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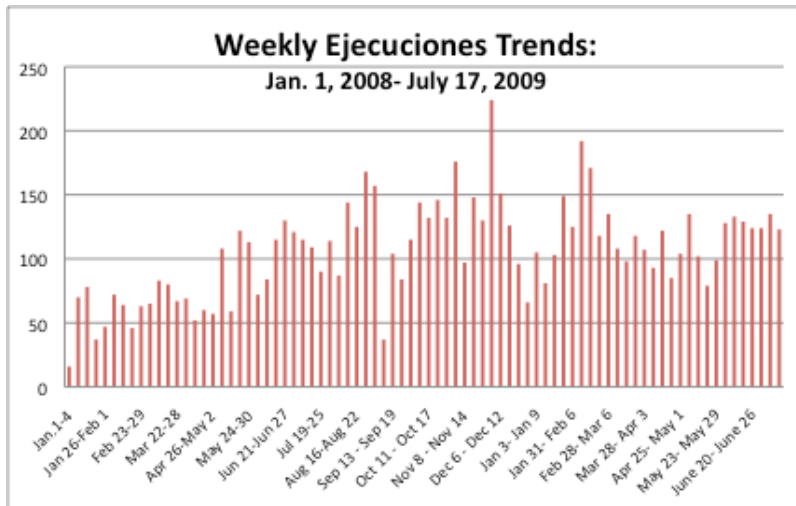
From January through June, cartel-related violence fell by about 5% compared to the previous six months, and declined along the border (from 52% to 41% of all cartel killings nationwide) while rising in several interior states. Still, cartel violence for 2009 remained on track to exceed the annual total for 2008. Meanwhile, President Calderón's ruling National Action Party (PAN) was dealt a blow in the July 5 midterm elections, losing its plurality in the lower house of Congress, the Chamber of Deputies, in an election where the economy took precedence over public security for voters. Some Mexican citizens participated in the July federal midterm election in innovative ways as they used the Internet and social networking tools to encourage greater transparency and accountability from candidates and political parties. In other news, a recently published study on accountability among state governments explores how greater autonomy for state governments has not translated into greater efficiency or sensitivity to citizen requests for information. Family and fellow community members of Benjamín Le Barón, an anti-crime activist assassinated in Chihuahua, have said that they will not relent in their efforts to bring criminals to justice.

LAW AND ORDER

DRUG TRAFFICKING

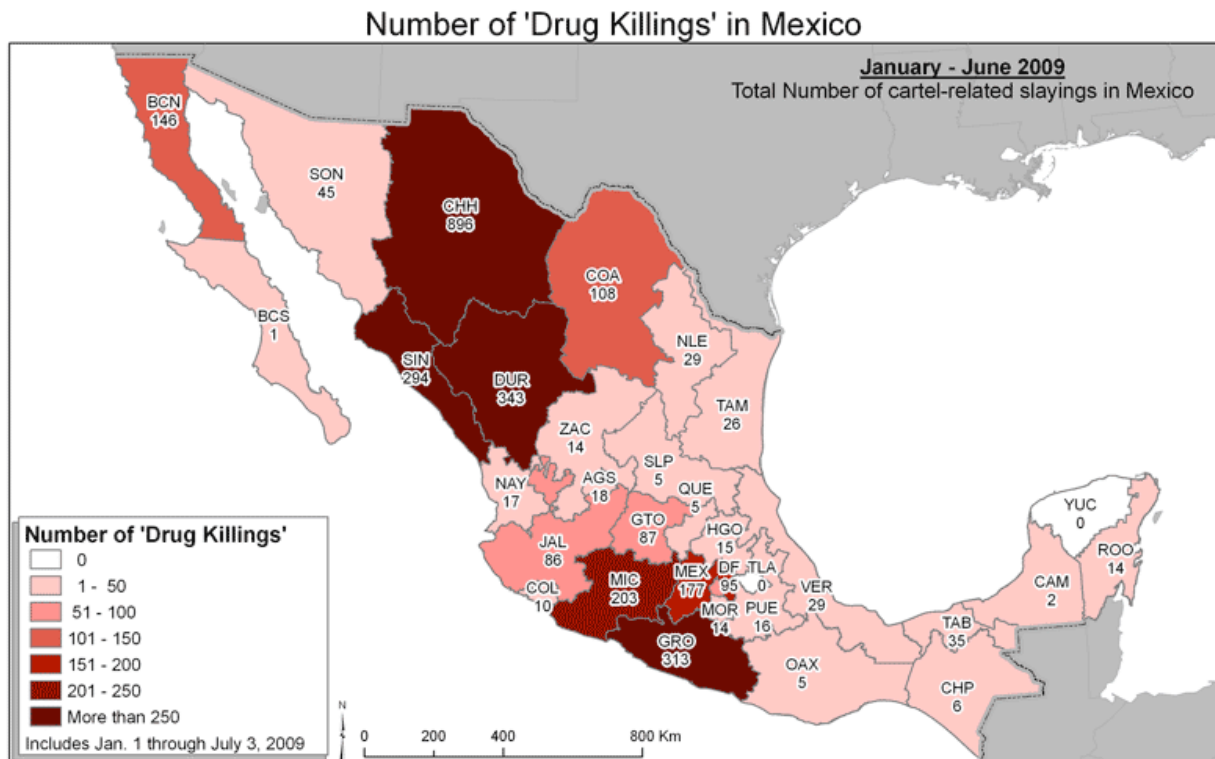
Cartel violence ticks up mid-summer; down slightly for first half of 2009

