Document #2116568

Freedom House (Author)

Freedom on the Net 2024 - Mexico

Partly Free
61
/ 100

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Last Year's Score & Status
62 / 100 Partly Free
Scores are based on a scale of 0 (least free) to 100 (most free). See the research methodology and report acknowledgements.

Key Developments, June 1, 2023 - May 31, 2024

Internet freedom declined slightly, underscoring the persistent weaknesses in Mexico's legal framework for upholding human rights online. The online environment remains a robust space for political mobilization, social discourse, and journalistic investigations. However, Mexico continues to be one of the world's deadliest countries for journalists, and online journalists are regularly targeted with legal threats, harassment, and physical violence, contributing to a climate of self-censorship.

- In May 2024, the Supreme Court of Justice of the Nation (SCJN) validated reforms to the Federal Copyright Law (LFDA) and the penal code that established a "notice and takedown" system for copyright claims, deepening concerns that such provisions could be used to censor online content (see B3).
- Ongoing organized crime–related violence has helped create "zones of silence" where journalists cannot safely report on criminal groups, corruption, or drug trafficking, and where those who do face deadly violence—fueling self-censorship among digital journalists (see B4 and C7).

- In advance of Mexico's June 2024 general elections, online actors spread false and misleading information in an effort to benefit both of the leading presidential candidates, Claudia Sheinbaum and Xóchitl Gálvez. This included unsubstantiated claims that then president Andrés Manuel López Obrador and Sheinbaum were directly linked to drug trafficking, while progovernment accounts also attempted to manipulate the online conversation inauthentically (see B5).
- A February 2024 investigation revealed that the Cyberspace Operations Center (COC), a division of the Secretariat of National Defense (SEDENA) formed in 2016 to conduct "military operations in cyberspace," has used commercial software to monitor and influence social media users who are critical of the state—one of many revelations in recent years regarding the military's apparent surveillance abuses (see B5 and C5).
- Reporting from November 2023 showed that the telecommunications company Telcel complied with warrantless demands to hand over the cell phone records of more than a dozen public officials in recent years, raising further alarms about Mexico's lack of safeguards for personal data protection (see C6).

Political Overview

Mexico has been an electoral democracy since 2000, and alternation in power between parties is routine at both the federal and state levels. However, the country suffers from severe rule of law deficits that limit full citizen enjoyment of political rights and civil liberties. Violence perpetrated by organized criminals, corruption among government officials, human rights abuses by both state and nonstate actors, and rampant impunity are among the most visible of Mexico's many governance challenges.

A Obstacles to Access

A1 0-6 pts

Do infrastructural limitations restrict access to the internet or the speed and quality of internet connections?	**5 / 6**

Internet connectivity and service quality continue to improve in Mexico.1 According to the latest data from the International Telecommunication Union (ITU), Mexico's internet penetration rate stood at 81 percent in 2023.2 The National Institute of Statistics and Geography (INEGI) and Federal Telecommunications Institute (IFT) reported that there were 97 million internet users in the country as of 2023.3 The share of Mexicans with fixed-line internet subscriptions has increased over the past decade, growing from 10.3 percent in 2013 to 20.7 percent in

2023.4 However, only 71.7 percent of households had access to the internet in 2023.5

Ookla's Speedtest Global Index recorded a median fixed-line download speed of 70.60 megabits per second (Mbps) in May 2024, placing Mexico 84th out of 181 countries surveyed. Mexico also placed 90th out of 147 countries in its mobile survey, with a median mobile download speed of 29.30 Mbps.6

Mobile internet penetration has also increased steadily, with more than 121 million subscriptions reported by IFT in September 2023.7 According to IFT, 83 percent of all mobile internet traffic utilized 4G technology as of that month, up from 68 percent in September 2018.8

The availability of 5G mobile network coverage has expanded in recent years. While Mexico has emerged as a leader in 5G adoption among Latin American countries, 5G connections remain a relatively small portion of Mexico's overall mobile market.9 Obstacles to its expansion have included the high tax rate for 5G providers, a lack of adequate infrastructure, and the insufficient release of 5G frequencies in a 2021 industry tender.10 Analysts have warned that the relatively expensive cost of spectrum could disincentivize telecommunications companies from developing 5G infrastructure in remote areas where it is less profitable (see A2).11 Another tender for 5G spectrum is expected to take place in 2025.12

Despite ongoing obstacles, mobile service providers continued to expand their 5G networks during the coverage period. In April 2024, América Móvil–owned Telcel announced that it had more than 10 million 5G subscribers across 125 cities in Mexico.13 AT&T reported that its 5G network had reached 47 cities in Mexico by the end of 2023.14

Connectivity is sometimes disrupted by intentional damage to the telecommunications infrastructure caused by organized crime. While the extent of such incidents is not well documented, criminal groups are known to engage in copper cable theft and the destruction of telecommunications towers.15 At times, providers have also been prevented or delayed from deploying network infrastructure to certain areas over concerns that their employees would be kidnapped by organized criminal groups.16

Telecommunications reforms introduced in 2013 were designed to substantially reshape the industry and increase internet access.17 Though some landmark initiatives introduced in the reform package were discontinued by the López Obrador administration, the development of wholesale wireless network Red Compartida has continued.18 Altán Redes, the consortium in charge of the project, launched its operations in 2018. According to the director of Altán Redes, Red Compartida covered

95.3 percent of Mexico's population in June 2024, exceeding an initial goal of 92.2 percent coverage.19

A2 0-3 pts

Is access to the internet prohibitively expensive or beyond the reach of certain segments of the population for geographical, social, or other reasons? 1 / 3

Despite growing internet penetration, the urban-rural digital divide remains significant. In 2023, 85.5 percent of the urban population used the internet, compared to only 66 percent of the rural population.20 Large geographical disparities persist. According to the INEGI and IFT, as of 2023, internet penetration exceeded 90 percent in the states of Quintana Roo and Baja California, but remained much lower in the southern states of Oaxaca (70.6 percent) and Chiapas (59.9 percent).21

Among lower-income Mexicans without a cell phone, 43.5 percent cited prohibitively high costs as their reason for not owning one, according to the results of a 2023 survey.22 As of 2023, INEGI reported that 39.5 percent of households in the lowest socioeconomic category have access to the internet, compared to more than 93.5 percent of households in the highest socioeconomic category.23 Though average prices for mobile data packages in Mexico have dropped significantly in recent years, they remain more expensive than prices in most countries in Latin America. According to UK-based Cable, the average cost of 1 gigabyte (GB) of mobile data was $2.03 in 2023, a steep decline from the average cost of $15.05 in 2019.24 Cable found that Mexico's average monthly cost of fixed-line broadband was $32.35 in 2024.25

Indigenous communities, who represent almost 10 percent of the country's population, also face a digital divide in mobile coverage, though this gap has narrowed in recent years. In August 2023, IFT reported that 85 percent of the Indigenous population is covered by 2G, 3G, or 4G technology.26 Major providers' recent efforts to end 2G coverage and repurpose its spectrum for 4G technology may disproportionately impact these communities, though 75 percent of Indigenous localities were covered by a 4G network.27

Civil society responses to internet access challenges have flourished in Indigenous communities. In October 2022, Tosepan Titataniske, an Indigenous cooperative in the northern highlands of the state of Puebla, launched the Wiki Katat service, providing affordable mobile telephone and internet services using the Altán Redes network.28

Telecommunications providers have continued to invest in efforts to reduce the digital divide. In November 2022, Spanish telecommunications operator Hispasat and network provider Sencinet agreed to continue providing satellite broadband services in rural areas of Mexico through the end of 2024.29 Previously, in April 2022, Hispasat also signed an

agreement with the government connectivity program, the Federal Electricity Commission's Telecommunications and Internet for Everyone (CFE TEIT), to provide mobile telephone and internet services in schools, healthcare facilities, and public areas in more than 60 remote communities.30 CFE TEIT is a mobile virtual network operator (MVNO), a provider that uses another company's infrastructure to operate, and was launched in 2022 with the aim of providing affordable mobile and fixed broadband internet to more than 20 million Mexicans by 2024.31

