

Submission for consideration by the Human Rights Committee

Information on the situation of the Mexican State regarding the enforced disappearances of journalists

INTRODUCTION

1. This submission is jointly presented by Reporters Without Borders (RSF) and Centro de Investigación y Capacitación Propuesta Cívica (Propuesta Cívica). Reporters Without Borders (RSF) is an international non-profit organisation dedicated to promoting and defending the right to access free and reliable information. Propuesta Cívica is a Mexican non-governmental, non-profit organization dedicated to the defence and promotion of human rights and freedom of expression, through legal support of journalists and human rights defenders at risk.
2. The two organizations wish to raise serious concerns regarding enforced disappearances, killings, and other grave human rights violations committed against journalists in Mexico.
- A. Context of serious violations of press freedom in Mexico, with particular emphasis on enforced disappearance**
3. Mexico is one of the most dangerous countries in the world to be a journalist. The use of killings and enforced disappearances against journalists has severely curtailed freedom of expression and the press, resulting in entrenched zones of silence and widespread self-censorship among those who continue their work. According to data from Reporters Without Borders, as of today there are at least 28 documented cases of disappeared journalists and 161 cases of journalists killed between 2006 and 2025.¹
4. In 2018, the Mexican State established the National Search Commission (Comisión Nacional de Búsqueda, CNB), mandated to coordinate and implement actions for the search, location, and identification of disappeared persons, strengthen cooperation among federal, state, and municipal authorities, and provide support to families. The CNB is also responsible for the National Registry of Disappeared or Unlocated Persons² (RNPDO), which contains data on disappeared, unlocated, and located persons dating back to December 31, 1952.

¹ See the Press freedom Index available at:

https://rsf.org/es/barometro?type%5Btue%5D=tue&exaction_victimes_pays%5B113%5D=113&annee_start=2006&annee_end=2025#exaction-victimes and https://rsf.org/es/barometro?type%5Bdisparition%5D=disparition&exaction_victimes_pays%5B113%5D=113&annee_start=2006&annee_end=2025#exaction-victimes

² La Ley General En Materia De Desaparición Forzada De Personas, Desaparición Cometida Por Particulares Y Del Sistema Nacional De Búsqueda De Personas prevé en su artículo 4 fracciones XVI y XVII, una clasificación entre personas desaparecidas y no localizadas cuya centralidad versa en que las personas desaparecidas se encuentran vinculadas al inicio de una investigación penal, mientras que las personas no localizadas se estiman que no se encuentran vinculadas a la comisión de un delito.

5. Despite the creation of these institutions, their results do not correspond to the scale, complexity, or structural nature of the disappearance crisis in Mexico. In particular, cases of disappeared journalists are largely absent from generalized search policies, and families receive little or no information regarding search efforts. In practice, these cases are not prioritized and remain invisible within the Mexican State's search and justice policies.
6. With regard to the killing of journalists, the Mexican State has formally established two principal institutional mechanisms: the Special Prosecutor's Office for Crimes against Freedom of Expression (FEADLE), within the Office of the Attorney General of the Republic, and the Standardized Protocol for the Investigation of Crimes against Freedom of Expression.
7. The mere existence of these mechanisms has not translated into demonstrable effectiveness. To date, the State has failed to provide clear, disaggregated, and publicly accessible information showing that these measures have resulted in effective investigations, the identification and prosecution of those responsible, including intellectual authors, or the sanctioning of serious violations of freedom of expression.

B. Structural deficiencies in long-standing cases of attacks against journalists

8. Mexican constitutional and statutory law establishes the obligation to conduct prompt, impartial, and diligent investigations in cases involving serious human rights violations.³
9. There is no specific legal framework or institutional strategy designed to adequately address long-standing cases that, due to omissions and failures at the initial stages, were deprived of a genuine opportunity to advance through effective investigative and judicial processes at the domestic level.
10. This is illustrated by cases such as the enforced disappearances of José Antonio García Apac (20 November 2006),⁴ María Esther Aguilar Cansimbe (11 November 2009),⁵ Ramón Ángeles Zalpa (6 April 2010)⁶ y Mauricio Estrada Zamora (12 February 2008)⁷. Although these cases formally remain under the jurisdiction of FEADLE, crucial evidence and forensic examinations that would have been decisive were never carried out by the authorities who first had knowledge of the facts.

³ De acuerdo al párrafo tercero del artículo 1 de la Constitución Política de los Estados Unidos Mexicanos: Todas las autoridades, en el ámbito de sus competencias, tienen la obligación de promover, respetar, proteger y garantizar los derechos humanos de conformidad con los principios de universalidad, interdependencia, indivisibilidad y progresividad. En consecuencia, el Estado deberá prevenir, investigar, sancionar y reparar las violaciones a los derechos humanos, en los términos que establezca la ley.