According to *Reforma's* running tally of cartel-related killings or *ejecuciones*, such violence is up slightly since the past reporting period, though down over the first six months of 2009 as compared to the final six months of 2008. Nationwide, *ejecuciones* stood at 3,054 by the end of June, and 3312 as of July 17. There was a nationwide average of 126.5 weekly *ejecuciones* between June 20 and July 17, up 13 percent from a prior weekly average of 112. Nationwide, *ejecuciones* for the first six months of 2009 are down slightly —about 5 percent— from the final six months of last year. However, despite the recent decline, cartel violence in the first half of 2009 remained much higher —by 52 percent— compared to the same period last year. Hence, if there are not significant reductions in the coming months, cartel violence in 2009 will exceed the annual total for 2008.



Source: www.reforma.org.mx

By mid-year 2008, there were an estimated 2,002 cartel-related killings, while there were an estimated 3,054 through the first six months of this year. This represented an increase of 52.5 percent from the previous year. By comparison, in the last six months of 2008 there were an estimated 3,217 cartel related killings, compared to 3,054 from January through June of 2009. The nationwide decrease of 5.1 percent reflected the difference between a 26.8 percent decline in border states and a 20.4 increase in non-border states.



Source: State and national totals of cartel-related slayings in Mexico ("ejecuciones" and "narcoejecuciones") obtained from data provided by Reforma newspaper.

Maximum and Minimum values:

Maximum value: 896 in Chihuahua

Minimum value: No 'ejecuciones' were recorded in the state of Tlaxcala or Yucatán according to the source for these maps, Reforma newspaper.

National average: The national total number of 'ejecuciones' (cartel-related slayings) Jan. 1 - Jul. 3, 2009 was 3,054.



Maps produced by Theresa Firestine
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Chihuahua is still bearing the brunt of cartel-related killings with 896 at mid-year, and 972 as of July 17. However, the border region comprising Baja California, Sonora, Chihuahua, Coahuila, Nuevo León, and Tamaulipas is down as a whole in 2009 as compared to the rest of the nation. In the final six months of 2008, these six border states accounted for 1,708 cartel related killings (roughly 52 percent of the nationwide total), as compared to 1,250 (roughly 41 percent of the national total) in the first half of 2009.

This suggests that cartel turf battles have abated in some northern states and increased in other interior states, most notably Guerrero and Michoacán. Given continued high levels of violence in states with significant federal military and police deployments, like Chihuahua, it is not clear whether the shift is a result of government efforts or changing dynamics among certain cartel organizations. Baja California, in particular, has seen significant declines in overall violence. Yet, Michoacán, the site of recent troop deployments, saw 203 *ejecuciones* in the first half of 2009, twice as many as in the final six months of 2008. Guerrero, the site of 12 targeted killings on election day July 5, has likewise seen nearly twice as many *ejecuciones* in 2009 as in the previous six months.

Regardless of the shifting trends, border-states remain sites of substantial high-profile violence, with much higher levels than before 2008. Chihuahua's total of 896 killings from January through June 2009 marked a substantial improvement over the 1068 killings in the preceding six months. Still, cartel slayings in Chihuahua at midyear registered an increase of more than 52% compared to the first half of 2008.

