

## CHAPULTEPEC INDEX CONCLUSIONS

The fourth edition (2022 – 2023) of the Chapultepec Index of Freedom of Expression and Press calls for alert regarding the perception in 22 countries of the Americas regarding communication policies, laws and judicial behavior that, as a whole, affect communication rights and guarantees for the press, fundamental pillars of any democratic system.

During the period August 2, 2022 and August 1, 2023, the study recorded situations that affect freedom of the press, which were grouped into 4 realms, named: Informed citizens free to express themselves, Practice of journalism, Violence and impunity, and Media control. Additionally, the Index presents the analysis of the influence exerted by institutional environments – Executive, Legislative and Judicial, in situations unfavorable to freedom of expression and the press.

It is worth highlighting that in this edition the realm Violence and impunity obtained the lowest measurement considering all the time that this barometer has been applied. This indicates a considerable increase in violations of the right to life and safety of journalists in the region.

22 correspondents interpreted the perception of hundreds of experts, describing the situation in each of their countries, taking into account that in many cases electoral processes, social, economic and political conflicts influenced the results obtained.

On this occasion, the global measurement also turned out to be the lowest obtained since the first edition of the Index, with a global average of 47.84 points (out of a theoretical maximum of 100) - 5.85 points less than the last edition. This drop in results shows a serious worsening in the hemispheric situation regarding Freedom of Expression and the Press.

Although some countries improved their positions, the numerical results were lower in the last edition. Only one country turned out to identify with freedom of expression: the Dominican Republic. 7 registered a low restriction: Chile, Jamaica, Canada, Uruguay, Panama, Costa Rica and the United States. Another 7 were located in the band that identifies the countries in restriction: Colombia, Paraguay, Argentina, Peru, Brazil, Ecuador and Mexico.

Honduras, El Salvador, Bolivia and Guatemala obtained results that identify them with a **high restriction** in terms of Freedom of Expression and the Press, and 3 countries continued **without freedom of expression**. Of the 22 countries observed, 9 were located below the global average. There is a difference of 72.58 points between the highest-rated country (Dominican Republic – 81.08) and the lowest in the ranking (Nicaragua 8.50).

## Realms of study and influence of public branches

Below are the main conclusions per realm.

In the analysis of the first realm: Informed citizens free to express themselves, the global average obtained was 9.35 out of a maximum of 23 points (in the last edition this average was 11.79, so there has been a decrease of 2.44 points). According to the general results of this realm, no country was awarded **Freedom of Expression**. The Dominican Republic, Chile, Jamaica, Uruguay and the United States had **low restrictions** regarding Freedom of Expression and the Press during the period surveyed. The largest group made up of 9 countries: Canada, Costa Rica, Argentina, Paraguay, Colombia, Panama, Peru, Mexico and Ecuador were **under restriction**. They are followed by Brazil, Guatemala, Bolivia and Honduras in the band with **high restriction**. In this edition, El Salvador, Nicaragua, Venezuela and Cuba are in the last group, **without Freedom of Expression**. It must be taken into account that this realm analyzes both *the flow of information* and *free expression*. Cuba obtained 0 points in this realm.

The second realm under study, **Practice of Journalism**, presented a total average of 5.67 points out of 10. Although there were 0.48 points less than the previous edition, 4 countries managed to be ranked with **Freedom of Expression**: Jamaica, Dominican Republic, Uruguay and Chile. The majority was concentrated in the **low restriction** range: Canada, Brazil, Colombia, Panama, the United States, Mexico, Paraguay and Argentina. In these 12 countries, the experts believed that there are no major obstacles on the part of the State authorities to practice the profession. They are followed by the following countries **in restriction**: Ecuador, Costa Rica, Peru, El Salvador, Bolivia, Honduras and Guatemala, of which 6 (of 7) are below the global average. Nicaragua presents a **high restriction** regarding this realm and Venezuela and Cuba repeat the position **without Freedom of Expression**. In this realm, it stands out that 2 of the 4 countries that lead the ranking also did so in the previous edition (Jamaica and the Dominican Republic). And as for Venezuela and Cuba, the first obtained 2 points and the other 0.57, decreasing compared to the previous edition (1.14).

