index.

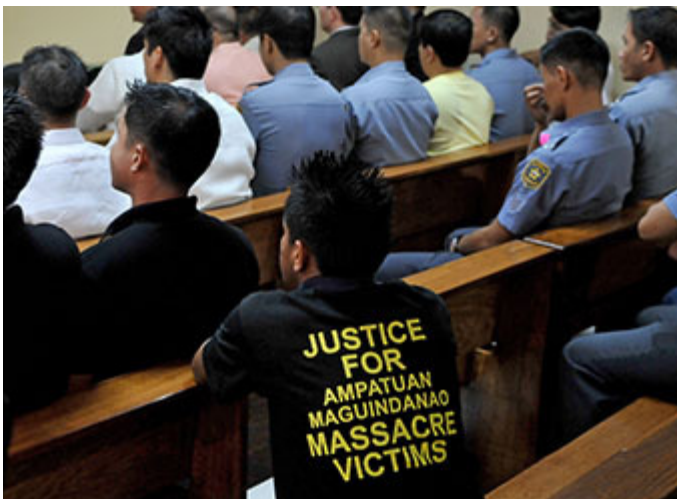
"Members of the police and judiciary, especially in small cities, are highly vulnerable to pressure from powerful local groups," said Veridiana Sedeh of the Brazilian Association of Investigative Journalism. "There are even cases in which law enforcement officials themselves commit the crimes and subsequently hamper the investigation."

Anti-press violence has spiraled upward in Pakistan over the past five years, propelling the country into the eighth worst spot on the index, CPJ's analysis found. Although extremists and criminals pose serious risk, CPJ

research shows that Pakistani political and intelligence operatives routinely target the press for attack. Police and prosecutors, in turn, face such severe political intimidation that they have been rendered incapable of prosecuting the crimes effectively.

“The main reason for impunity is lack of government will to prosecute those that attack journalists,” said Owais Islam Ali, head of the Pakistan Press Foundation. “It only takes a few successes to show impunity won’t be tolerated.”

But one case in Pakistan, the 2011 murder of Geo TV reporter Wali Khan Babar, shows how difficult that can be when the rule of law has broken down. Several suspects connected to one of the country’s leading political parties, the Muttahida Quami Movement, are facing trial, but the prosecution has been derailed by the murders of five people connected to the investigation, including witnesses and police officers. In November 2012, an eyewitness was gunned down two days before he was due to give testimony.



The Maguindanao trial has been marred by attacks on witnesses. (AFP/Jay Directo)

The insecurity of witnesses is a key problem in addressing impunity. Authorities in the Philippines, ranked third worst on CPJ’s index, have yet to make headway in the prosecution of dozens of suspects in a politically motivated massacre in Maguindanao province that claimed the lives of more than 50 people, including 32 journalists and media workers, in 2009. Three witnesses in the Maguindanao case have themselves been murdered, one of them dismembered and mutilated.

Each time a witness is killed, “it affects the morale of other witnesses by showcasing how inept the government is in ensuring their safety.” says Michaella Ortega. She knows the cycle of

intimidation and impunity well: The investigation into the 2011 murder of her father, prominent radio host Gerardo Ortega, was dealt a severe setback when a key witness was killed in jail.

CPJ’s analysis found that journalist murders have slowed in Iraq, Sri Lanka, Mexico, Colombia, and Afghanistan—five Impunity Index countries with long records of deadly, anti-press violence. Despite the decline in murders, however, deep problems remain in each nation. Iraq is still the worst nation on CPJ’s Impunity Index, with more than 90 unsolved journalist murders over the past decade and no sign that authorities are working to solve any of them. While some murders occurred in the anarchy of sectarian violence during the U.S.-led war, many cases could be solved today if authorities demonstrated the will. In Kirkuk, for example, assailants shot freelance writer Soran Mama Hama in 2008 shortly after he had exposed police complicity in the local prostitution trade.

Although Colombia has had modest success in solving murders, Afghanistan, Sri Lanka, and Mexico have failed completely in the prosecution of numerous past slayings. These law enforcement failures often lead to another pernicious problem: widespread self-censorship. In Mexico, ranked seventh worst on the index, journalists across the country have told CPJ that they avoid coverage of crime and corruption in order to stay alive. “Mexican journalists, many of us mothers and fathers, do not want to be silent—but we do not want to die

either,” investigative reporter Anabel Hernández wrote in a November 2012 letter to U.N. delegates, urging them to take action in Mexico under the new anti-impunity plan. Mexican officials did take some significant steps of their own in the past year, adopting a constitutional amendment that gives federal authorities broader authority to prosecute anti-press crimes.