In a rare targeting of a public official, gunmen assassinated Hector Meixueiro, the mayor of a ranching town in Chihuahua in clear retaliation for last month's arrest of 25 men suspected of belonging to a cell responsible for carrying out kidnappings, extortion, and killings in the area. Meixueiro was shot dead as he drove to work on the morning of July 14 in his home town of Namiquipa. The killing corresponded with "narco-banners" hung in nearby Ciudad Juárez calling out Meixueiro and the state attorney general for the arrest of 25 cartel members in June. Last year, gunmen killed the Namiquipa treasurer and kidnapped its police chief, who is still missing. Also killed in retaliation for the arrests was local Morman leader and anti-crime activist Benjamin Le Barón, who was kidnapped from his home in a rural Chihuahua community along with his brother-in-law (see this month's *Access to Justice* section for more information).

Meanwhile, in Baja California, police have been increasingly targeted by the cartels in recent weeks, with three municipal Tijuana police officers slain on July 6-7 over the course of 15 hours. The body of one of the police officers was found with a note promising more police executions if police chief Julián Leyzola Pérez, a former Army colonel, did not step down. This is the second time this year that such threats have been made against a border city police chief. On February 20, Ciudad Juárez police chief Roberto Orduña resigned after threatening messages appeared, warning that one police officer would be killed daily until he did step down. True to their word, gunmen killed a police officer and a jail guard, and hours later Orduña resigned from his post. According to *Reforma*, 249 police had been slain in Mexico in 2009 as of July 17, with 22 killed in the final week of that period alone.

SOURCES:

"Regresa violencia en contra de policías." *El Financiero* July 8, 2009.
Cardona, Julián. "Mexican drug hitmen kill mayor in revenge attack." *Reuters* July 15, 2009.

Retaliatory cartel violence in Michoacán prompts troop deployment

The capture in Michoacán of Arnoldo Rueda Medina, one of La Familia Michoacana's top bosses, was followed by what Mexican media have characterized as the largest ever offensive by organized crime against federal police and the military operating in the state. The attacks are a response to an historic deployment of troops and federal police to Michoacán to reinforce the first of President Calderón's domestic joint federal police-military operations against the nation's drug cartels.

In all, there were eight attacks on July 11 followed by 13 more in the following days against Federal Police and military installations and patrols. The attacks, which included the use of fragmentation grenades and AK-47 assault rifles, began in the state capitol of Morelia and extended to other cities in Michoacán, as well as the neighboring states of Guerrero and Guanajuato. In all, 16 federal agents were killed, and 21 were wounded. On July 14, a total of 24 bodies were found alongside a major highway in Michoacán, all showing signs of torture. Of those, half were identified as Federal Police officers.

In response to the criminal offensive in Michoacán, Interior Minister Fernando Gómez Mont announced the deployment of 1,500 Federal Police officers, and 4,000 soldiers to the state to reinforce the thousands already present there. On Dec. 11, 2006, President Calderón's home state of Michoacán became the first destination for domestic troop deployments during his administration. The current deployment will bring

the number of soldiers and federal police in the state to 8,300. In his press conference alongside the heads of the Navy, Army, the Attorney General's Office (PGR) and the Public Security Secretariat (SSP), Gómez Mont made no mention of Michoacán's embattled Governor Leonel Godoy, of the Party of the Democratic Revolution (PRD). Governor Godoy's half-brother, federal deputy Julio César Godoy, has been singled out by the SSP as having links to La Familia Michoacana. The governor has asked his brother to turn himself in to authorities and clear the family's name. Godoy has come under pressure in recent weeks to resign as governor, but has to this point shown no inclination to do so.

Michoacán saw a drastic downturn in cartel-related violence after the initial troop deployment in December 2006, but has seen an increase in public displays of violence in recent months, particularly a 2008 grenade attack in the state capitol on Mexican Independence Day and a number of attacks on police stations throughout 2009.

SOURCES:

Gómez, Francisco and Silvia Otero. "Inédita narcoembestida." *El Universal* July 12, 2009.
"Michoacán: 23 muertos y 21 ataques en 4 días." *El Heraldo de Tabasco* July 15, 2009.
Téllez Cortés, Cecilia. "A Michoacán, otros 5,500 soldados, marinos y federales." *La Crónica de Hoy* July 17, 2009.
"Anuncian blindaje federal sin precedentes para combatir el narcotráfico en Michoacán." *La Jornada* July 17, 2009.