The general decrease in global results is also evident in the third realm under study, identified as Violence and Impunity, with a global average of 16.15 points over a theoretical maximum of 42 (1.84 points less than the 2021 - 2022 edition and 4.29 less than the second edition in 2020 – 2021). In this category there were also no nations **with Freedom of Expression** and only 5 of the 22 countries reflected **low restriction**. Uruguay, Costa Rica and the United States were **in restriction** with results of 25.01; 21.80 and 18.65 respectively. Leaving the majority of nations (14 of 22) in the ranges of **high restriction** and **without Freedom of Expression**, results that are directly related to the increase in violent events and attacks on journalists. In fact, cases were recorded in almost all countries, even those located in the range that indicates **restriction**, such as homicides that occurred in the United States or the case of a Cuban journalist who was coerced to sign a document that meant exile. Brazil, Argentina, Paraguay, Honduras, Colombia, El Salvador, Peru, Cuba, Venezuela and Ecuador were in **high restriction**, while Mexico (6.54), Guatemala (5.67) and Nicaragua (1.50) are **without Freedom of Expression**, repeating the positions they obtained in the last edition when Mexico obtained 7.71; Guatemala 7.12 and Nicaragua 1.36. In Venezuela, there was the imprisonment and violation of human rights of a journalist; there was another homicide in Paraguay and a lot of generalized violence against journalists in Peru and El Salvador, among others. This realm analyzes the aspects of protection, persecution, impunity and violent acts recorded during the period.

The last realm surveyed is **Media Control**, which integrates direct control and indirect control. The global average stood at 16.68 points out of 25 (1.07 less than the previous edition). 10 nations appear **with Freedom of Expression**, 5 with **low restrictions**. Bolivia, Guatemala, Honduras and El Salvador, all below average, with **high restrictions**; and Cuba (3.00), Nicaragua (1.50) and Venezuela (0.67) in the line **without Freedom of Expression**, maintaining the same positions as the previous period.

The two realms that most influenced the decline in results were realm A: Informed citizens free to express themselves, and realm C: Violence and impunity, hence the generally poor performance of the region. And although 8 nations improved their position compared to the last edition, it does not imply that the scores obtained were better. Chile stands out with an increase of 4 positions, followed by the Dominican Republic and Panama with 3 positions higher than the previous study, Brazil and Mexico with 2 positions, and Colombia, Argentina and El Salvador with one position.

Nine countries fell in terms of position and 5 repeated their position. This edition also highlights the increase in nations that are in the **high restriction** category, 3 more than in the last edition. Cuba (14.30), Venezuela (12.74) and Nicaragua (8.5) remain at the bottom of the ranking, although with slight improvements in the scores of Cuba and Venezuela compared to the previous period, 15.68 and 10.58 respectively.

This barometer has also made it possible to observe the behavior of the different public branches regarding freedom of expression and the press. The Executive Branch appears as the environment that most influences situations unfavorable to freedom of expression in 17 of the 22 countries analyzed. Indeed, this influence is observed in countries where the highest representative of this branch exercises a direct influence on other environments, such is the case of Venezuela, Nicaragua and El Salvador, for example.

For its part, the Legislative Branch has the greatest influence in situations unfavorable to freedom of expression in 13 countries, Cuba, Jamaica, Panama, and the Dominican Republic and the second most influential in Argentina, Brazil, Chile, Colombia, Costa Rica, Ecuador, El Salvador, United States, Honduras, Mexico, Paraguay, Peru and Uruguay. This allows us to infer that in the region there is legislation that regulates in some way the exercise of freedom of expression.

The Judicial environment is the second most representative influence in 7 countries: Bolivia, Brazil, Canada, Cuba, Guatemala, Nicaragua and Venezuela, being the executing arm of the directives of the Executive Branch.

The Dominican Republic, the best evaluated country in this edition, has the Judiciary as the one with the least influence in situations adverse to freedom of expression and the press. Venezuela, on the other hand, shows the highest result (very strong influence) compared to all other countries, with the Executive Branch being the one with the greatest influence with 8.83 points out of 10.