This year’s index points to other improvements, although they were tempered by lingering problems. Nepal has prosecuted several suspects, though not the masterminds, in the 2009 case of Uma Singh, the last Nepali journalist murdered in connection to her work. But new doubts were raised about the Maoist party’s commitment to reversing the culture of impunity when then-Prime Minister Baburam Bhattarai objected this year to the arrests of several former party cadres suspected in the 2004 murder of journalist Dakendra Thapa.



Pavlyuchenkov, a former police official, did not identify his co-conspirators in open court. (Reuters/Sergei Karpukhin)

In Russia, ranked ninth worst on the index, prosecutors won the conviction of a former police official on conspiracy charges related to the 2006 slaying of renowned investigative reporter Anna Politkovskaya. While the conviction was a landmark, colleagues and relatives were dismayed that defendant Dmitry Pavlyuchenkov did not have to identify the masterminds in open court, a development they believe diminishes the odds that all of the conspirators will be brought to justice.

“The sentencing of Pavlyuchenkov demonstrated progress in one momentous case, but let’s not forget that he never identified the masterminds. So, justice is still half-done” said Galina Sidorova, who heads the Foundation for Investigative Journalism in Russia. “The climate of impunity is still here.”

Among the other findings in CPJ’s Impunity Index:

- Ten of the 12 countries on the Impunity Index have been listed each year since CPJ began the annual analysis in 2008. Only Nigeria, which is new to the index this year, and Brazil, which had a one-year absence from the index, are exceptions. The static nature of the list highlights the challenges in reversing entrenched impunity and high rates of anti-press violence.
- In addition to Nepal, two other nations—Bangladesh and Sierra Leone—have dropped off the Impunity Index in the years since CPJ launched the annual survey in 2008. In each case, declining levels of violence led to the changes in status.
- Syria, despite the high number of recent journalist fatalities, does not appear on the index. CPJ research shows the large majority of fatalities there came in combat-related crossfire.
- Local journalists were the victims in the vast majority of unsolved cases on CPJ’s index. Only 11 of the 265 murder cases on the index involve journalists working outside their own country.
- Political reporting was the most dangerous beat. Thirty percent of the victims included on CPJ’s index covered political news. Another 20 percent reported on corruption, the second most dangerous topic.
- Government and military officials are considered the leading suspects in 26 percent of murder cases on the index.

- Responding to threats could save lives. In nearly half of the cases reviewed for the index, victims received death threats prior to their murders.
- In dozens of cases, the killers clearly intended to send an intimidating message to the entire press corps. In 48 percent of cases in the index, the victims were abducted or tortured before being killed.

CPJ's advocates are leading two campaigns to combat impunity in journalist murders. As part of its Global Campaign Against Impunity, CPJ has persuaded Russian prosecutors to reopen several cold cases; lobbied for Mexico's new constitutional amendment federalizing anti-press crimes; and played a role in the development of the U.N. anti-impunity plan and its introduction in Pakistan. In 2012, CPJ launched SpeakJusticeNow.org to mobilize the online community to fight impunity in the digital space.

CPJ's Impunity Index is compiled as part of the organization's Global Campaign Against Impunity, which is supported by the Adessium Foundation, the John S. and James L. Knight Foundation, and the Open Society Foundations.

The Index

Here are the 12 countries where at least five journalists have been murdered and governments have failed to win any convictions. The index covers the years 2003-12.

1 IRAQ

Iraq has the world's worst record on impunity. No convictions have been obtained in 93 journalist slayings in the past decade. The vast majority of the victims, 95 percent, were local journalists. They include freelance cameraman Tahrir Kadhim Jawad, who was killed on assignment outside Baghdad in 2010 when a bomb attached to his car exploded. Jawad was a "courageous cameraman" known for getting footage "where others had failed," Mohammad al-Jamili, Baghdad bureau chief for the U.S. government-funded outlet Al-Hurra, said at the time. Police opened an investigation but made no arrests.

Impunity Index Rating: 2.818 unsolved journalist murders per million inhabitants

Last year: Ranked 1st with a rating of 2.906

2 SOMALIA

In a country with a long history of media killings, 2012 was the deadliest year on record for the press. Twelve journalists were murdered in reprisal for their work in 2012 despite relative calm in the capital, Mogadishu. Given the ouster of Al-Shabaab insurgents from Mogadishu in 2011, the killings raised concern that reporters were being targeted by a widening field of politically motivated antagonists. Journalists with the aggressive Shabelle Media Network paid a high price: Four were slain in 2012 and three in the preceding years. The 2012 victims included Hassan Osman Abdi, known by the nickname "Fantastic," the network's director and the producer of news programs. Nationwide, 23 journalist murders over the past decade have gone unsolved.