Additional troops sent to Ciudad Juárez along with regular rotation

In addition to the 1,000 soldiers sent to Chihuahua to replace others in a routine rotation, 1,500 more were sent to the embattled state to address the spiraling violence. Chihuahua governor José Reyes Baeza said that the troop deployment is necessary in responding to criminal gangs constantly modifying their tactics to evade authorities. 1,500 federal police were also replaced, primarily in Ciudad Juárez. According to a military spokesman, troop rotations are made every 40 to 60 days to provide relief to soldiers on the ground and to discourage collusion with organized crime.

SOURCE:

Breach Velducea, Miroslava. "Mil 500 soldados más a Ciudad Juárez." *La Jornada* June 22, 2009.

ELECTIONS

Midterm elections leave future of Calderón security measures uncertain

President Calderón's ruling National Action Party (PAN) was dealt a blow in the July 5 midterm elections, losing its *plural majority* in the lower house of Congress, the Chamber of Deputies. As was expected, the Institutional Revolutionary Party (PRI), which ran the country for the better part of the 20th century, came out the winner, earning 237 seats, largely on promises to fix Mexico's ailing economy. The PAN, by contrast, ran largely on a law and order platform, banking on public support for President Calderón's fight against the drug cartels and leveling accusations of complicity in the drug trade against PRI candidates. Left with only 143 seats the PAN now loses control of the Chamber of Deputies. Given no option for executive reelection in Mexico's constitution, Calderón is effectively a lame duck president for the remainder of his term, which is up at the end of 2012.

In addition to its victory in the lower house, the PRI also won five out of six gubernatorial races, retaining its hold on Campeche, Colima, and Nuevo León, while picking up the PAN-held states of Querétaro and San Luis Potosí. For its part, the PAN took one governorship from the PRI in Sonora, where state leaders have come under heavy scrutiny since a fire killed almost 50 children at a daycare in June. The PAN also won all eight lower house seats in Baja California. The left-of-center PRD also suffered significant losses in the midterm elections, dropping to 71 seats, raising questions about the future of the party, and prompting some to call for renewed prominence for Andrés Manuel López Obrador, who narrowly lost a hotly contested presidential race to Felipe Calderón in 2006.

President Calderón immediately acknowledged his party's defeat in the lower house, calling for lawmakers to work together to accomplish needed economic and public security reforms. PRI president Beatriz Paredes also struck a somewhat conciliatory tone, though was clear in saying that the midterm

elections constitute a mandate reaffirming the fundamental values of the PRI, which appeared largely discredited after it lost the presidency in 2000. PRI senate leaders have already begun to assert their new political capital, suggesting that they will press President Calderón to make cabinet changes, particularly in areas of the economy and energy.

While it is clear that the return of the PRI to power in the Chamber of Deputies will place a burden on President Calderón's efforts to reform the energy sector, it is not yet apparent what, if any, consequences it will have on his public security and justice reform measures. It does appear that the economy will take precedence over public security in the upcoming legislative agenda. The midterm election results will also spell changes within the PAN, as is already apparent from the resignation of party chairman Germán Martínez and from PAN Senate President Gustavo Madero's recognition that his party misread the priorities of the voting public going into the election.

SOURCES:

Stevenson, Mark and Michael E. Miller. "Former ruling party makes big comeback." *Associated Press* July 6, 2009.
"Error, haber centrado la campaña panista en la seguridad, señala Gustavo Madero." *La Jornada* July 7, 2009.
Urrutia, Alonso. "Habrá 237 diputados priistas plurinominales." *La Jornada* July 13, 2009.

POLICE REFORM

National Human Rights Commission declares Federal Police law unconstitutional

The National Human Rights Commission (CNDH) has submitted a claim of unconstitutionality to Mexico's Supreme Court against the Federal Police law, on the grounds that it violates the principle of legal certainty. The Federal Police law was approved by congress last month, and bestows investigative powers on the newly-formed Federal Police, which replaced the Federal Preventive Police operating under the Public Security Secretariat.

Asked to clarify, CNDH president José Luis Soberanes explained that the new law does not sufficiently define the parameters for undercover operations, consequentially raising doubts as to the legality of evidence obtained therein. For example, it is not clear whether it would be permissible for an agent to commit a crime during an undercover operation. There also lacks language prohibiting entrapment of suspected criminals. Soberanes also claims that the law also does not regulate the protection of the identity and integrity of undercover officers.

