

12th IACC Report

Workshop 8.4: Constraints and Challenges of Investigative Journalism against Corruption

Friday, November 17 2006, 11:30 to 14:00

Moderator: María O'donnell, Journalist, Argentina

Rapporteur: Inés Selwood, Universidad de Buenos Aires, Argentina

Panellists:

Juan Luis Font (Co-Director, Newspaper El Periódico, Guatemala)

Guido Rodríguez (Director, Newspaper Panamá América, Panama)

Tamoa Calzadilla (Reporter Newspaper El Mundo; Winner of the IPYS-TILAC Investigative Journalism Award, Venezuela)

Gerardo Reyes (Reporter El Nuevo Herald, USA)

Session Summary: Investigative reporting on corruption cases is sometimes a dangerous work to be done. Journalists not always have the support from their companies or have enough human or material resources to do a thorough investigation on a corruption scandal.

In Latin America, journalism consistently contributes to the uncovering of important corruption cases throughout the region. Examples abound of the contributions of investigative journalism to revealing cases of corruption, but still public resources continue to fall into private hands with ever increasing rates, as specialized studies reveal.

In spite of the attention it receives investigative journalism is not sufficiently promoted. Because of its own modus operandi and objectives, this type of journalism can be very time consuming and requires resources that are often hard to come by. This adds to the pressures and dangers already inflicted on reporters by those who have an interest in keeping investigative reports quiet. Another risk is the use of investigative journalism's name for the publishing of less-than-serious reporting or investigations with insufficient documentation and/or research.

With all this in mind, TILAC (Transparency International in Latin America and the Caribbean) supports media and journalistic work that contributes to the fight against corruption in the region since the beginning of the TILAC network in 1996. And, since 2002 TILAC, together with the Press and Society Institute (IPYS), a prestigious organization of Latin American independent journalists, based in Lima, organises an Award that aims to provide qualified investigative journalists with an important stimuli to their work. Assisted by a Jury of the highest quality, they shall award a first prize of 25 thousand U.S. dollars to the best investigative report on corruption published in the Latin American or Caribbean media and two 5 thousand dollar prizes to important efforts especially worthy of recognition.

This Award is nowadays widely known in the region and the opportunity of discussing further more about investigative journalism and the fight against corruption, arisen in the running up to the 12th IACC in Guatemala. TILAC organised an open session with prestigious journalists from the region and the TILAC-IPYS Award winner 2006.

During the workshop the panelists talked about their own experiences in some major corruption cases and the way it developed both in side and outside the news room. These experiences were very well received by international press attending the IACC who had time to ask questions and network with fellow colleagues of other regions.

Award winner **Tamoa Calzadilla**, from *Venezuela*, highlighted the difficult process that journalists are put through when they uncover a major political scandal that involves people in power. Usually –and this was also her own experience- journalists are investigated when they report on a corruption case, the judicial investigation instead of following the fact that the journalists found, investigates the way the journalist gets the information. She highlighted the

lack of an Access to Information Law in Venezuela and how this becomes a very big problem for journalist that want to uncover the truth because it is very difficult to get public information through regular channels and, instead, information is given to some and not to others, and facts are difficult to obtain.

Guido Rodriguez, from Panamá América of *Panama*, told the audience about an investigation where reporters of Panamá América went undercover to demonstrate a corruption case. This is sometimes a strategy that the media uses to get access to primary sources, though in many countries this is considered not under the ethical behavior of a journalist. As these journalists committed a crime while the investigation because they paid a bribe for obtaining a driving license without doing the process required, they are being sued. And the media has to deal with these practices. *“Investigations against journalists in Latin America develop very fast while the investigations on corruption that journalists present to the justice go backwards”*, he stated. This experience brought to the session the issue of ethics and what best practices or common practices are out there in other regions. But the conclusion was that the discussion around ethic issues when investigating corruption is still not finished.