CFE TEIT's affordable mobile packages, known as "Internet para el Bienestar" (Internet for Wellbeing),32 range in price between 50 pesos ($2.88) for 3 GB over 7 days to 230 pesos ($13.25) for 40 GB over 30 days.33 As of February 2024, CFE TEIT had also installed more than 91,000 free internet access points in public spaces nationwide.34

In early 2023, the satellite company Globalsat announced that it would partner with Starlink to provide free internet service at 1,100 access points in remote areas in Mexico as part of a contract awarded by CFE TEIT.35 The arrangement, which is valid until December 2024, is expected to benefit 550,000 people. In November 2023, the Mexican government announced a $89.8 million contract with Starlink to provide free internet access in underconnected areas through 2026,36 making Starlink 1 of 10 telecommunications companies that have contracted with CFE TEIT.37

In Mexico, service providers like Telcel, Movistar, and AT&T offer zero-rating plans in which certain digital services like HBO, Netflix, WhatsApp, and social networking sites do not count toward a customer's data allowance.38 Pricing practices like zero-rating plans limit the diversity of content that users with limited financial means can access and have not been shown to reduce digital divides.39

A3 0-6 pts

Does the government exercise technical or legal control over internet infrastructure for the purposes of restricting connectivity?	**6 / 6**

There were no reports of government-imposed restrictions on connectivity during the coverage period. Under IFT's Traffic Management and Internet Administration Guidelines, which took effect in September 2021, government-mandated internet shutdowns or disruptions, as well as disruptions to mobile apps, are not permissible.40 Article 190 of the 2014 Telecommunications Law, however, authorizes the "appropriate authority" within the government to request the suspension of telephone service to "halt the commission of crimes."41

Although most of Mexico's information and communication technology (ICT) backbone infrastructure is privately owned, the state development bank Nacional Financiera (NAFIN) controls a majority stake in Altán Redes, the entity responsible for developing the wholesale wireless network Red

Compartida (see A1).42 Mexico's first internet exchange point (IXP) was set up by KIO Networks in April 2014. The IXP increases efficiency and reduces costs for Mexican internet service providers (ISPs) by helping to manage traffic across networks.43 In 2018, the Ministry of Communications and Transport and the Yucatán state government signed an agreement to build Mexico's second IXP;44 it began operating in February 2021,45 following a local government transition and an extensive community-building and training process.46

According to Isaín Mandujano, a journalist for Chiapas Paralelo and *El Financiero*, towns like Motozintla and Frontera Comalapa, located on the border with Guatemala in Chiapas, frequently experience communication disruptions caused by organized criminal groups, including through the removal of antennas (see A1).47 In these areas, organized criminals have also reportedly used signal jammers to block mobile signals in an effort to restrict access to information.48 Since 2020, Mexican law has criminalized the acquisition and use of signal jammers, with limited exceptions for penitentiary authorities.49

A4 0-6 pts

Are there legal, regulatory, or economic obstacles that restrict the diversity of service providers?	**4 / 6**

Reforms implemented over the past decade have sought to improve the ICT market by reducing market dominance and barriers to investment.

Under 2013 constitutional amendments, telecommunications companies that control more than 50 percent of the market are subject to antitrust regulations.50 In April 2024, IFT notified América Móvil that it would implement a new regulatory policy directed at the company, part of IFT's biennial review to oversee América Móvil's role as a "preponderant economic agent" in the telecommunications market.51 Previously, in December 2020, the regulator enacted a resolution that imposed new financial restrictions on América Móvil, limiting how much it could charge users for unlocking devices and out-of-network roaming, as well as the end of promotional prices.52

However, the ICT market remains dominated by a few players. According to IFT statistics, in the third quarter of 2023, the mobile internet service provider with the largest market share was América Móvil (65.88 percent), followed by AT&T (17.22 percent) and Telefónica-owned Movistar (7.96 percent).53 At that time, América Móvil also led the fixed-line broadband market (39.48 percent), followed by Grupo Televisa (23.73 percent), Grupo Salinas (18.26 percent), and Megacable-MCM (16.26 percent).54

In recent years, significant growth in service lines provided by MVNOs has helped to both boost mobile connectivity (see A1) and increase competition in the market. Mobile internet subscriptions provided by MVNOs grew by 305.6 percent between 2020 (2.5 million lines) and 2022

(10.34 million lines).55 MVNOs captured 8.6 percent of the mobile internet market in the fourth quarter of 2022, up from 2.6 percent two years earlier, underscoring the dynamic and rapidly evolving nature of the MVNO sector in Mexico.56

A5 0-4 pts

Do national regulatory bodies that oversee service providers and digital technology fail to operate in a free, fair, and independent manner? 2 / 4

As part of the 2013 constitutional reform, the government established IFT as a new autonomous regulatory agency to increase the transparency of media regulation.57 IFT has the legal mandate to act as an antitrust body and protect the industry from monopolistic practices. The Federal Economic Competition Commission (COFECE) is another regulatory body that, in 2021, was recognized by the Federal Judiciary (PJF) as the competent authority to regulate the markets for online search engines, social networking, and cloud computing services.58

However, under the López Obrador administration, IFT and other independent bodies continued to be targets of government pressure,59 including sizable budget reductions.60 In February 2024, López Obrador introduced a series of reforms that included a proposal to eliminate seven independent entities, including COFECE, IFT, and the National Institute for Transparency, Access to Information, and Personal Data Protection (INAI).61 It remains unclear whether Claudia Sheinbaum, who assumed the presidency in October 2024, will enact these plans, though she has signaled her intention to do so.62

The López Obrador administration also hindered regulatory bodies with bureaucratic delays. President López Obrador declined to fill vacancies on the boards of IFT and COFECE in recent years, leaving them both without fully functioning boards. The bodies appealed to the SCJN,63 and in November 2022, the SCJN ruled in favor of COFECE, ordering the executive branch to appoint commissioners.64 López Obrador complied by appointing three new commissioners,65 all of whom were ratified by the Senate.66 Though civil society organizations have demanded that the SCJN provide a prompt response to IFT's case,67 IFT continued to function with only four of seven commissioners through the end of the coverage period.68 The president's failure to name commissioners to the autonomous bodies has been considered detrimental to the institutions' independence and ability to function properly.69

Despite receiving some criticism in recent years for its decisions on antitrust measures and draft net neutrality guidelines,70 IFT has continued to reaffirm its independence. In May 2021, for instance, IFT challenged the creation of a biometric cell phone registry—one that Congress had directed the agency to create, operate, and maintain—as unconstitutional (see C4).71

However, in February 2024, IFT was criticized for authorizing changes that allow CFE TEIT to provide nonprofit internet service in some zones already covered by other telecommunication operators, rather than only in areas where no coverage exists.72 Critics of the decision claimed that IFT had caved to pressure from the executive branch.73 Previously, from 2019 to 2021, IFT was also criticized for its Traffic Management and Internet Administration Guidelines, which civil society actors claimed were an attempt to undermine net neutrality in Mexico (see B6).74 New guidelines went into effect in September 2021.75

B Limits on Content

B1 0-6 pts

Does the state block or filter, or compel service providers to block or filter, internet content, particularly material that is protected by international human rights standards?	**6 / 6**

There has been no documented evidence that the government or other actors block or filter political, social, or religious content online. Social networking sites and international blog-hosting services are widely available in Mexico.

However, during the coverage period, investigative reporting revealed that the government has restricted access to certain content for users of the Tor network, a tool that allows individuals to browse the internet anonymously. An investigation conducted between 2020 and October 2023 found that the Mexican government blocked access to 39 URLs across 21 government agencies, including official government sites for the presidency and SEDENA, citing threat mitigation efforts.76 The government's decision to restrict access to these government sites for Tor users has raised concerns related to potential restrictions on anonymity online (see C4).