He stressed the importance of elaborating a Federal Police law that clearly defines a code of conduct for undercover officers as well as rights and protections afforded to them while in the field in order for federal agents to effectively prevent the commission of crimes.

SOURCES:

Ballinas, Victor. "Impugna la CNDH artículos de la Ley de la Policía Federal." *La Jornada* July 13, 2009.
García, Judith. "Viola garantías la Ley de la Policía Federal." *El Heraldo de Tabasco* July 13, 2009.

U.S.-MEXICO COOPERATION

U.S. Justice Department asks to drop charges against Ye Gon; opens door for extradition to Mexico

U.S. federal prosecutors asked a Washington, D.C. district judge to drop charges against Chinese-Mexican businessman Zhenli Ye Gon, citing problems with key witnesses. Ye Gon was arrested by federal authorities in Wheaton, Md. in 2007, charged with conspiracy to manufacture methamphetamines intended for the United States. Mexican authorities found over \$205 million in cash in his Mexico City mansion, a record drug-related cash seizure, according to the U.S. Drug Enforcement Administration. If the charges are dropped, it will open the door for a possible extradition to Mexico, where Ye Gon would stand trial for a number of charges, including involvement in organized crime (specifically the Sinaloa

cartel), money laundering, weapons possession, and possession and trafficking of precursor ingredients for the production of methamphetamines.

The U.S. district judge in Washington, Emmet Sullivan, harshly criticized the U.S. prosecutors for a mishandling of evidence, for which Sullivan ordered an investigation. Prosecutors specifically cited problems with two key witnesses, one who recanted and another who now refuses to testify. Ye Gon's attorney expressed his pleasure in the decision, though acknowledged that fighting extradition to Mexico will be difficult. Justice Department spokeswoman Laura Sweeney explained that the decision to abandon prosecution of Ye Gon was based on the rationale that Mexican authorities have a better case against him. A hearing deciding whether to authorize Ye Gon's extradition will take place in Washington on August 26.

In another legal victory for the Calderón administration, a U.S. judge authorized the extradition to Mexico of Brenda Quevedo Cruz, whom Mexican authorities have connected to the kidnapping and murder of a Mexican businessman four years ago. Quevedo Cruz was arrested in the United States in 2007.

Extraditions between the United States and Mexico have become more common since President Calderón took office in December 2006, though extraditions to the United States from Mexico are far more prevalent. In June of this year, Mexico extradited three U.S. citizens, two wanted for drug trafficking offenses and one for murder and robbery, bringing the total for 2009 to 54.

SOURCES:

- Barrett, Devlin. "US wants to drop drug charges against millionaire." *Associated Press* June 22, 2009.
Lozano, Javier. "EU retira acusación de narcotráfico a Ye Gon." *La Jornada* June 23, 2009.
"Over Fifty Indicted Criminals Extradited By Mexico This Year." *U.S. Embassy*. Press Release June 29, 2009.
"Autoriza EU extradición de plagiaria de Wallace a México.." *La Crónica de Hoy* June 29, 2009.

U.S. Congress could withhold Mérida Initiative funds on human rights grounds

Increased international attention from the media and human rights organizations to alleged abuses by Mexican soldiers against civilians could pressure the U.S. State Department and Congress to withhold funds from the Mérida Initiative, the US\$1.4 billion aid package to help equip Mexican law enforcement agencies in their campaign against drug cartels. The Mérida Initiative was initially agreed to by Presidents Calderón and U.S. President George Bush in late 2007, approved in 2008, and reaffirmed under the new administration of President Barack Obama in 2009.

The Washington Post, which endorsed the Mérida Initiative in December 2007 shortly after it became public, ran an article on July 9 detailing alleged military abuses in Guerrero, Baja California, and Chihuahua, some in retaliation for killings of soldiers. Most of the alleged abuses took place when the victims were detained at military bases, highlighting the jurisdictional ambiguities that have arisen with the military carrying out public security functions. Human rights groups argue that, according to international law, suspects apprehended by the military must be turned over to the Attorney General's Office for questioning and investigation.

The organization Human Rights Watch (HRW) sent a letter to U.S. Secretary of State Hillary Clinton asking that the U.S. government not certify that Mexico has adhered to human rights requirements defined by the U.S. Congress for the Mérida Initiative. According to the terms of the aid package, Mexico must show progress in prosecuting suspected human rights offenders, and nullifying evidence from testimonies obtained through torture. A consortium of Mexican and U.S. human rights groups have echoed HRW's stance, arguing in a letter sent to the U.S. State Department that Mexico has failed completely in meeting the human rights requirements outlined in the Mérida Initiative.