⁴ Propuesta Cívica, *José Antonio García Apac*, casos, disponible en:

https://www.propuestacivica.org.mx/index.php?option=com_content&view=article&id=188&catid=15&Itemid=101

⁵ Propuesta Cívica, *María Esther Aguilar Cansimbe*, casos. Disponible en:

https://www.propuestacivica.org.mx/index.php?option=com_content&view=article&id=192&catid=15&Itemid=101

⁶ Flores Martínez, Balbina, *Libertad de expresión y el pesado silencio sobre las personas desaparecidas*, en Dfensor, número 9, año XIII, septiembre de 2015, p. 35. Disponible en:

https://piensadh.cdahcm.org.mx/images/2015_dfensor09_personasdesaparecidas.pdf

⁷ Alianza de medios, Mauricio Estrada Zamora, expedientes. Disponible en:

<https://alianzademediosmx.org/impunidad-en-mexico/mauricio-estrada-zamora/654>

11. In cases involving the killing of journalists, investigations frequently reach a point of serious stagnation. While initial media coverage may prompt investigative action, authorities consistently fail to identify, investigate, and locate the intellectual authors in order to bring them before judicial authorities. This failure is often attributable to institutional austerity, negligence, or the absence of political will.
12. The identification and prosecution of the intellectual authors is essential for the full clarification of the facts and for guaranteeing victims' and families' right to truth and justice. Many journalist killings committed during the 2010s are now at risk of becoming long-standing cases of partial impunity, given the absence of convictions against intellectual authors by competent courts.⁸
13. The patterns of impunity identified are not limited to these cases. Systematic negligence by local justice authorities has long-term and irreversible effects on the clarification of facts, directly undermining Mexico's compliance with articles 2, 6, and 14 of the International Covenant on Civil and Political Rights.
14. Mexico lacks an effective policy aimed at preventing attacks against journalists. The State's primary response has been the creation of the Protection Mechanism for Human Rights Defenders and Journalists in 2012.⁹
15. This reactive mechanism has not been accompanied by strengthened obligations to prevent, investigate, and sanction crimes against journalists. In this regard, we consider that the Committee should expressly address these failures in light of the obligations arising from articles 2 and 9 of the Covenant.

C. Ineffectiveness of *Amparo* proceedings in long-standing enforced disappearance cases

16. Amparo proceedings constitute the principal judicial mechanism through which individuals may seek judicial review of state action in relation to human rights obligations. Following the 2011 constitutional reform, Amparo proceedings were adapted to allow claims in cases of alleged enforced disappearance.¹⁰
17. Amparo proceedings have proven ineffective, or entirely ineffective, in cases of long-standing disappearances, as evidenced by the experience of Propuesta Cívica.

⁸ La Jornada, Miroslava: 8 años sin justicia, 23 de marzo de 2025. Véase: <https://www.jornada.com.mx/noticia/2025/03/23/politica/miroslava-8-anos-sin-justicia>; La Jornada, Después de ocho años, El Mini Lic sigue impune por el crimen de Javier Valdez, del 15 de mayo de 2025. Véase: <https://www.jornada.com.mx/2025/05/15/politica/007n1pol>

⁹ El Mecanismo de Protección para personas defensoras de derechos humanos y periodistas es creado a partir de la entrada en vigor de la Ley para la protección de personas defensoras de derechos humanos y periodistas, el 25 de junio de 2012. Para mayor información del Mecanismo, véase: <https://hchr.org.mx/diagnostico-sobre-el-funcionamiento-del-mecanismo-de-proteccion-para-personas-defensoras-de-derechos-humanos-y-periodistas/>

¹⁰ Artículo 15. Cuando se trate de actos que importen peligro de privación de la vida, ataques a la libertad personal fuera de procedimiento, incomunicación, deportación o expulsión, proscripción o destierro, extradición, desaparición forzada de personas o alguno de los prohibidos por el artículo 22 de la Constitución Política de los Estados Unidos Mexicanos, así como la incorporación forzosa al Ejército, Armada o Fuerza Aérea nacionales, y la persona agraviada se encuentre imposibilitada para promover el amparo, podrá hacerlo cualquiera otra persona en su nombre, aunque sea menor de edad.

18. In the cases of Ramón Ángeles Zalpa and Mauricio Estrada Zamora, judges hearing so-called “search Amparos” filed by Propuesta Cívica ordered generic and formalistic search measures that were both ineffective and unnecessary. Ultimately, the proceedings were closed on the grounds of the alleged material impossibility of locating the journalists.
19. In contrast, in the cases of José Antonio García Apac and María Esther Aguilar Cansimbe, judicial decisions issued on January 30, 2023, and February 3, 2024, respectively, formally recognized omissions and failures by prosecutorial and judicial authorities in the search for both journalists.
20. These judgments have not translated into effective judicial oversight of search activities carried out by prosecutorial or search authorities. While Mexico has made formal advances in recognizing judicial avenues to guarantee the search for disappeared persons, these mechanisms remain of limited or null effectiveness in cases of long-standing disappearance.