B2 0-4 pts

Do state or nonstate actors employ legal, administrative, or other means to force publishers, content hosts, or digital platforms to delete content, particularly material that is protected by international human rights standards?	**2 / 4**

State and nonstate actors have increasingly used legal threats and other methods to pressure social media platforms, web-hosting providers, and individual users to remove content in recent years. The full scope and nature of government requests to remove content remains unknown, as the government underreports its requests. In a 2021 report, free expression organization Article 19 estimated that only 14 percent of government removal requests reported by social media platforms on their transparency reports have been declared by various government offices through freedom of information (FOIA) requests.77

An investigation conducted by Access Now, R3D, and Article 19's Mexico and Central America office, with support from Privacy International, revealed the "systematic and widespread use" of precautionary measures by the National Electoral Institute (INE) to take down online content between January 2016 and March 2023.78 Investigators found that the content the INE removed often included political criticism, particularly during elections. They also identified a trend of content being removed due to complaints that it constituted gender-based political violence, which is a serious issue in Mexico (see C7). Both Article 1979 and R3D80 have previously raised concerns that accusations of gender-based violence could be used to censor journalistic content and other information in the public interest. The investigation also documented the INE's possible violation of users' privacy rights under these precautionary measures (see C6).

In March 2024, the X (formerly Twitter) account @Libro_negro_ (Black book), which has more than 140,000 followers and posts about politics and current events, claimed that the Secretariat of the Navy (SEMAR) had requested that X remove three of its posts. SEMAR alleged that the posts, which reportedly shared an investigation about organized crime in the state of Guerrero,81 were in violation of Mexican law.82 While X did not appear to comply with the request, @Libro_negro_ said that it opted to voluntarily delete the posts. Online content discussing organized crime and criminal violence is frequently subject to self-censorship in Mexico (see B4).

Attempts to remove content frequently target journalistic information posted online. Article 19 recorded 18 removals of journalistic content in 2023.83

Such content was removed in the lead up to Mexico's June 2024 general elections. In February 2024, the digital agency Badabun reportedly lodged a copyright claim seeking the removal of a controversial video featuring presidential candidate Jorge Álvarez Máynez and Nuevo León governor Samuel García, key figures from the Movimiento Ciudadano party, from digital platforms and media outlets.84 The video captured both politicians mocking other political figures and the INE while drinking alcohol during a soccer match. Badabun claimed it held the rights to the video, which was uploaded to social media by Álvarez Máynez himself. The incident ignited discussions about the potential abuse of copyright claims as a way to suppress content in the public interest for political reasons.85

In April 2023, during the previous coverage period, Supreme Court Judge Yasmín Esquivel Mossa filed a complaint against journalist Lourdes Mendoza, who had tweeted photos of Mossa vacationing in Canada accompanied by critical comments about the judge. Mossa asked a court to order the removal of the photos and the deletion of Mendoza's Twitter account, on the grounds that her minor son appears in one of them and

the comments allegedly "incite hatred." The court ultimately ordered Mendoza and other journalists to remove or blur the photos to protect the identity of Mossa's son, but did not order Mendoza to delete her account.86

Facebook restricted approximately 34,700 pieces of content between July and December 2023, including more than 50 items related to gender-based political violence and violations of electoral law and over 34,000 items in response to Federal Commission for the Protection against Sanitary Risks (COFEPRIS) and Federal Prosecutor for Consumer Affairs (PROFECO) reports of unsafe products.87 During that same period, Google reported receiving 87 government requests to remove content, 63 of which were for privacy and security reasons and 7 of which were for defamation.88

B3 0-4 pts

Do restrictions on the internet and digital content lack transparency, proportionality to the stated aims, or an independent appeals process?	**3 / 4**

Despite some ambiguity in Mexico's legal and regulatory framework, it and the country's independent courts have typically offered significant safeguards against arbitrary or opaque restrictions on content, and past attempts to impose new restrictions have faced strong opposition. However, in May 2024, the SCJN upheld controversial 2020 copyright reforms.

In November 2022, the First Chamber of the SCJN declared that the so-called "right to be forgotten" was incompatible with standards for freedom of expression and access to information. The court ruled that the obligation to remove personal information about someone who has died from all digital media, established in Mexico City's civil code, is unconstitutional.89 Previously, in 2017, the SCJN declared that blocking an entire website because of alleged copyright violations was unconstitutional, finding it to be a disproportionate measure that infringed on freedom of expression.90

However, the SCJN validated controversial 2020 reforms to the Federal Copyright Law (LFDA) and penal code in May 2024.91 The reforms establish "notice and takedown" provisions that require online platforms and hosting services to remove any content at the request of a copyright holder alleging infringement. Copyright holders do not need judicial authorization or evidence, and intermediaries can face fines ranging from 1,000 to 2,000 pesos ($58 to $115) should they fail to comply. The law also allows copyright holders to obtain personal information about the individual accused of posting the offending content, and does not include protective provisions for the alleged offender. Moreover, the reform places the burden on users to prove that content was removed illegitimately, and on platforms to inform takedown requestors about

appeals. Additional provisions require internet services to prevent content that has previously been removed from being reuploaded to their platform, essentially mandating filters.92

In August 2020, Article 19 filed an amparo action urging the court to declare the 2020 reforms unconstitutional.93 R3D presented an *amicus curiae* to support Article 19's amparo, arguing that the notice-and-takedown system established by the reforms is disproportionate and constitutes prior censorship.94 Both organizations sharply criticized the May 2024 SCJN decision, which was passed by a vote of 6 to 5, saying that it violated the SCJN's own precedent. Article 19 and R3D also criticized the fact that content that is removed illegitimately must observe a 15-business-day waiting period before it is restored, saying that it creates an undue delay that is detrimental to freedom of expression.95

An ongoing case before the SCJN could potentially have major implications for Mexico's intermediary liability regime. In June 2022, a Mexico City court ordered Google to pay $245 million in damages to lawyer Ulrich Richter Morales, who claimed that the company was liable for the dissemination of an allegedly defamatory 2014 site on Blogger (a platform owned by Google) that accused Richter of wrongdoing, including money laundering.96 In February 2023, the SCJN agreed to review the decision, which had been appealed by Google.97 In April 2024, Internet Society filed an amicus curiae urging the court to shield Google and other online intermediaries from liability, arguing that failing to do so could disincentivize intermediaries from allowing user-generated content on their platforms.98 The SCJN had not issued a decision by the end of the coverage period.99

In March 2024, Congressman Javier López Casarín withdrew a problematic April 2023 legislative proposal to create a Federal Cybersecurity Law.100 The legislation contained provisions that would have required service providers, social media platforms, and other digital content hosts to comply with orders to "take down IP addresses, applications, domains, and Internet sites" within 72 hours of receiving notification from the "competent authority," including a proposed National Cybersecurity Agency.101 The bill also introduced criminal penalties for broadly defined forms of online expression (see C2). Civil society organizations, such as Article 19 and SocialTIC, criticized the bill for implementing censorship practices and promoting the militarization of cybersecurity.102

B4 0-4 pts

Do online journalists, commentators, and ordinary users practice self-censorship?	**2 / 4**

Independent digital outlets provide information about key political and social issues, though a climate of violence and harassment against the media contributes to increasing self-censorship, especially in states that are heavily affected by violent crime (see B7 and C7).103 Local media tend

to refrain from reporting on drug trafficking, corruption, and organized crime.

According to a February 2024 Article 19 report, certain Mexican states heavily impacted by criminal violence have become "zones of silence." For instance, journalist Ángeles Mariscal characterized the state of Chiapas as a place "where field coverage is no longer possible" and where individuals are "forced to remain silent" due to the threat of violence posed by organized crime, though she noted that most journalists have chosen to continue their work under these dangerous circumstances.104

According to the director of one online outlet who was quoted in Article 19's annual 2021 report, an increase in violence in the state of Guanajuato has prompted local journalists to "[opt] for superficial coverage of the violence, limited to official declarations and anonymous testimony."105

A March 2024 report published by Amnesty International and the Committee to Protect Journalists (CPJ) urged federal authorities to improve the protective measures offered by the Mechanism for the Protection of Human Rights Defenders and Journalists. In a survey of 28 journalists under the protection of the mechanism, a majority of individuals indicated that they had experienced anxiety (26 people), insomnia (20 people), or depression (17 people). The journalists reported that the need to self-censor to survive was a major obstacle to their wellbeing.106

After digital journalist Heber López Vásquez was murdered in February 2022, several fellow journalists reported that it created a chilling effect on their own coverage. Before he was killed, López had reported on a local politician's alleged corruption related to an infrastructure project in Oaxaca state. At least 10 journalists said they were more afraid to report on the development project and other related misconduct following the murder, and one acknowledged that "self-censorship is the only thing that will keep you safe."107

B5 0-4 pts

Are online sources of information controlled or manipulated by the government or other powerful actors to advance a particular political interest? 1 / 4

Mexico has a history of online trolls and automated "bot" accounts targeting discussions and reports that are critical of the government, political parties, or politicians, including during electoral periods.108 Under President López Obrador, coordinated online networks were found to spread progovernment narratives and launch coordinated smear campaigns against the president's perceived rivals, though López Obrador and his allies have also been the target of online disinformation.