The U.S. Congress has established that 15 percent of Mérida Initiative funds will be contingent upon a report by the Secretary of State to Congress that the Mexican government has met four requirements regarding human rights. One of these requirements stipulates that soldiers accused of committing human rights abuses be investigated and tried by the civilian justice system, not by the military's own courts, as is now the case (See this month's *Access to Justice* section for more information). To date, over \$90

million has been withheld from the Mexican government, which early on in the bi-national talks regarding the Mérida Initiative insisted that it would reject any strings attached to the funds. An additional \$24 million included in the supplemental budget signed by President Obama on June 24 is also subject to the requirements.

U.S. drug czar Gil Kerlikowske and Republican and Democratic legislators have expressed concern over the allegations, and have said that they will investigate. The White House has said that it is confident that Calderón's government is making headway in its struggle with the drug cartels, while at the same time strengthening state institutions and minimizing human rights abuses. Border czar Alan Bersin also expressed concern over the accusations, but cautioned against jumping to conclusions. Nonetheless, the increased profile of Mexico's human rights debate puts the Obama administration in an increasingly difficult position, potentially torn between supporting the Mexican government as has been pledged, and upholding the human rights standards of the Mérida Initiative in place since the funds were approved last year.

SOURCES:

Fainaru, Steve and William Booth. "Mexico Accused of Torture in Drug War." *Washington Post* July 9, 2009.
Brooks, David. "Indagará EU abusos de militares mexicanos en la lucha antinarco." *La Jornada* July 10, 2009.
Ballinas, Víctor. "Pide HRW que EU condicione recursos de la Iniciativa Mérida." *La Jornada* July 14, 2009.

INTERNATIONAL PERSPECTIVES

United Nations annual drug report advocates more integrated approach to drug problem

In its annual drug report released in late June, the United Nations Office on Drugs and Crime (UNODC) found substantial decreases in cultivation and production of cocaine, opium, and cannabis worldwide, with a corresponding increase in the production of synthetic drugs in developing countries. The report also urged a more comprehensive, international approach to drug control policies. Antonio María Costa, director of the UNODC, presented the report in late June alongside U.S. drug czar Gil Kerlikowske.

The report shows a 19 percent decline in cocaine production in 2008 over the previous year in Colombia, slightly offset but not nearly rivaled by production increases in Peru and Bolivia. The UNODC found a corresponding decline in 2008 of cocaine consumption in the United States. Cocaine consumption also declined in Western European countries in 2008 after several years of strong increases. No mention was made in the report as to the corresponding world economic downturn and its possible impacts on drug consumption in major markets. Estimates of production and consumption of cannabis are less precise according to the report, though it does remain the most widely cultivated and used drug around the world. Marijuana accounts for the majority of drugs, both in terms of quantity and street value, smuggled across the Mexico-U.S. border.

The UNODC report also shows corresponding decreases in government-detected clandestine coca processing laboratories in Colombia, Peru, and Bolivia, and decreased seizures in the Americas, reflected in rising prices and falling purity levels. The purity of cocaine in the U.S. market decreased from an average of 69.7 percent in the fourth quarter of 2006 to 43.9 percent in 2008. The consequential purity-adjusted prices more than doubled, from an average of US\$89 per gram in the fourth quarter of 2006 to US\$200 in 2008. While the UNODC report characterizes this as "the most striking data indicating a shortage of cocaine in the US market," a report released by the Washington Office on Latin America (WOLA) in April challenged similar findings by the U.S. Drug Enforcement Agency, arguing that such single-year increases in price and decreases in purity likely reflect only short-term disruptions of drug trafficking organizations that have historically proven themselves able to adapt to changing conditions.

Nonetheless, cocaine seizures in the United States saw a significant drop in 2008, to less than 10 metric tons (mt) per quarter, down from 13 mt per quarter in 2006. Mexico saw a corresponding decline in cocaine seizures from 48 mt in 2007 to 19 mt in 2008. Both governments reported that the decreases in cocaine seizures are due to a decline in cocaine trafficking. The report also points to a decline in the

proportion of the U.S. workforce testing positive for cocaine, from 0.91 percent in 1998 to 0.72 percent in 2008, with most of the decline occurring over the last two years.