D. Judicial harassment and strategic lawsuits against public participation (SLAPP)

21. Mexico prohibits judicial inquiries into ideas and information under Article 6 of the Constitution.¹¹ Additionally, the Supreme Court of Justice has issued multiple judgments and legal standards intended to guide authorities in resolving civil claims brought against journalists and media outlets by public figures.¹² Despite these safeguards, judicial harassment against journalists persists.
22. In 2025 alone, the number of strategic lawsuits against public participation (SLAPPs) in Mexico increased exponentially compared to 2024.
23. At the legislative level, there has been a sustained trend toward the introduction of new criminal offenses at both state and federal levels that, directly or indirectly, generate chilling effects on the exercise of freedom of expression.¹³ These legislative initiatives have been widely criticized by experts, civil society organizations, and international bodies.
24. According to analysis conducted by Propuesta Cívica, there are no effective judicial guarantees to ensure that civil lawsuits for alleged moral damages filed by public figures are dismissed at an early stage as frivolous or manifestly unfounded. Nor is there a harmonized regulatory

¹¹ Artículo 6o. La manifestación de las ideas no será objeto de ninguna inquisición judicial o administrativa, sino en el caso de que ataque a la moral, la vida privada o los derechos de terceros, provoque algún delito, o perturbe el orden público; el derecho de réplica será ejercido en los términos dispuestos por la ley. El derecho a la información será garantizado por el Estado.

¹² SCJ. Cuaderno sobre libertad de expresión y periodismo (actualizado a julio de 2022), puede consultarse en: <https://www.sitios.scjn.gob.mx/cec/sites/default/files/publication/documents/2023-01/CJ%20DH%201%20Libertad%20de%20expresion%20FINAL%20DIGITAL.pdf>

¹³ Propuesta Cívica, Organizaciones, periodistas y colectivos interponen amparos contra el delito de “ciberasedio” en Puebla, puede consultarse en: https://propuestacivica.org.mx/index.php?option=com_content&view=article&id=235&catid=13&Itemid=196; Posta, Posible “Ley Censura” en Tamaulipas sería analizada si llega al Congreso, afirma Humberto Prieto, véase: <https://www.posta.com.mx/tamaulipas/posible-ley-censura-en-tamaulipas-seria-analizada-si-llega-al-congreso-afirma-humberto-prieto/v12057233>; Propuesta Cívica. Presenta Propuesta Cívica amparos contra artículos de la Ley del Sistema Nacional de Investigación e Inteligencia en Materia de Seguridad Pública que contravienen los derechos a la libertad de expresión y de acceso a la información, véase: https://www.propuestacivica.org.mx/index.php?option=com_content&view=article&id=237&catid=13&Itemid=174; Latinus, Nueva ley contra la extorsión amenaza la libertad de expresión, advierte ONG, véase: <https://latinus.us/mexico/2025/12/18/nueva-ley-contra-la-extorsion-amenaza-la-libertad-de-expresion-advierte-ong-159725.html>

framework across federal entities to ensure differentiated treatment between claims brought by private individuals and those filed by public figures against journalists and media outlets.

25. The phenomenon of SLAPPs in Mexico warrants explicit consideration by the Human Rights Committee, given its direct impact on the State's international obligations under articles 2, 14, and 19 of the International Covenant on Civil and Political Rights.

ISSUES / QUESTIONS

The submitting organizations respectfully propose that the Committee address the following matters when preparing the list of issues for Mexico:

Enforced disappearances of journalists and the duty to search

What concrete measures has the State adopted to ensure that cases of enforced disappearance of journalists are prioritized within national and state-level search policies, including through differentiated and specialized search strategies that take into account the link between the victims' professional activities and their disappearance?

How does the State ensure the effective participation of families of disappeared journalists in search efforts, including access to timely, complete, and transparent information on the actions undertaken by search and prosecutorial authorities?

Investigation, accountability, and impunity

What steps has the State taken to ensure prompt, effective, and impartial investigations into the killing and enforced disappearance of journalists, including the identification, investigation, and prosecution of both material and intellectual authors?

How does the State evaluate the effectiveness of the Special Prosecutor's Office for Crimes against Freedom of Expression (FEADLE), and what publicly available data exist to demonstrate concrete results in terms of prosecutions, convictions, and sanctions in cases involving serious violations against journalists?

Access to justice and effective remedies

What measures has the State adopted to guarantee access to an effective remedy for families of disappeared journalists, including effective judicial oversight of search and investigative efforts, particularly in long-standing cases marked by initial investigative omissions?

Prevention and protection of journalists

What steps is the State taking to adopt a comprehensive policy to prevent serious attacks against journalists, including enforced disappearance and killing, beyond reactive protection

mechanisms, in accordance with its obligations under articles 2, 6, 9, and 19 of the Covenant?

How does the federal government ensure effective coordination, guidance, and oversight of state and local authorities to guarantee that they respect and value journalistic activity, and what concrete measures have been adopted to prevent enforced disappearances of journalists, which by definition involve the participation, acquiescence, or tolerance of State agents?