There were reports in early 2024 that US law enforcement had investigated credible allegations that organized criminal groups contributed millions of dollars to López Obrador's unsuccessful 2006 presidential campaign and met with López Obrador's allies after he took office in 2018.109 Following these reports, the hashtags #NarcoPresidente (Narco President) and #NarcoPresidenteAMLO (Narco President AMLO) went viral. According to some investigations, these hashtags were part of an artificially organized social media campaign meant to amplify the unsubstantiated claim that López Obrador maintained direct ties with criminal groups.110 Disinformation analyst Alberto Escorcia reported on X that he found that 92 percent of posts using the #NarcoPresidenteAMLO hashtag were created by bots.111 Meanwhile, Julián Macías Tovar, founder of the Spanish disinformation observatory Pandemia Digital, appeared to share evidence that more than 50,000 posts on X had been published by 4,000 different accounts using the misspelled hashtag #NarcoGobiermoAMLO, with more than half of those posts originating in Argentina, Spain, and Colombia, suggesting they were inauthentically generated.112

Amid the use of the #NarcoPresidente and #NarcoPresidenteAMLO hashtags, other social media analysts published allegations that progovernment accounts had also attempted to inauthentically manipulate the online conversation using hashtags such as #SomosMillonesConAMLO (We Are Millions with AMLO).113 In February 2024, Sheinbaum, the presidential candidate for López Obrador's National Regeneration Movement (Morena), announced that the party intended to present a formal complaint to the INE over the hashtags #NarcoPresidenteAMLO and #NarcoCandidataClaudia (Narco Candidate Claudia), and would ask X to prohibit their use on the platform.114

These incidents occurred within the broader context of false claims surrounding Mexico's June 2024 presidential election. That same month, in February, the news outlet Animal Político reported that at least four YouTube channels—one with 351,000 subscribers—were "systematically" sharing inaccurate claims about López Obrador and Sheinbaum, while also promoting Xóchitl Gálvez, the opposition coalition's presidential candidate. These claims included unsubstantiated accusations linking López Obrador with illicit activities and false assertions that the US supported Gálvez.115 Previously, in October 2023, Animal Político reported that another disinformation network of at least 160 X accounts, known as "Liga de Guerreros" (League of Warriors), shared false and manipulated content in support of Gálvez and Santiago Taboada, the National Action Party (PAN) candidate running to be Mexico City's head of government. Content shared by the network included homophobic and gender-based insults targeting Morena politicians.116

Manipulated online content also targeted Gálvez, including posts that sought to misrepresent her position on senior pensions. In July 2023,

weeks after Gálvez announced her campaign, Morena supporters shared a Facebook video featuring comments by former president Vicente Fox, a member of PAN, which was then used to falsely claim that Gálvez supported eliminating pensions.[117] President López Obrador previously amplified this accusation against Gálvez during a December 2022 press conference.[118]

Online campaigns amplifying support for López Obrador and trolling his perceived rivals, as well as users who question or criticize him, have also been mounted outside of electoral periods. In March 2023, during the previous coverage period, Animal Político reported that pro–López Obrador accounts had disseminated more than 20,000 tweets in an online smear campaign against the president of the SCJN, Norma Lucía Piña Hernández,[119] who has often ruled against López Obrador's government in judicial decisions.[120] That month, many tweets used the hashtag #PiñaMadrinaDeLosNarcos (Piña Godmother of the Narcos) to make unsubstantiated links between Piña and drug trafficking.[121]

The following month, Animal Político reported on "Red Brolan," a seemingly coordinated network of at least 23 YouTube channels linked to the Brolan marketing agency, which was found to spread political narratives in favor of President López Obrador's government. Videos posted to these channels often made accusations about López Obrador's political opponents and critical journalists using unsubstantiated or manipulated evidence, such as one video that was slowed down to make an opposition congresswoman appear intoxicated. Though Red Brolan videos were supportive of López Obrador and his party, there was no evidence that the government or party had financed the network.[122] Another April 2023 Animal Político article referenced videos on social media platforms, including Facebook and TikTok, that apparently utilized artificial intelligence–generated presenters to praise López Obrador and discredit his political opponents.[123]

An investigation published in February 2024 by R3D detailed the functions of the Cyberspace Operations Center (COC), a secret division of SEDENA established in 2016 to perform "military operations in cyberspace." While the COC functions largely as a social media surveillance operation (see C5), it also reportedly attempts to manipulate online conversations in favor of the Mexican military and government.[124] According to the investigation, the COC uses commercial software to deploy inauthentic bots that exert "soft influence on public opinion." In one instance from 2020, the "Influence Operations Group" of the COC seemingly created at least six social media accounts that shared more than 5,000 items favorable to the military, including some posts that attempted to manipulate online conversations about the army's human rights violations.[125]

Investigative reporting published by the Latin American Center for Investigative Journalism (CLIP) in November 2022 detailed apparent efforts by the López Obrador government to manipulate online discourse with public resources, amounting to an "official propaganda apparatus."126 The InfodemiaMx platform, ostensibly a fact-checking initiative coordinated by the Mexican Public Broadcasting System and financed with public funds, has reportedly been used to present biased or false information on behalf of the López Obrador government and Morena. During the coverage period, Animal Político found that InfodemiaMx's live factchecking of an April 2024 presidential debate was biased in favor of Sheinbaum, at one point wrongly classifying Álvarez Máynez's accurate statement about health care access in Mexico City as false.127 InfodemiaMx has its own website and publishes content on TikTok, Facebook, and X.

B6 0-3 pts

Are there economic or regulatory constraints that negatively affect users' ability to publish content online?	**2 / 3**

Scarce funding creates challenges for individuals and nonprofits seeking to establish sustainable online outlets. Reliance on advertising purchases by public institutions renders independent media vulnerable to content manipulation or closure due to withdrawal of funding,128 although the former appears to be the more pernicious of the two trends.129 The government has used lengthy tax audits as a "preferred tactic" to pressure media outlets, according to SembraMedia.130

According to a 2020 study conducted by the Autonomous University of Nuevo León (UANL) for UNESCO Mexico, the "vast majority" of media outlets rely on public advertising as a source of income, particularly in states where the number of private advertising contracts is declining. This financial dependence has created a perception of compromised editorial integrity, with 24.4 percent of journalists in the UANL survey indicating that their work is not conducted independently of the public authorities.131

Analyzing López Obrador's six-year term in office, Article 19 criticized his administration for failing to deliver an effective regulatory framework for state advertising—an early pledge of López Obrador—and for concentrating funds toward a small number of outlets. The organization's September 2024 report noted that 10 media and communication companies received 45.05 percent of the total official advertising budget in 2023, and that the remaining 54.95 percent was distributed to 414 other groups.132 In 2023, the federal government spent 2.559 billion pesos ($147 million) of the 2.978 billion pesos ($172 million) that had been appropriated for official advertising that year, meaning that 14 percent of the budget remained unspent.133 Digital outlets have worked to find

alternative sources of funding, including paid content models, in recent years.134

According to 2021 IFT statistics, Google and Meta together received more than 82 percent of all digital advertising revenue in Mexico, reflecting significant concentration in the market.135 In November 2023, COFECE summoned Google for allegedly engaging in monopolistic practices in the digital advertising services market, initiating a procedure that could impose a fine of up to 8 percent of the company's annual income.136 In February 2024, the Chamber of Deputies' economic commission urged COFECE to resolve the proceedings in a timely manner.137