Impunity Index Rating: 2.396 unsolved journalist murders per million inhabitants

Last year: Ranked 2nd with a rating of 1.183

3 PHILIPPINES

Despite President Benigno Aquino III's vow to reverse impunity in journalist murders, the Philippines ranked third worst worldwide for the fourth consecutive year. Fifty-five journalist murders have gone unsolved in the past decade. The 2011 Ortega murder reflects the politically inspired nature of the large majority of Philippine killings, along with the general breakdown in the rule of law that has allowed the killings to continue. Ortega, a radio talk show host who exposed corruption, was shot in the back of the head while shopping in a Puerto Princesa City clothing store. Police soon made arrests and traced the murder weapon to a provincial governor's aide. But the case suffered a severe blow in 2013 when an alleged conspirator who had turned state witness was killed in prison.

Impunity Index Rating: 0.580 unsolved journalist murders per million inhabitants

Last year: Ranked 3rd with a rating of 0.589

4 SRI LANKA



Virtually no investigation was done in the Lasatha Wickramatunga case. (Reuters/Dinuka Liyanawatte)

Sri Lanka's impunity rating was unchanged from 2012. But four years after the end of the nation's long civil war, President Mahinda Rajapaksa's administration has shown no interest in pursuing the perpetrators in nine journalist murders over the past decade. All of the victims had reported on politically sensitive issues in ways that were critical of the Rajapaksa government. The cases include the fatal 2009 beating of prominent newspaper editor Lasantha Wickramatunga. "If there are really independent investigations, many murders and attacks may be traced back to highest-level government politicians and military officials," said Ruki Fernando, a human rights defender with the Law and Society Trust.

Impunity Index Rating: 0.431 unsolved journalist murders per million inhabitants

Last year: Ranked 4th with a rating of 0.431

5 COLOMBIA

Colombia's rating showed little change from 2012, but the nation, once one of the world's deadliest for the press, has made steady progress over time. No journalists have been murdered for their work in Colombia since 2010. Improvements in the overall security climate have generally outpaced judicial gains, said Carlos Cortez, one of the founders of the Colombian press freedom group Foundation for a Free Press. The government provides security directly to journalists under threat. Among the eight unsolved murders over the past decade is the 2003 shooting of Jaime Rengifo Revero, a radio host who had criticized government security efforts in the north. Two former right-wing paramilitary members face charges in the killing.

Impunity Index Rating: 0.171 unsolved journalist murders per million inhabitants

Last year: Ranked 5th with a rating of 0.173

6 AFGHANISTAN

No journalists have been murdered in Afghanistan since 2008, but authorities have shown no progress in pursuing suspects in the five unsolved cases over the past decade. The most recent victim was Abdul Samad Rohani, Helmand correspondent for the BBC's Pashto service and a contributor to the Pajhwok Afghan News agency. Rohani, abducted and shot in 2008, had recently reported on drug trafficking and its links to government officials. The planned 2014 withdrawal of NATO troops has raised new concerns about the overall security climate and, with it, the news media's safety.

Impunity Index Rating: 0.142 unsolved journalist murders per million inhabitants

Last year: Ranked 7th with a rating of 0.145

7 MEXICO

President Enrique Peña Nieto has inherited a 90 percent impunity rate in journalist murders. Fifteen slayings have gone unsolved over the past decade, with most of the killings attributed to criminals affiliated with the country's powerful cartels or to corrupt police and government officials. Journalist murders have declined slightly over the past three years, but CPJ research has concluded that the drop is due in part to the self-censorship that has taken hold in virtually every corner of the nation outside the capital. In May 2012, a Nuevo Laredo newspaper officially announced that it would no longer cover anything related to criminal groups. Congress and the states federalized crimes against free expression last year in a series of promising moves designed to move cases out of corrupt local jurisdictions. Still, Congress has been slow to pass enabling legislation this year.

Impunity Index Rating: 0.131 unsolved journalist murders per million inhabitants

Last year: Ranked 8th with a rating of 0.132

8 PAKISTAN

Pakistan's failure to prosecute a single suspect in the 23 journalist murders over the past decade has pushed it up two spots on the index. A new onslaught of violence came in 2012, with five murders. One of the few cases to progress from investigation to trial was derailed last year when an eyewitness to the 2011 murder of Geo TV reporter Babar was gunned down two days before he was due to testify. Pakistani news media are vibrant and unified in speaking out against impunity; in March, representatives of dozens of outlets and groups began crafting a plan to improve journalist safety as part of the U.N. effort. But any optimism is tempered by a stark reality: CPJ research shows that journalists face an astonishing array of threats, not only from militants and warlords but from military, security, and government officials.