## Best positioned countries

In this edition, the **Dominican Republic** is the only country that is in the range **with freedom of expression** with 81.08 points. Going up 3 positions compared to the previous period when it obtained 78.3 points. The presence of new digital platforms that meet the population's demand to stay informed has influenced the increase in independent media. Indeed, citizens have been protagonists on social networks, exercising their right to freedom of expression. There was also progress in the legal framework, reaching agreements regarding cybersecurity and defamation. However, the country is still waiting for the bill that will update Law 6132, on freedom of expression and dissemination of thought, in force since 1962.

In second place is **Chile**, with 78.85 points (5.20 points above its results in the last edition), leading the **low restriction band**, being the country that achieved the most evident improvement among the 22 nations moving up 4 positions. This is because the government has promoted initiatives in relation to freedom of expression, there is concern about the scope and consequences that these will have. The intense political debate continues, although less heated than during the previous analysis, as well as attacks on journalistic equipment by protesters. It is worrisome the drafting of a new Constitution and the commemoration of the 50th anniversary of the coup d'état, events that have generated a lot of information, both through traditional media and social networks, but, despite this, the spread of fake news has decreased. The country's result stands out in terms of the analysis of *Media Control*, where it came in first place with 24.14 points out of a maximum of 25.

**Jamaica** occupies third place in the barometer, with 76.78 points, dropping one place compared to the previous period when it obtained 80.40 points. It leads the chart of realm B Practice of journalism, which confirms that on the island the media have the freedom to work without interference from the government. The information relationship with the State has been fluid based on permanent press conferences. And although the situation in general has not changed much from that reflected in the previous measurement, threats to journalists by third parties have been recorded.

The next country in the Index is **Canada**, which obtained 75.30 points (5.12 points less than the last edition). This nation fell 3 positions because during the period surveyed, threats and attacks on journalists were evident, in addition to the growing political and ideological polarization in the country. The regional and community press has weakened, and in some cases disappeared, affecting populations that live in remote places or have particular needs. Likewise, access to information products from Canadian media has been restricted to large digital corporations such as Meta and Google. Regarding the intervention of public powers in situations unfavorable to freedom of expression, only a moderate influence of the executive environment on realm B, *Practice of journalism*, stands out.

**Uruguay** is the fifth country in the ranking, with 69.81 points, 2 positions below the previous measurement (78.90 points), representing a decline of 9.09 points. The exercise of the right to freedom of expression and the press continues to be guaranteed by law and in fact, there is a favorable climate, although with certain restrictions related to the slight influence of the Executive environment, evidenced in stigmatizing speeches towards journalists and media by public officials, in addition to mild threats to journalists; In fact, Uruguay is in the restricted range, in realm C: *Violence and impunity*. Likewise, there are limitations on the part of public organizations in terms of access to information, affecting citizens and hindering investigative journalism.

In sixth place in the Chapultepec index is **Panama** with 65.24 points, which improved 3 positions in relation to the previous period surveyed, when it obtained 65.15, just 9 hundredths less. In this nation there are broad freedoms regarding freedom of expression and the press,

however, it is ranked 11th in the chart of realm A: Informed citizens free to express themselves; In fact, there has been concerns arising from restrictions on access to public information and the behavior of some public officials in this regard. Various sectors of civil society have gathered in defense of the attempts to modify the Transparency Law. The information ecosystem, made up of the network of print and radio media, both private and state, continues to be strengthened. However, the classification of insult and slander as crimes against honor continues to give rise to judicial harassment.

**Costa Rica**, with 61.60 points, occupies seventh position, 2 less than the last edition (73.83 points). This decrease is due to the increase in attacks against journalists recorded during the study period, which determined the score of 21.80 in realm C: *Violence and impunity*. Indeed, attacks against journalists and media outlets increased after the 2022 general elections; Situations of persecution and impunity impacted the exercise of press freedom. Confrontations were also recorded between the Executive Branch and the media, and messages of hate and discrimination towards journalists have been seen on social networks. Despite this, freedom of expression is protected by the strength and independence of the Judiciary.