Though the 2014 Telecommunications Law established protections for net neutrality, IFT's Traffic Management and Internet Administration Guidelines,138 which went into effect in September 2021,139 allow ISPs to engage in the paid prioritization of traffic (see A5). The policy had been criticized by civil society members, who argued that it did not require ISPs to be transparent about their network management practices and would allow for discrimination against nonprofit organizations, entities with less funding, and content providers.140

B7 0-4 pts

Does the online information landscape lack diversity and reliability?	**3 / 4**

Violence and economic constraints affect independent digital outlets in Mexico.141 Despite these challenges, independent outlets continue to emerge and operate, enriching the media ecosystem with alternative agendas that support human rights and the right to information.142

One example of these independent outlets is Lado B, which was created by freelancers and local journalists in 2011 and has said that it seeks to "review the relationship between the press and power in Puebla."143 Amapola, an outlet from Guerrero, questions the state's narrative regarding criminal violence.144

Sustained efforts to create outlets that represent diverse experiences have also found success in Mexico. Homosensual is one of the most widely read LGBT+ websites in Latin America and was nominated for outstanding Spanish-language online journalism in the Gay & Lesbian Alliance Against Defamation (GLAAD) 2021 Media Awards.145

According to Mireille Campos, the Executive Coordinator of the World Association of Community Radio Broadcasters in Mexico (AMARC), several community and Indigenous radio stations have started broadcasting over the internet and social media since the COVID-19 pandemic. Community and Indigenous stations broadcast online include Radio Jënpoj in Oaxaca,146 Ximai Radio in Hidalgo,147 and Política y Rock'n'roll Radio in

Sonora,148 all providing news of local interest across various states of Mexico.

As public awareness about online manipulation and the spread of disinformation has increased, fact-checking and data journalism initiatives have sought to counter false information presented through official channels and other media. As of December 2022, for instance, SPIN Taller de Comunicación Política alleged that President López Obrador made at least 101,155 false, misleading, or unprovable claims in the first 1,484 days of his term after fact-checking his daily press conferences,149 with unprovable statements accounting for over two-thirds of these claims.150

According to the Reuters Institute for the Study of Journalism's *Digital News Report 2024*, online platforms remain the most common way to access news in Mexico, with 79 percent of respondents indicating that they use websites and social networks as a news source. However, the report also found that trust in news remains low in Mexico: just 35 percent of respondents indicated that they generally trust the news, though trust in individual outlets such as CNN (69 percent) and *El Universal* (64 percent) is significantly higher.151

B8 0-6 pts

Do conditions impede users' ability to mobilize, form communities, and campaign, particularly on political and social issues?	**6 / 6**

Even in the face of cyberattacks, harassment, and physical assaults, users make regular use of digital tools to mobilize protests and to raise awareness about human rights abuses and other social issues in the country.

President López Obrador's attempt to introduce structural reforms that would weaken the INE, known as "Plan B," led to massive demonstrations in February 2023.152 Despite apparent efforts to stifle discourse ahead of the February 26 protests,153 people mobilized on social media platforms using the hashtags #ElINENoSeToca (Do Not Touch the INE) and #MiVotoNoSeToca (Do Not Touch My Vote).154 In May and June 2023, the SCJN invalidated the Plan B reforms, ruling that Congress had not adhered to proper legislative procedure.155 In February 2024, individuals associated with the Marea Rosa (Pink Tide) movement used #MarchaPorLaDemocracia (March for Democracy) to mobilize another round of protests in opposition to López Obrador ahead of the June 2024 general elections.156

In late March 2024, reports of contaminated tap water emerged in the Benito Juárez municipality of Mexico City.157 Residents who deemed the government's initial response inadequate used hashtags such as #AguaContaminadaEnBJ (Water Contaminated in BJ) and #AguaLimpiaYa (Clean Water Now) to raise awareness on social media, in addition to

organizing in-person protests.158 While the Mexico City government acknowledged in April that the water had been contaminated by unspecified oils or lubricants,159 a federal judge ordered authorities to disclose information from water tests in Benito Juárez the following month.160

For the last several years, a sustained movement against gender-based violence has been organized on different online channels, leading to historic participation in street demonstrations and strikes.161 Feminist activists and collectives have used digital platforms to promote discussions about gender-based violence, building on hashtags such as #YoTambién (Me Too), #MiPrimerAcoso (My First Harassment), and #SiMeMatan (If I Am Murdered).

Activism for digital rights issues also occurs in Mexico. In March 2022, R3D launched the #NoNosVeanLaCara (Do Not See Our Faces) campaign to protest the installation of facial recognition systems in soccer stadiums and the creation of a database that attendees are required to register with.162

C Violations of User Rights

C1 0-6 pts

Do the constitution or other laws fail to protect rights such as freedom of expression, access to information, and press freedom, including on the internet, and are they enforced by a judiciary that lacks independence?	**3 / 6**

The constitution and its regulatory laws guarantee freedom of speech, freedom of the press, privacy of personal communications, and freedom of access to information. A constitutional reform in 2013 established internet access as a human right and guaranteed net neutrality (see B6). However, the López Obrador administration's policies and proposals at times sought to undermine existing safeguards for these rights (see A5, B3, C2 and C6).

The judiciary is currently regarded as generally independent, though concerns over politicization and corruption persist. Following the election of Norma Lucía Piña Hernández as the first woman president of the SCJN in January 2023, President López Obrador voiced dissatisfaction with her appointment and the recent role of the judiciary,163 and supporters of López Obrador have targeted Piña with an online disinformation campaign (see B5). The former president of the SCJN, Arturo Zaldívar, had been viewed as a López Obrador ally.

Despite concerns about diminished autonomy under López Obrador in recent years, the judiciary has exhibited impartiality and ruled in favor of human rights online, as with the SCJN's decision against the "right to be forgotten" in November 2022 and its invalidation of a biometric cell phone

registry in April 2022 (see B3 and C4). However, civil society organizations criticized the SCJN's May 2024 decision to uphold Mexico's notice-and-takedown copyright mechanism (see B3).164

In September 2024, after the coverage period, both chambers of Congress approved controversial constitutional reforms that provide for the direct election of approximately 7,000 judges, from the SCJN to local courts.165 While proponents of the Morena-backed measure have said that it will combat entrenched corruption and nepotism,166 the Inter-American Commission on Human Rights (IACHR) has warned that it could undermine judicial independence and that the reforms were approved without due public consultation.167 The reforms were signed by President López Obrador and became law later that month.168

C2 0-4 pts

Are there laws that assign criminal penalties or civil liability for online activities, particularly those that are protected under international human rights standards? 2 / 4

Provisions from both the criminal and civil codes continue to be used to intimidate ordinary users and journalists, including those who publish online. Although defamation was decriminalized at the federal level in 2007, some state-level criminal defamation statutes persist.169 For example, Article 277 of the state penal code in San Luis Potosí criminalizes those who insult authority with prison sentences of one to three years.170

Legislation to criminalize hate speech, discrimination, terrorism, and misinformation at the federal and state levels has been proposed in recent years, though no proposals were passed by the end of the coverage period.171 The proposed Federal Cybersecurity Law (see B3 and C5), which was withdrawn from the Chamber of Deputies in March 2024,172 would have introduced criminal penalties for overly broad forms of online expression. For instance, Article 78 of the bill sought to broadly criminalize online expressions that "incite or consist of terrorism, or advocate national, racial, sexual or religious hatred, or constitute discrimination," in addition to actions that "systematically, automatically and intentionally misinform the population causing the individual or collective manipulation of people."173

The movement to criminalize the nonconsensual sharing of intimate images saw major developments in recent years. In April 2021, Congress approved reforms to the General Law on Women's Access to a Life Free of Violence and the federal criminal code, legislation known as the national Olympia Law, which criminalizes the nonconsensual sharing of intimate images and punishes "digital violence."174 It includes provisions for prison sentences of three to six years and fines of up to 1,000 "measurement and update units,"175 equivalent to 108,570 pesos ($6,253) in 2024,176 for those found guilty of digital violence under the law.177 As of

December 2021, all of the country's 32 states had passed laws in line with the federal Olympia Law.178 Gender and digital rights organizations criticized a number of the state laws for being disproportionate, potentially prompting censorship, and lacking reparations for victims.179