The report concludes that the current internationally accepted law-and-order approach to drug control must be reexamined worldwide – not because it has failed in its goal of reducing consumption, but rather because it effectively empowers large-scale cultivators and traffickers, consequentially fueling the violence recently seen in Mexico, exacerbated by the reductions in supply cited earlier. The report does not, however, endorse legalization, cautioning that greater usage of now illicit substances would result and lead to increased societal and health woes. Such impacts would disproportionately harm the developing world, where illicit drug use is far lower in part because of the high prices resulting from their illegality.

Instead, the authors endorse an approach of “control[ing] illicit drugs and limit[ing] the costs associated with this control.” They urge law enforcement to reserve prison space primarily for traffickers, especially violent ones; expand access to treatment programs for addicts; employ “problem-oriented policing” that takes into account underlying social causes allowing localized drug dealing; and increase international cooperation in fighting organized crime, addressing corruption, and intervening in countries where rule of law is threatened by the drug trade.

SOURCES:

“World Drug Report 2009.” *United Nations Office on Drugs and Crime* 2009.
“La violencia en México, por reducción del mercado de las drogas: ONU.” *Proceso* June 24, 2009.

TRANSPARENCY & ACCOUNTABILITY

CORRUPTION

Perception of corruption affects Mexico’s standings in World Bank Governability report

The World Bank released its most recent report on [Worldwide Governance Indicators](#), and Mexico’s standing was impacted by its perceived troubles with political stability, violence and corruption. The results put Mexico behind Chile, Uruguay, Puerto Rico, Costa Rica and Brazil. Mexico’s score of 49.8 points takes it lower on the scale for the third consecutive year.

The measurements are based on six basic indicators: Voice and Accountability; Political Stability and Absence of Violence; Government Effectiveness; Regulatory Quality; Rule of Law and Control of Corruption. The aggregate indicators measure the quality of governance in more than 200 countries. The findings are based on perceptions among a diverse group of people surveyed, as well as on other assessment data that allows for cross-country comparisons. Information is culled from businesses, individuals and government officials. It also includes input from think tanks, non-governmental organizations, and international organizations, according to the project website.

However, Mexico did improve in other categories such as freedom of expression, association, and the press. In the category of “creating a political or regulatory framework that permits and promotes the development of the private sector,” Mexico placed fourth among other countries in Latin America.

SOURCES:

“BM: Repueba Mexico lucha anticorrupcion.” *Milenio*. June 30, 2009. <http://www.milenio.com/node/240305>
Worldwide Governance Indicators. “Governance Matters, 2009.”
<http://info.worldbank.org/governance/wqi/index.asp>

More detentions of Mexican immigration agents at the Mexico City airport

A Mexican immigration agent and a department chief assigned to the airport in Mexico City were detained

on suspicion of trafficking immigrations in June. The two allegedly were caught allowing two foreigners to enter the country through the airport. Pipino Cuevas Marquez was reportedly caught allowing the two foreigners to enter the country through the area reserved for Mexican citizens. Oscar Arias Amezcua, the department chief of the immigration agency inside the airport, allegedly was aware of the document irregularities in allowing the foreigners to enter the country illegally in this way.

The June detentions were the latest involving Mexican immigration officers at the airport. In May, officers Eduardo Mendoza Aviles and Raymundo Cuevas Rosas were detained for allowing foreigners to enter the country through the Mexico City airport with false documents. The officers were allegedly working for human trafficking networks by allowing groups of people to enter the country illegally who were heading to the United States. Under the current administration, more than 280 members of Mexico's Migration Agency have been suspended or fired on suspicion of corruption, according to Alejandro Poire who oversees migration issues at the *Secretaria de Gobernacion*, which is Mexico's equivalent of the Interior Ministry.

SOURCES:

"Funcionaries federales son detenidos por trafico de indocumentados." *SDPNoticias.com*. June 17, 2009.

Gonzalez, Maria. "Acusan a agentes del INM de trafico de migrantes." *El Universal*. May 21, 2009.
Mejia, Jose. "Gobernacion defiende labor de INM contra la corrupcion." *El Universal*. July 2, 2009.

92 Hidalgo law enforcement authorities investigated for ties to drug traffickers

A total of 92 police officers and investigators in the Mexican state of Hidalgo are being investigated for their ties to drug trafficking groups while they are under house arrest. The suspects, who were detained in June, are believed to have been collaborating with the Zetas, a group of specially trained killers that have ties to the Gulf Cartel. Officials with the Mexican Attorney General's office say the 92 suspects who allegedly worked for the Zetas included local, state and federal law enforcement officials. An additional suspect captured during the June 25 operation apparently was not a law enforcement official.