Completing the group of 7 countries with **low restriction** is the **United States**, which occupies 8th place in the Index, with 60.79 points, 6.47 points and one position less than in the 3rd measurement. Regarding realm A, thanks to the broad and solid guarantee on the exercise of freedom of expression and press emanating from the constitution and other judicial precedents, it can be stated that citizens have access to information and are free to express their opinion, so there is a positive flow of information. However, the increase in digital media has contributed to disinformation practices continuing to threaten freedom of expression. It should also be noted that during the period surveyed there were incidents of violence and even two journalists died. The United States received 18.65 points out of a possible 42 in the realm on *Violence and Impunity*, placing it in the category of **in restriction**. Regarding the *Practice of Journalism*, there was a moderate influence from the Legislative and Executive powers.

### **More obvious restrictions**

**Colombia** leads the list of 7 countries that are in the range of **restricted nations**. In this edition the results were 52.30 points. Which represents 4.46 points above the global average this year, but 7.04 points less than those obtained in the last measurement, despite this, the nation rose one position during this period, ranking 9th. The Executive Branch has become hostile at all levels, further polarizing society and affecting freedom of expression. This attitude has been repeated by other public officials, inciting hatred and violence against the media and journalists. In fact, Colombia went from having 17.52 out of 42 points (in the 3rd edition) to having 14.30 in the realm of *Violence and Impunity*, a clear deterioration in terms of the elements included in this category. The statistics referring to physical attacks and attacks through social networks against journalists are increasing more and more, thereby creating a climate of uncertainty and self-censorship.

The next State in this group is **Paraguay**, with 51.63 points, 2 positions below what was achieved in the last measurement and 14.62 points less. The deterioration in the situation of freedom of expression and the press in this country is evident, especially during the electoral period that generated subsequent protests. There were serious limitations on access to public information and 2 homicides against journalists, in addition to other serious cases of violence against the union, such as a kidnapping, attacks and threats against both journalists and the media, and even cases of forced displacement. The different environments have unfavorably



influenced the deterioration of freedom of expression in the country, with the Judiciary being the one that exerted the greatest unfavorable pressure on the *Practice of journalism*, creating an environment of impunity in relation to crimes and attacks against journalists.

**Argentina** occupies 11th place in the 2022 - 2023 measurement, with 51.34 points, one place above the last edition, but with a lower score (55.14 in 2021 - 2022). Although it has not changed much in most of the indicators, the results in the realm related to *Violence and impunity* are worrisome, for which it was in the high restriction range with 15.64 points out of a theoretical maximum of 42 and in the realm Informed citizens free to express themselves, since it is placed in **restricted** countries. Although in Argentina journalism has constitutional and legal guarantees against attacks from power, a complex economic and social situation has intensified in the southern nation, putting a focus on threats and attacks against journalists, without undermining the emergence of artificial intelligence in the practice of journalism, generating a diffuse news environment (with propaganda, in the middle of a very critical electoral period); It is precisely the Executive Branch that exercises a strong influence (5.40 out of 10) in terms of this realm, derived from a stigmatizing message towards journalism, attributing responsibilities to it for many problems in society.

In the case of **Peru**, which fell one place with 50.63 points, 4.51 less than in the last edition, there is a decline in the exercise of freedom of expression and of the press, placing it among the countries **under restriction**. The serious social situation, derived from the protests within the framework of Dina Boluarte's assumption to power, increased the influence of the Executive Branch over situations unfavorable to freedom of expression, to the point of generating uncertainty as to whether the human rights of citizens and Journalists would be respected in a social protest. Freedom of expression is seriously violated in the nation, with the realm of *Informed Citizens free to express themselves* being the most affected compared to last year's results. But it was the realm on *Violence and impunity* against freedom of expression and the press where Peru obtained the worst results, 11.58 points out of 42 (3.12 points less than in the previous edition). The threat of enactment of a "Gag law" puts the focus on the influence of the Legislative Branch as a driving agent of situations unfavorable to freedom of expression.

In 13th position is **Brazil**, one of the few countries that has climbed positions since the beginning of the Chapultepec Index, though without substantial improvements. With a total of 48.41 points, the American giant rose two places compared to the last edition and added 4.15 points to its previous results. This period surveyed was affected by the electoral process at the end of 2022, in which Luiz Inácio Lula da Silva was elected. This victory represented a weakening of fundamental democratic principles, including freedom of expression and manifesting itself especially in threats and violence against media and journalists. Regarding realms A and C, namely, *Informed citizens free to express themselves* and *Violence and Impunity*, Brazil was among the countries with **high restriction**. However, regarding the negative impact of public branches (Legislative, Judicial and Executive), all had a slight influence on situations unfavorable to freedom of expression.