C3 0-6 pts

Are individuals penalized for online activities, particularly those that are protected under international human rights standards? 4 / 6

Threats of legal action are frequently issued in response to critical reports published online, though such cases rarely result in convictions against journalists. Article 19 documented 22 cases of judicial harassment against journalists in 2023, encompassing civil, administrative, electoral, and criminal proceedings.180

In one case from May 2024, the company Four Cardinals Developments México SA de CV sued journalist and activist Fabiola Cortés Miranda, founder of the Periodismo en Colectivo investigative news site, in the Quintana Roo state for $3.6 million in "material damages" and 5 million pesos ($290,000) for "serious moral damages."181 The company also sued her anticorruption organization, Somos Tus Ojos. The lawsuit followed Periodismo en Colectivo's coverage of a land dispute between Four Cardinals and two Indigenous individuals, who Cortés Miranda also provided with legal support. In response, Article 19 condemned the use of strategic lawsuits to suppress information that is in the public interest and called on the court to dismiss the case against Cortés Miranda.182

In February 2024, another journalist, Carlos Loret de Mola, appeared in court for a lawsuit for moral damages filed against him by Pío López Obrador, the younger brother of President López Obrador.183 Pío sued Loret de Mola and his digital platform, Latinus, for 200 million pesos ($11.5 million) each in April 2023, after Latinus published videos in August 2020 that appeared to show Pío illicitly receiving envelopes of cash in 2015.184 Latinus claimed that the money was intended to support the 2018 presidential campaign of the elder López Obrador.185 Following the hearing, Loret de Mola claimed that Pío had acknowledged the authenticity of the videos.186

In December 2023, political analyst Alfredo Jalife-Rahme was arrested in Mexico City. His arrest followed a criminal defamation and slander complaint filed one year earlier by Tatiana Clouthier, a former economy secretary.187 Jalife-Rahme was detained for several hours following the arrest.188 Clouthier filed the charges against Jalife-Rahme in Nuevo León, a state where defamation remains criminalized, after Jalife-Rahme used social media to accuse her of misappropriating Mexico's lithium and compromising the country to US interests.189 A Nuevo León court invalidated the case in April 2024,190 arguing that the criminalization of defamation and slander is unconstitutional—a decision that was praised by Article 19.191

Article 19 has raised concerns that legal punishments for gender-based political violence—a pervasive issue in Mexico—could be used as an instrument of journalistic censorship.192 R3D has noted that complaints of gender-based violence could be used to remove online journalistic content, particularly under precautionary measures issued by the INE (see B2).193 During the coverage period, in May 2024, Mónica Armenta Elenes, a Sinaloa state legislator, filed a complaint with the Electoral Institute of the State of Sinaloa (IEES) against *Noroeste*, a newspaper with a significant online presence, for alleged gender-based political violence. Armenta claimed that the outlet's failure to publish her remarks from a May 15 legislative session caused emotional harm and damage to her image, and objected to a perceived lack of coverage about her.194 In response, *Noroeste*'s director affirmed that the outlet's editorial decision-making is informed by the public interest, and said that the nature of the complaint was unprecedented.195 The State Electoral Court of Sinaloa (TEESIN) dismissed the lawsuit in June 2024, after the coverage period.196 Article 19 has emphasized the importance of protecting freedom of expression while preventing gender-based violence in Mexico.197

Online journalists continue to risk arbitrary arrest while covering protests, police abuses, or other newsworthy events. In December 2023, the Yucatán Attorney General's Office informed journalist Eduardo Lliteras, the director of Infolliteras, that criminal proceedings against him for "violent dispossession of a property" had been reopened. The real estate company Abba had filed the complaint, which remained inactive for four years, after Lliteras covered a protest in October 2019, accusing him of participating in the demonstration.198 In April 2024, the attorney general's office dismissed the case.199

C4 0-4 pts

Does the government place restrictions on anonymous communication or encryption?	**4 / 4**

Website owners, bloggers, and ordinary users are not required to register with the Mexican government. While the government does not generally impose restrictions on anonymity or encryption for internet users, investigative reporting has revealed some ongoing restrictions on users of the Tor network, a censorship circumvention tool.

An investigation conducted between 2020 and October 2023 found that the Mexican government blocks 39 URLs from 21 Mexican government agencies for users of the Tor network.200 A representative from the president's office claimed that the "protection measures," which have reportedly been in place for at least 12 years, are necessary to block traffic that is "malicious, automated, or that could be a threat." In response, a Tor representative stated that the government's actions are a disproportionate and an "isolating" way to safeguard against potential cyber harms.201 Data from the Open Observatory of Network

Interference (OONI) showed that Tor remained widely accessible in Mexico during the coverage period, indicating that there had not been wider efforts to restrict Tor itself (see B1).202

Previously, in April 2022,203 the SCJN struck down the creation of a problematic biometric cell phone registry that had been established through a reform to the Federal Telecommunications and Broadcasting Law passed by Congress in April 2021. The court echoed criticism from digital rights organizations in its ruling, citing the registry's unnecessary infringement on privacy rights and inadequate data safeguards.204 Users would have been required to join the registry when purchasing a SIM card or activating a new prepaid mobile line.205

C5 0-6 pts

Does state surveillance of internet activities infringe on users' right to privacy?	**1 / 6**

The government has used the poor security situation in the country to justify expanding the state's surveillance powers, with little accountability and oversight. High-profile abuses of digital spying technologies meant for law enforcement purposes continued to emerge during the coverage period, but they have not been thoroughly investigated by authorities.

In February 2024, an investigation from R3D detailed the functions of the Cyberspace Operations Center (COC), a covert division of SEDENA created in 2016 to conduct "military operations in cyberspace."206 According to the investigation, the COC conducts social media monitoring of users who criticize the Mexican military or the federal government, at times creating inauthentic user accounts in an attempt to infiltrate trusted networks online and uncover more information about critical users. The investigation found that the COC uses a specialized software created by Israeli company WebintPro, called HIWIRE, to monitor social media activities and identify links between users, as well as to deploy bots to "exert soft influence on public opinion" (see B5).207 These activities are known through leaked documents;208 there is no legal basis for the operations of the COC in existing Mexican law and the contract that SEDENA signed to acquire HIWIRE has not been made publicly available.

The Mexican military is reported to be one of the world's largest users of Pegasus spyware, which can surveil all activities on mobile devices with no apparent signs of a breach.209 Pegasus has been used to target those investigating government corruption and human rights abuses in Mexico.210 A joint investigation by Citizen Lab and the Mexican civil society organization R3D revealed that two human rights defenders, Jorge Santiago Aguirre Espinosa and María Luisa Aguilar Rodríguez, both working at the Miguel Agustín Pro Juárez Human Rights Center (Centro PRODH), were targeted by Pegasus between June and September 2022. According to Citizen Lab, the alleged timing of the surveillance suggests that the military was involved in these cases, though it was not able to

confirm this. At the time the spyware was apparently active on Aguirre and Aguilar's devices, Centro PRODH had been investigating past human rights abuses committed by the Mexican Army and providing support for the relatives of those who were forcibly disappeared by the military.211

In October 2022, the #EjércitoEspía investigation, coordinated by several civil society organizations and media outlets, documented three additional cases of suspected military espionage using Pegasus. Human rights defender Raymundo Ramos and two journalists, Ricardo Raphael and one from the outlet Animal Político, were reportedly surveilled with Pegasus between 2019 and 2021.212 The evidence presented in the investigation, which includes forensic analysis by Citizen Lab, confirmed that the victims were targeted with zero-click exploits, which do not require any action from victims and are virtually undetectable.213 All three individuals had recently denounced human rights abuses by the Mexican armed forces, suggesting that the Mexican military was responsible for the illegal spying.214

In March 2023, the same organizations that produced the #EjércitoEspía investigation released new evidence about the surveillance of human rights defender Raymundo Ramos.215 Internal documents obtained from SEDENA appeared to conclusively demonstrate that the military used Pegasus to spy on Ramos through the highly secretive Military Intelligence Center (CMI), which lacks any legal basis for spying on civilians. According to the investigation, the CMI operates under the command of military leadership and spied on Ramos in order to disrupt his journalistic investigation into the army's human rights abuses.216