Another important aspect while investigating corruption scandals is the fact that journalist are exposing practices of public officers or important public figures. In many countries in the region, journalists are denounced for undermining the honor of a public official when they report on some of his acts. Libel acts in Latin America act always as a threat for independent investigative journalism. Lawyer and former Special Rapporteur for Freedom of Expression in the Organisation of American States, **Eduardo Bertoni**, answered from the audience about the status of libel and other international laws regarding freedom of speech.

Juan Luis Font, from El Periódico of *Guatemala* spoke about investigation units in newspapers in Guatemala: *“after some corruption cases that were demonstrated by the newspaper, there were threats against journalists who reported on corruption cases (there was a famous case on money laundry)”*. Constrains and tensions between journalists and government are always present. Another aspect to take into account when analyzing investigative journalism is the economic resources involved. *“Investigative journalism gives prestige to the newspaper, but it does not give profit. There is always the tension between two news rooms: the investigative unit that has resources and time for delivering a major story not too often, and the daily news room that has to cope with the daily constrains”*.

Pulitzer Award winner **Gerardo Reyes**, from El Nuevo Herald, *Miami*, started his presentation with a reflection on journalism: *“one of the critics on journalism could be that sometimes journalists like the cases when they break the news, and then there is no pressure to continuing with the investigation once the “braking news” is over. And sometimes this contributes to the society to forget about the corrupt and the corruption cases”*.

But, at the same time, he pointed out that corruption cases investigated by journalists in Latin America have a great impact in society and politics. He spoke about his experience investigating corruption cases in Miami *“a city where most of the corrupted go when they are escaping from the justice. Why corruption is still blocking the way and how does this applies to journalism?”* he asked himself. And looked for the answer in the near past history of Latin America and in the lack of indicators to ensure that the work (sometimes very risky) that journalist are doing in the region sometimes have no impact: *“many presidents in Latin America left office because of corruption cases but many of them are back. There is no study that can give us a figure of the impact of investigative journalism in the fight against corruption. We still don't know whether investigative journalism is helping to improve our societies”*.

The role of journalism as a watchdog of the power was brought to the panel by the question if journalism ends when the justice starts. *“Our role is to inform, but if a criminal receives or not punishment, it is a problem of society as a whole”*, the panel answered. But this, sometimes, undermines the work of reporters because *“people start to wonder if what the impact of investigative journalism is when society finally forgives the criminals by forgetting”*. Reyes answered that *“journalists do not have the answer about the impact of journalism in the fight*

against corruption, and sometimes is journalists fault. We like when a scandal brakes and we work hard in it while is still news but then we have very little follow up on the case after some time. That allows society and citizenship to forget”.

Self-censorship was another aspect that was thoroughly discussed, it was said that it is worst than censorship form the government. *“When an editor calls a journalist and says that he can’t publish that article because it will end a political contact, that stays in the backlight on the press room and no one will publish anything about that”,* stated Reyes.

Democracy is still young in Latin American, and this means that people are still celebrating the right to denounce and to express different opinions and sometime it is seen as too much to ask for further investigations. This was seen as the next challenge.

Questions from the audience

Some participants were interested in knowing the relationship between journalists and prosecutors. **Guido Rodriguez** stated that *“the relationship is very important if both know what are their roles and that those are very different. And they shouldn’t be bumping against each other. Journalists investigate cases where there is a public interest”.* Gerardo Reyes said that *“when journalists work with prosecutors most of the time the impact is higher and denounces have a better effect. The success of investigative journalism depends on the collaboration between reporters and the justice system”.*

Another participant wondered about how international community can support investigative journalism. And **Gerardo Reyes** answered that *“it is important that international community keeps insisting countries to pass access to information laws because journalists cannot continue depending on the good will of public official to access to vital public information”.*

The role of journalism in war conflicts was another inquire that the panel received from the audience. **Juan Luis Font** stated that *“it is very difficult to do investigative journalism in war zones. In Guatemala, for example, reporters were threatened and that was a disincentive for others to continue with investigations on corruption related to what was happening. There is a need to push forward the limits so that freedom of press was not under threat as well”.*