Impunity Index Rating: 0.130 unsolved journalist murders per million inhabitants

Last year: Ranked 10th with a rating of 0.109

9 RUSSIA



TV anchor Gekkiyev was the most recent victim in the North Caucasus. (AFP/Vesti KBR)

With 14 unsolved murder cases since 2003, Russia is the ninth worst country on the index. Journalists in the North Caucasus have been the most vulnerable in recent years; the most recent victim is Kazbek Gekkiyev, a state television anchor working in the region, who was shot three times in December 2012 on his way home from work. Russia's historically poor record in prosecuting journalist killers prompted human rights lawyers and the mother of a journalist missing and presumed dead to submit a case to the European Court of Human Rights arguing that Russia fosters a state pattern of impunity in murders of journalists.

Impunity Index Rating: 0.099 unsolved journalist murders per million inhabitants

Last year: Ranked 9th with a rating of 0.113

10 BRAZIL

With nine unsolved cases, Brazil's impunity rating has soared in recent years. Despite its expressed commitments to justice, Brazil has recorded no new convictions since 2010. Four journalists were murdered in 2012, the highest annual toll the regional powerhouse has seen in a decade. Three of the four 2012 victims worked for online publications. They included website editor Mario Randolph Marques Lopes, who had aggressively covered government corruption and police misconduct. Provincial reporters, working out of the national media limelight and in areas where law enforcement is weak or corrupt, have been especially vulnerable in Brazil.

Impunity Index Rating: 0.046 unsolved journalist murders per million inhabitants

Last year: Ranked 11th with a rating of 0.026

11 NIGERIA

A steady rise in anti-press violence in recent years has pushed Nigeria onto the index for the first time. With five unsolved murders, it has the second worst impunity rating in Africa, behind only Somalia. Those covering the activities of the extremist Muslim group Boko Haram are particularly vulnerable. In 2012, assailants shot and killed Enenche Akogwu of independent Channels TV as he reported on the aftermath of terrorist attacks in the northern city of Kano.

Impunity Index Rating: 0.031 unsolved journalist murders per million inhabitants

Last year: Nigeria was not on the 2012 index

12 INDIA

Despite its growing international profile, India has lagged in ensuring free expression and the rule of law. No convictions have been won in the cases of six journalists murdered for reporting on local corruption, crime, or politics. Time and again, CPJ research shows, the arrests made after an attack have failed to lead to prosecutions. This is the case for Rajesh Mishra, who died after assailants hit him with iron rods in March 2012. Mishra worked for a Hindi-language weekly and had written about financial irregularities at schools in Rewa. Six suspects were arrested last year but none have been convicted.

Impunity Index Rating: 0.005 unsolved journalist murders per million inhabitants

Last year: Ranked 12th with a rating of 0.005

Methodology

CPJ's Impunity Index calculates the number of unsolved journalist murders as a percentage of each country's population. For this index, CPJ examined journalist murders that occurred between January 1, 2003, through December 31, 2012, and that remain unsolved. Only those nations with five or more unsolved cases are included on this index.

CPJ defines murder as a deliberate attack against a specific journalist in relation to the victim's work. Murders make up more than 70 percent of work-related deaths among journalists, according to CPJ research. This index does not include cases of journalists killed in combat or while carrying out dangerous assignments such as coverage of street protests.

Cases are considered unsolved when no convictions have been obtained. Population data from the World Bank's 2011 World Development Indicators were used in calculating each country's rating.

Statistical Table

Rank	Nation	Unsolved Cases	Population		Calculation Rating
			(in millions)		
1	Iraq	93	33	93/33	2.818
2	Somalia	23	9.6	23/9.6	2.396
3	Philippines	55	94.9	55/94.9	0.580
4	Sri Lanka	9	20.9	9/20.9	0.431
5	Colombia	8	46.9	8/46.9	0.171
6	Afghanistan	5	35.3	5/35.3	0.142
7	Mexico	15	114.8	15/114.8	0.131
8	Pakistan	23	176.7	23/176.7	0.130
9	Russia	14	141.9	14/141.9	0.099
10	Brazil	9	196.7	9/196.7	0.046
11	Nigeria	5	162.5	5/162.5	0.031
12	India	6	1,241.0	6/1,241	0.005

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