**Ecuador** is the penultimate country in the group of nations **in restriction**, repeating in 14th place in the Chapultepec Index of Freedom of Expression and the Press. Despite this stability, there is a difference of 5.7 points less between the last edition (49.55) and the present one, with 43.85 points. This decrease is observed in almost all the realms studied, but alarms are raised regarding the results of the realm *Violence and Impunity*, recording 2 murders of journalists during the period surveyed, one disappearance and 4 journalists who emigrated as a result of threats, added to more than 150 attacks on media workers in a very hostile environment for the media. Despite this situation, the Communication Law was approved and regulated in the country, a

favorable action for the media. Regarding the interference of institutional environments, it was the Executive Branch that had a strong influence in situations unfavorable to freedom of expression, specifically in relation to the *Practice of journalism*.

In 15th position is **Mexico** with 41.82 points, two places above its previous position, thus, like other countries, below in terms of the numerical result obtained in 2021 - 2022 of 42.14 points out of 100. Though in general this nation is still in the range identified as **in restriction**, the results obtained in the *Violence and Impunity* realm place it in the category **without Freedom of expression** with 6.54 points out of 42, only above Guatemala and Nicaragua, this is due to the alarming increase in murders of more than 12 journalists in one year, hundreds of cases of verbal and physical attacks and permanent harassment from the Executive Branch, this being the environment that reflects a very strong influence on 2 of the 4 realms, in unfavorable situations related to the *Practice of journalism* (8.43) and *Violence and impunity* (7.52). The State uses its media power to pressure the press, once again showing that Mexico has not made progress in terms of allowing the free exercise of journalism, even though the country still has independent media and journalists who continue fighting to inform society.

### **The pressure increases**

Honduras, El Salvador, Bolivia and Guatemala make up the group that, due to their results, are categorized as **high restriction**.

**Honduras**, in 16th place with 36.50 points, fell 3 positions compared to the previous measurement, when it obtained 53.07, a difference of 16.57 points between one year and the next. The state strategy in terms of communication seeks to strengthen only its own media to use them as propaganda instruments for the dissemination of reports, projects and proposals carried out by the regime with a marked socialist ideology. Social networks have become information channels for the population, and, knowing this, there are complaints that indicate that the Government hired international companies to attack the opposition and journalists on these same channels. The realms *Practice of journalism* and *Violence and impunity* are those that have suffered the most from the strong influence of branches as promoters of situations unfavorable to freedom of expression. Indeed, the highest value, 9.45 out of 10, corresponds to the influence of the Executive environment on the *Practice of journalism*, which continues to be a professional activity that represents danger with 14.48 reference points out of 42 maximums, and although not Murders against journalists were recorded, the danger, violence, and attacks persist.

The next country in the Index is **El Salvador** with 34.25 points out of 100. Going up one place thus decreasing compared to the result of the previous edition, which was 40.82 points. Throughout the period surveyed, it is the Executive environment that exerted the most unfavorable influence on freedom of expression, a consequence of the stigmatization of journalists by President Bukele, which was copied by other public officials, including members of the Armed Forces and the National Civil Police. El Salvador has an ecosystem of traditional and digital media with extensive experience that destabilizes government discourse. The State of Exception that the country is experiencing leaves the possibility of reforming laws that affect freedom of expression, as well as implementing concrete actions regarding the persecution of journalists.

**Bolivia** continues in this group with 33.88 points in the Chapultepec Index, 2 positions below and 13.34 points less than last year. The deterioration in the conditions of freedom of expression in this nation is evident, derived from an increase in the rates of violence, cases of threats and

persecution of journalists by institutional environments. The state apparatus allocates its resources in campaigns of disinformation, disqualification, and stigmatization against the journalistic union, which also affects society, sowing distrust and discrediting the work of the press. There are no protection mechanisms for journalists who are threatened, even with death, which is why cases of forced displacement have been recorded seeking guarantees of fundamental rights. The lowest indicator for the country is observed in the *Violence and Impunity* realm, 8 points out of 4, with the Executive Branch being the one that exercises the most marked influence in promoting situations unfavorable to freedom of expression.

