

Emilio Gutiérrez Interview
January 30, 2009

The reporter Emilio Gutiérrez, who crossed the US-Mexico border because of a death threat and was detained by the US immigration authorities this past June, was released the 29th of January.

After his liberation, Reporters Without Borders spoke with Gutiérrez by telephone about his case. He had been detained with his son.

Reporters Without Borders: How did you learn about your release?

Emilio Gutiérrez: An official of the United States domestic security department whose name is Franco told me that I was free and granted me permission to reside legally here for seven months and I left. First they told me to make it snappy because we are going to move. I said move where? I assumed that they were going to move me to another camp but they clarified to me, don't worry, you can leave.

I don't know the judicial argument for them to grant me liberty. Nobody from the Office of the US Immigration and Customs Enforcement (ICE), wanted to inform my lawyer or the media. It appears to have been a long process. We hope that the immigration judge will consider all of the arguments and evidences that we have presented: the reasons that I had to leave my country, job, friends, son, and .

We dedicate ourselves to this noble office of journalism, we understand that there are no guarantees while it appears that the government encourages the criminal organizations or even is responsible for attacks against us. Like in the case of my friend Armando Rodríguez.

RWB: Emilio, can you tell us what happened those seven months in the prison in El Paso? Did they treat you well; did they tell you your rights? What happened?

EG: Yes, when I entered, someone read me my rights. I was marginalized and racially discriminated against - by the representatives of a private business that deals with internal vigilance and an internal personal security service to the United States of America. The Anglo-Saxons behavior was better than that of illegal immigrants sons. I isolated myself so that my situation would not get worse and I would not get into trouble with security.

RWB: Did they treat you well?

EG: Well in general terms- yes, they treated me well, but more when the change of the government occurred.

RWB: Explain why you were detained such a long time?

EG: I believe that they did this in order to discourage the number of asylum seekers.

And, above all, a very straight answer was given between the government of George W. Bush and Felipe Calderón; they sought to discourage asylum requests. Already this has changed, I expect a greater accessibility to be permitted to other people who are in similar situations. To have access at least to the request of asylum, each one will be able to have evidence that permits them to make a case for protection.

RWB: How long was your younger son detained with you?

EG: Two months.

RWB: How come he was able to leave?

EG: Some relatives, that are exemplary American citizens and businessmen, requested his release and it was allowed that my son could stay with them, during my detention.

RWB: What explanation did they give you of his detention?

EG: The explanation was also based on my judicial argument, threats of death, with the possibility of a fatal attack. The petition of asylum was the same as mine.

RWB: Oscar was in the same cell as you?

EG: Oscar because of his age-- he is fifteen, was in a house for minors during the two months that he was detained.

RWB: Emilio, returning to the past, how did you make this decision to exile yourself and why?

EG: I did not have another choice, because in 2005, the leader of the fifth military zone in Chihuahua, the General Vega Garcia, by instructions of the secretary of the National Defense, came to a modest municipality of the northwest of Chihuahua to tell me that there were three negative reports written about the Mexican army and that there would not be a fourth one. I presented my complaint before the National Commission of the Human Rights and before the District attorney's Office of the State; they denied the facts. The General Vega Garcia, does not exist, never were they in Asunción. They took their time so that this thing could diffuse a little bit. And under the pretense of organized crime, they raided my house without a search warrant and the threat that the following warning would have fatal consequences. This occurred last year on May 5th.

RWB: How did they justify entering your residence this way?

EG: That there had been an anonymous tip that I could be armed, thus they thundered through my house and waived long weapons at us, insulting and shouting at us, and they kicked us to the floor. It was terrifying. It is shocking to think of all the crimes that have been registered in this region alone.

You ask the local police to help, they maybe arrive and then they leave in fear. They asked me- Where do you live? What is going to happen? On June 14th I noticed surveillance outside of my house, of my office, along the streets of Ascención. I hid in the house of a friend and that afternoon someone I know notified me that they were planning to kill me. What could I do; I was aware of what was going on but I did not believe it. My son depends entirely on me; he is my soul and my only family. I said,

Let s go son! That was a Saturday. I waited for Sunday to end and first thing on Monday morning, I left for the border in the modest municipality of Chihuahua, through Jano, that is called El Berrendo. Upon crossing, I ventured to request political asylum from the authorities of the Department of Customs of the US.