In May 2023, the *New York Times* reported that Alejandro Encinas, the country's undersecretary for human rights and a close ally of President López Obrador, had been targeted with Pegasus spyware. Encinas had recently investigated potential abuses by the military and had been publicly critical of the armed forces.217 In June, during the coverage period, the *Washington Post* published an investigation reporting that historian Camilo Vicente Ovalle, who coordinates a truth commission about Mexico's "Dirty War" as part of Encinas' office, was also targeted with Pegasus in the latter half of 2022;218 a development which was condemned by the truth commission's Historical Clarification Mechanism and by digital rights organizations.219

President López Obrador denied the evidence presented by the organizations and the media outlets, repeatedly claiming that his government had not used Pegasus to spy on Encinas or other figures.220 After the October 2022 #EjércitoEspía investigation was published, López Obrador dismissed claims that the government had spied on journalist Ricardo Raphael because "it would be a waste of time" to do so. He also claimed that the army does not spy, but rather does "intelligence."221

Despite these revelations, authorities have been slow to investigate, and past cases have continued to go unpunished.222 In January 2023, the INAI ordered SEDENA to carry out a thorough search and provide information related to the contracts that the military signed with the company Comercializadora Antsua, the exclusive supplier of the Pegasus spyware in Mexico.223 After SEDENA refused to comply for more than a year, in June 2024, after the coverage period, a court ordered the military to turn over the documents.224

The government was first implicated in the use of Pegasus when the results of the Pegasus Project investigation were published in July 2021. Leaked data from NSO Group, originally accessed by Forbidden Stories and Amnesty International and shared with 15 media organizations, confirmed and expanded upon prior reporting on the Mexican government's use of Pegasus against critical voices.225 Some 15,000 phone numbers from a leaked list of 50,000—which are presumed to belong to the targets of NSO clients—belonged to people located in Mexico, including journalists and politicians; the Mexican bloc was the largest in the entire list.226

In November 2021, the Attorney General's Office (FGR) announced its first detention in the Pegasus investigation: Juan Carlos García Rivera, an employee in one of the dozen private companies that served as intermediaries between the Mexican government and NSO Group. García Rivera was accused of spying on journalist Carmen Aristegui via Pegasus in a way that "affected, limited, and undermined her freedom of expression."227 In January 2024, a judge in Mexico City acquitted García Rivera, determining that Aristegui had been spied on with Pegasus for her journalistic work but that prosecutors had failed to prove that García Rivera was directly responsible.228 In response, Article 19, R3D, and SocialTIC emphasized that actions seeking to ensure accountability must continue.229

Officials have access to other surveillance tools with interception capabilities. In April 2023, Citizen Lab reported that Israeli spyware vendor QuaDream had been contracted by several government clients, including Mexico, to provide surveillance technology.230 Like Pegasus, QuaDream is reportedly a zero-click exploit. Previously, in May 2020, three civil society organizations found 21 active international mobile subscriber identity (IMSI)–catchers, which can be used to intercept mobile data from all devices in the immediate area, in central Mexico.231

The proposed Federal Cybersecurity Law (see B3 and C2), which was withdrawn from the Chamber of Deputies in March 2024,232 contained provisions that would have expanded the government's surveillance of online activities. For example, Article 25 of the bill ordered the cyber police to conduct monitoring and cyberpatrolling of the online sphere in

order to prevent "any situation constituting a crime that could put the physical and/or patrimonial integrity of the inhabitants at risk."[233]

C6 0-6 pts

Does monitoring and collection of user data by service providers and other technology companies infringe on users' right to privacy?	3 / 6

Score Change: The score declined from 4 to 3 because reporting from the coverage period revealed that a telecommunications provider complied with warrantless demands to hand over the cell phone records of more than a dozen public officials between 2021 and 2023.

Article 189 of the 2014 Telecommunications Law forces companies to provide users' geolocation information and other communications metadata to police, military, or intelligence agencies in real time. Article 190 requires providers to maintain records of their users' metadata for a period of two years, and grants security agencies access to these records at any time.[234] In 2016, the SCJN upheld the constitutionality of the law's requirements for data retention and real-time geolocation. However, the ruling established the need for a judicial warrant to access historical metadata.[235]

Reforms to the criminal procedural code in 2016 required a judicial warrant for government entities to access geolocation data, with some exceptions, such as kidnapping cases in which a person's life or physical integrity is in danger.[236] The 2016 SCJN ruling also clarified which authorities can access user data; it included federal prosecutors, federal police, and the agency directly in charge of applying and coordinating the National Security Law.

In November 2023, the *New York Times* reported that Telcel turned over the cell phone records of more than a dozen public officials—including judicial officials and both Morena and opposition politicians—between 2021 and 2023 in response to at least 14 orders from the Mexico City Attorney General's Office.[237] Authorities allegedly sought the records, which included text and location data, as part of investigations into kidnappings and disappearances, though they never obtained judicial authorization—which they were required to do within 48 hours—and denied requesting the information altogether. In response, R3D warned that the existing legal framework is prone to abuse, particularly because companies are no longer required to publicly disclose information about their compliance with authorities during investigations.[238] This incident occurred as part of a broader pattern of surveillance issues in the country, where tools like Pegasus have been used to monitor journalists and activists (see C5).

Beginning in March 2023 and continuing into the current coverage period, the INAI, Mexico's data protection authority and access to information

body, was unable to function properly because it lacked a five-person quorum of commissioners. Despite a federal judge ordering the Senate to appoint a commissioner to at least one of the INAI's three vacant seats,239 the Senate failed to do so after Morena legislators accused the judiciary of interfering in its affairs in May 2023.240 In August 2023, the second chamber of the SCJN ruled that the INAI could meet with only four commissioners until a five-member quorum was appointed, allowing it to begin processing outstanding cases.241

In March 2024, it was reported that the INAI ordered the INE to publicly disclose certain information regarding requests for personal data that it made to social media platforms between 2016 to 2023, including the responses it received from the platforms.242 The INAI determined that the INE had not complied with appropriate search procedures when responding to a public request for the information.243 Digital rights organizations have raised concerns over the INE's requests for personal user data without adequate oversight amid a broader investigation into the INE's use of precautionary measures to restrict certain online content (see B2).244

An April 2021 reform of the Federal Telecommunications and Broadcasting Law established a biometric cell phone registry that tasked telecommunications companies with collecting biometric data; the SCJN ultimately ruled the registry unconstitutional in April 2022 (see C4).245 The database would have been accessible to authorities overseeing public security and justice.246

During the previous coverage period, Congress again moved to create a biometric database that could undermine the right to privacy. A bill pending in the Senate,247 which was approved by the Chamber of Deputies in March 2023, would empower the Ministry of the Interior (SEGOB) to create and manage a centralized biometric database, the National Registry and Identity System (SID).248 The SID would require individuals to give biometric information to the SEGOB while registering activities at the Civil Registry, meaning that citizens would effectively have no means to consent to the collection of their personal biometric data.249 Civil society organizations and some opposition lawmakers have raised concerns that the bill does not clearly specify which biometric data would be collected and which entities would have access to it, posing a risk to privacy and the protection of personal data.250

C7 0-5 pts

Are individuals subject to extralegal intimidation or physical violence by state authorities or any other actor in relation to their online activities?	**0 / 5**

Journalists for online outlets continue to face threats and violence from organized criminal groups, members of local governments, and other

actors. Mexico remains among the most dangerous countries for journalists in the world.[251]

Article 19 documented 561 attacks on journalists in 2023, down from 696 reported in 2022—the most violent year on record.[252] These attacks included 124 instances of intimidation and harassment, 106 illegitimate uses of public authority (which include instances of stigmatization by public authorities), 100 threats, 45 physical attacks, and 5 murders of journalists in potential relation to their work. Out of all the reported attacks against the press, 143 occurred in the digital sphere, including through online intimidation and harassment, digital threats, and attempts to hack journalists' accounts.[253] More than 53 percent of the total attacks against journalists related to coverage of corruption and politics, while almost 24 percent were linked to security and justice issues.[254]