**Guatemala** repeats in the category of countries in **high restriction** and position (19), with 32.07 points, unlike the 38.40 points obtained in the last edition. During this period, it can be said that an authoritarian and autocratic regime was consolidated in the country, although officially it remains a democracy. Violence and criminalization towards the press increased, both in quality and quantity. Since the general elections, there has been an increase in the forced displacement of journalists as a result of threats. The closure of sources and opacity in access to public information have also been seen, therefore affecting citizens in general, so more than the right to freedom of expression and the press been violated, it seriously threatens democracy. The Executive Branch is the one that exercises the most unfavorable influence, and at the same time it seems to control the exercise of the other branches.

Cuba, Venezuela and Nicaragua continue to be the worst rated in the region, being placed in the category **without Freedom of Expression**. Actions that violate human rights persist, even when international organizations make calls for attention and recommendations based on the Universal Periodic Reviews and trials are opened before the International Criminal Court. Although they continue to insist that they are democracies, the right to freedom of expression is seriously violated in these countries, an incongruent situation in democratic regimes.

**Cuba** with 14.30 points, in the same position as the previous period, but with 1.38 points less, maintains a continuous practice of persecution, repression and criminalization of journalists and independent media, human rights activists and anyone who tries to exercise their freedom of expression and demonstration. Citizens also do not have access to information, unless it is official information authorized by the Government. In fact, it obtained 0 points out of a possible 23, the lowest position in the realm of Informed Citizens free to express themselves. Being a journalist in Cuba is practicing a dangerous profession. There are no laws that protect all journalists equally and they are charged with common crimes such as public disorder, contempt, and disobedience, in order to censor and silence those who want to raise their voices.

**Venezuela** repeats itself in the penultimate position of the Index, with 12.74 points out of 100. It seems that the slight, but not significant, increase in the scores obtained in previous editions confirms the message that the Government has wanted to instill in the community that *Venezuela is recovering*: in the 2019 – 2020 measurement 3.80, the following year 5.71 and for the 3rd edition 10.58; This numerical increase is mainly due to the decrease in dissident political activity in the streets, a time when persecution of journalists increased. The country continues to present instability derived from the severe economic crisis; and regarding freedom of expression, the lack of state will toward the press persists, criminalizing it through messages of hate transmitted by high-ranking public officials through state media, with no tolerance for criticism. The worst rated realm is *Media Control* (0.67 out of 25), citizens have sought to stay informed through social networks, but in the country, there are laws that promote the persecution of those who issue messages that can be considered, at the discretion of officials, as inciting hatred. There is no real division among branches, so the Executive dictates the guidelines to be followed by the Judicial and Legislative environments. Restrictions against the press and journalists continue, becoming accentuated in the midst of the electoral panorama.



Finally, in the last place of the barometer is **Nicaragua**, with 8.5 points out of 100. 1 point less than that obtained in 2021 - 2022. For this 2022 - 2023, repression against the press increased with at least 167 attacks on journalists and media, 5 kidnappings, forced disappearances, attacks, arrests, torture, opening of judicial proceedings, confiscation of assets, closure of media and even stripping of the nationality of Nicaraguan journalists. This frontal attack on the press affects the entire society, as there is no freedom of expression or access to information. The Executive Branch is the main repressor, but equally all environments unfavorably affect all realms, with strong and very strong degrees of influence, evidencing the absence of this citizen right in the country. This structure of repression affects the journalistic union, but moreover the persecution, censorship and criminalization extends to any member of civil society who opposes the Ortega regime.

In general, a strong trend is perceived towards the worsening of the situation of freedom of expression throughout the region, 9 of the 22 countries lowered their positions, 5 remained the same, but even those that rose in place were also degraded in its specific results.

This scenario illustrates the evident process of impoverishment that the majority of democracies in the countries analyzed have suffered.

The increase in the criminalization and persecution of journalists and the stigmatization of the media must urgently draw the attention of all those involved: journalists, traditional media, alternative media, independent journalists and citizens in general, to coordinate effective actions in the defense of freedom of expression and the press in each of the countries.