RWB: What did they tell you when you crossed the border?

EG: They asked why we entered The United States so quickly and I explained to them that we could be murdered by the Army. Already they transferred us to a special area of a Customs hut and they maintained us there. They took us to Columbus that day and from there they took us the next day to El Paso, Texas.

RWB: They interrogated you?

EG: They read us ours right and asked us what the reasons were for us crossing the border.

RWB: How did you imagine your arrival to The United States of America was going to be?

EG: Actually I hoped they were going to give me political asylum immediately, accordingly to the international treaties signed by the United States. It has been a country that upholds humanism toward other nations, toward other cultures. I really expected that they would give us that sort of treatment.

RWB: Do you regret that you crossed the border illegally?

EG: No. If I did not cross it, my son would be an orphan and I would be part of the homicides statistics in Mexico. I understood that risks of crossing, unfortunately my companion Armando Rodriguez did not think that he should cross; he did not know what would happen to him. Armando and I were friends, we worked together for years and we reported the crime sources in Ciudad Juárez. I knew his wife Blanca. She was a colleague of mine in *El Universal* and is a very good person. I imagine my son abandoned and I do not regret that I crossed the border illegally.

RWB: How much time had you as the correspondent of *El Diario en Ciudad Juárez*?

EG: I am a founding reporter of the newspaper of *El Diario en Ciudad Juárez*. Twenty-five years ago I separated myself from it to work for other newspapers: *El Universal*, *El*

Norte and online media. I have been the correspondent of *El Diario Northwest* in this region for eight years.

RWB: You covered crime?

EG: All the sources, crime, sports and political.

RWB: What has been most difficult for you in these months?

EG: To not have my son. I have had my son since he was born, like I tell him, he is my soul, my driving force, and not to have him, not to be able to embrace and to kiss him, to be able to teach him has been a terrible thing. Fortunately, we are back together now.

RWB: What if next with your liberation?

EG: The process continues, we are going to compile more information from Mexico about these kinds of events and the conditions in which my fellow reporters work until the first trial before the judge. To present more evidences to support the claim that Mexico is really a failed State. If possible, to obtain permission to work be a correspondent here in El Paso for the news organization that has supported me so much and to continue seeking protection and assistance for reporters an news organizations in Mexico. Because the advances that we had been achieving, the advances with democratic processes, these last eight years have gone in backward movement with the supposedly democratic governments in charge.

RWB: You know the date of the trial?

EG: It is not been determined yet, it could be in June or July. It was planned for March 6, but this date has been rescheduled.

RWB: Your petition of asylum continues?

EG: Yes.

RSF: Would you recommend to the Mexican journalists to follow in your example?

EG: I think that if they are going to follow in my example, I suggest that they seek legal counsel so that they are not imprisoned and do not face what I experienced. But if these circumstances continue in Mexico, many people will have no choice but to leave.

RWB: Is there anything that you would like to add Emilio?

EG: I would like to thank my friends that worried about us and to request the solidarity among us all to continue to move forward so we can receive the guarantees that we deserve as reporters. We are few and can rely on few resources. I believe that we should request together that the government grant reporters the rights they deserve.

RWB: Has your freedom of speech been threatened?

EG: Well, I saw my freedom of speech threatened but I struggled to continue exercising it.

RWB: Why?

EG: Simply because they threatened me. If I remain quiet, it will become worse, they threaten you more, tie your hands, cover your mouth and silence you. It turns out to be easier for them to kill you because you are already silent. If a fatal event is to happen, I prefer that we have the opportunity to shout it out so that the world knows what is happening.

RWB: What would recommend to your colleagues?

EG: Not to complain. The country needs us now. Obviously we see the sad statistics that mar the news in Mexico daily, but we do not have to become a part of those statistics.