Amid ongoing violence against journalists in Mexico, at least four journalists for online media outlets were killed during the coverage period. In April 2024, Roberto Figueroa, the founder of the satirical Facebook-based news outlet Acá en el Show, was murdered in the state of Morelos after being abducted.[255] The day he was abducted and killed, Figueroa posted a video indicating that he would soon report on corruption involving candidates in June 2024 elections. While there had been no known threats against Figueroa, prosecutors said that his murder could be connected to his journalistic work.[256] Journalists in Morelos demanded a full investigation and urged the state to do more to protect freedom of expression.[257]

In September 2023, Jesús Gutiérrez Vergara, director of the Facebook-based media outlet Notiface, was killed in San Luis Río Colorado, Sonora.[258] Gutiérrez was fatally shot while speaking with a group of four off-duty police officers; one was also killed and the other three were wounded. While prosecutors claimed that the police officers were the target of the attack, Gutiérrez often covered crime for his outlet, and it remains unclear whether he was reporting at the time.[259] Three individuals involved in organized crime were arrested in connection with the murders,[260] and Article 19 expressed concern that investigators had not considered Gutiérrez's journalistic activities as a potential motive for his death.[261]

Journalist Nelson Matus Peña, founder of the news site and Facebook page Lo Real de Guerrero, was fatally shot in a parking lot in Acapulco, Guerrero, in July 2023. His outlet frequently covered local crime and security issues. Matus had previously survived a possible assassination attempt in 2017, but it remains unclear whether he was killed in connection with his work.[262]

That same month, in July, Luis Martín Sánchez Iñiguez, a correspondent for *La Jornada* and contributor to the online news site Crítica Digital

Noticias,263 was found dead in the state of Nayarit after he went missing for three days. Prosecutors suspected foul play, and a note left with Sánchez's body reportedly read, "You can write whatever you want, but don't mess with the family."264

Juan Carlos Hinojosa Viveros, who most recently worked as a photographer for a municipal government and as a photojournalist and editor for digital outlet La de 8 News, was last seen on July 6, 2023, in Nanchital, Veracruz.265 As a journalist, Hinojosa Viveros covered various local issues, including migration and industrial fires. Article 19 urged authorities to consider his journalistic work when investigating his disappearance. 266 Hinojosa Viveros remained missing through the end of the coverage period.267

These murders and Hinojosa Viveros's disappearance represent a continuation of the extreme violence against journalists seen in recent years. CPJ reported that 13 journalists, including digital reporters,268 were killed in 2022, making it the deadliest year on record for journalists in Mexico.269 During the previous coverage period, at least three journalists—Antonio de la Cruz,270 Juan Arjón López,271 and Fredid Román272 —were killed in potential retaliation for their online reporting or activities, though a motive has not been confirmed in any of the cases.

Other threats to the physical safety of online journalists were reported during the coverage period, as were online threats of violence. In February 2024, Michael Díaz, director of the digital outlet Periodismo QR, reportedly went missing for two days before he was found alive in Quintana Roo.273 While the Quintana Roo Attorney General's Office said that the incident was not connected with Díaz's work, his colleagues indicated that Díaz had received threats following his recent reporting on alleged police abuses.274

In April 2023, during the previous coverage period, an unknown individual set the car of Fernando Rodríguez González, the director of the digital media outlet Noticias en la Web, on fire in Ciudad Acuña, Coahuila.275 The journalist had previously received threats, including one that referenced the June 2021 murder of Saúl Tijerina Rentería. In November 2022, Clever Rea, director of the digital outlet Reacción de Guerrero and a reporter for *El Despertar de la Costa*, was assaulted by police officers after he was arbitrarily detained in Guerrero. One officer reportedly hit Rea on the head with his gun, requiring him to receive three stitches at a hospital. According to Rea, the police officers mocked his work as a journalist.276

During the coverage period, President López Obrador attempted to discredit journalists for their online reporting. Following the publication of digital investigative outlet ProPublica's January 2024 report on allegations that organized criminal groups helped to finance López Obrador's 2006

campaign, the president denounced the reporting as "slander" and referred to its author as a "pawn."277 In response to a related investigation by the *New York Times*, which was published online the following month,278 López Obrador publicly revealed the personal phone number of one of the journalists who wrote the story at a February 22, 2024 press conference.279 Video of the press conference, which had been uploaded to YouTube, was removed by the platform for violating its policy on "harassment and cyberbullying."280

Online gender-based violence has become a critical problem in the country, affecting women journalists, politicians, activists, and organizations. Activist groups have documented significant abuse directed at women, including online hate speech against those who use social media to denounce any type of violence; coordinated efforts to take down the websites, social media profiles, and posts of women activists, organizations, and collectives; and smear campaigns, extortion attempts, and nonconsensual dissemination of intimate content that similarly target women.281

In May 2024, Stephanie Palacios, a journalist for Russian state news agency Sputnik Mundo, reported receiving threats and intimidating messages on social media, including messages that constituted sexual harassment and commented on her physical appearance, after she publicly condemned sanctions against certain journalists who attended López Obrador's morning press conference. Article 19 condemned these actions and called on authorities to provide necessary protection to Palacios.282

During the coverage period, Alaín Pinzón, an activist for people living with HIV, was the target of online harassment, including content generated by artificial intelligence (AI) that was used to denigrate Pinzón's work.283

C8 0-3 pts

Are websites, governmental and private entities, service providers, or individual users subject to widespread hacking and other forms of cyberattack?	**1 / 3**

Technical attacks, such as distributed denial-of-service (DDoS) attacks and malware infections, have become a central tactic in attempts to suppress freedom of expression in Mexico, and perpetrators are generally able to act with impunity.284

Journalists and activists have frequently reported cases of cyberattacks, often in retaliation for their focus on corruption or human rights issues. Throughout 2023, Article 19 documented 4 denial-of-service (DoS) and distributed denial-of-service (DDoS) attacks against journalists and their outlets, as well as 37 instances of unauthorized access.285

On October 20, 2023, at least six media outlets based in San Luis Potosí said that their Facebook pages had seemingly been hacked and made unavailable, and urged state authorities to investigate.286 By the end of the month, 15 media outlets around San Luis Potosí had reportedly been targeted, though the affected outlets were able to successfully restore their Facebook accounts.287 Previously, in April 2023, the feminist news site SemMéxico was hacked by right-wing extremists who successfully gained control of the outlet's server. The hackers, called the "1915 Team," targeted the outlet for its feminist reporting, claiming to be "protectors of religion and the homeland."288

Several media outlets were targeted by cyberattacks amid Mexico's 2024 general elections, which were held after the coverage period on June 2, 2024. Paul Aguilar, the digital security coordinator at SocialTIC, reported that the organization had documented a total of six DoS and DDoS attacks against media outlets over the past year.289 Two of these incidents occurred within the context of the elections: one during the precampaign period and another on the day of elections. Separately, Red Rompe el Miedo recorded at least six digital attacks on media outlets during the electoral period, with half occurring in the Sinaloa state.290 In one incident from after the coverage period, on June 4, 2024, *Noroeste* reported that it had been targeted by an unsuccessful DDoS attack.291

Government systems have remained vulnerable to hacking and other forms of unlawful access in recent years. In January 2024, a database containing the personal data—including contact information and official identification—of over 300 journalists registered in the Presidential Press Accreditation System was leaked online.292 A presidential spokesperson claimed that the incident was "an illegal theft of information," obtained using the credentials of a former government employee.293

In September 2022, the self-styled hacktivist group "Guacamaya" obtained millions of emails and military documents from Mexico's military.294 The exposed information, around six terabytes (TB), includes intelligence details and other sensitive information gathered from between 2016 and September 2022. The information contained in the leaked documents, shared only with journalists and researchers, has been used to support journalistic investigations in the public interest, such as the #EjércitoEspía investigation documenting the use of Pegasus spyware in Mexico (see C5).295

Guacamaya was reportedly able to exploit SEDENA's server because the military failed to apply the necessary security patches, leaving highly sensitive information vulnerable for 11 months, and used Zimbra, a collaboration suite vulnerable to attacks.296 A separate hacking group, known as the Mexican Mafia, reportedly took advantage of the same

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Report on digital media and internet freedom (reporting period June 2023 - May 2024)

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