The investigation into the law enforcement officials started October 2008, when Mexican authorities captured seven accountants in a restaurant who allegedly worked for the Zetas. Along with the accountants, authorities confiscated a computer that included information about how the group's money was being dispersed, including the amounts that were being used to pay off police. According to a press release, members of the group received monthly payments from the Zetas that totaled up to \$225,000, though it was not clear if this indicated the total amount or how much each of the individuals received. The detainees were expected to be held for 40 days under *arraigo*, a measure that allows their detention without formal charges while investigations are conducted.

SOURCES:

"Detienen a 93 policias en Mexico por presunta corrupcion." *Associated Press*. June 29, 2009.
"Desarticulan red de proteccion institucional a 'Zetas' en Hidalgo." *El Visto Bueno*. June 26, 2009.

Mexico City filming commission seen as a step against corruption

Mexico City has created a Filming Commission and it is being lauded by some movie makers as a significant step to prevent authorities from forcing film makers to pay bribes to film movies, Mexican soap operas and commercials in certain parts of the city. Film maker Fernando Rovzar told *Notimex* that the Legislative Assembly approved the creation of a Law for Filming in the Federal District in April, which he hopes will create changes in the way that permits have been doled out in the past through what he described as "absurd methods and actions that were out of bounds." He said that directors and producers used to self-censor their films to avoid filming certain monuments, streets and culturally significant parts of the city in order to avoid problems with authorities. "We should submit the paperwork and request permits in a legal way," he told *Notimex*.

SOURCES:

"La Comision de Filmaciones del DF, un paso contra la corrupcion." *Notimex*, retrieved from SDPNoticias. July 2, 2009.

List of suspected corrupt police found in hands of drug trafficker in Monterrey

The Mexican Army captured a suspected top operator with the Beltrán Leyva drug organization who had a list that included the names of 33 police officers in the city of Monterrey. The police are suspected of working for the organization, according to the Secretary of Defense. The list was found following the detention on June 26 of Omar Ibarra Lozana, who is suspected of administering the drug group's activities in the upper-class area of San Pedro Garza Garcia. Ibarra Lozana was detained for the possession of marijuana, firearms, a grenade, and a list of 33 police officers in San Pedro Garza Garcia. The officers are believed to have been receiving money on behalf of the drug group. The disclosure follows on the heels of a comment made by a candidate of the National Action Party who alleged that members of the Beltrán Leyva group live in this part of the city and had arrived at a pact with local officials to maintain the area safe and secure.

SOURCE:

"Capturan a operador de cartel Mexicano con lista de policies corruptos." Univision. June 27, 2009.

Drug traffickers infiltrating Mexican soccer teams

Mexican soccer teams are being used by drug trafficking groups to launder money and as a means to corrupt local officials, according to a report sponsored by the Organization for Economic Co-operation and Development that detailed 20 cases of money laundering in soccer throughout the world. The report, titled [Money Laundering Through the Football Sector](#), was compiled by the Organization's Financial Action Task Force. The Financial Action Task Force (FATF) is a Paris-based multi-disciplinary and inter-governmental body whose purpose is to develop and promote national and international policies to combat money laundering and terrorist financing, according to the group's web site.

Among the cases highlighted was that of a person from a rural part of Mexico who left for five years but returned with large amounts of money that he used to buy several companies. One of them was a third-division soccer team that was established in one of the larger cities in the area he was from. The new owner moved the team to a much smaller village of about 30,000 people, which indicated that the business was not intended to make money, according to the report. Despite the move, the team salaries remained the same, and the amount of money used to pay for infrastructure was higher than other teams in the same division. The owner was later identified as a leader of a drug trafficking group, according to the report.

In another case in Mexico, a businessman with ties to local government officials bought a profitable professional soccer team and then apparently used it as a way to attract politicians and other government officials so that he could obtain contracts for public works projects.

The report notes that organized crime has infiltrated soccer teams ranging from those at the professional level to those that are of amateur status. The teams are being used for a range of illegal purposes ranging from drug trafficking, human trafficking, corruption and the evasion of taxes, according to the report. The report notes that soccer teams can provide a way for some owners with criminal backgrounds to win legitimacy within society and to make contact with famous and powerful people as they themselves become celebrities.

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ACCOUNTABILITY

Study looks at how states are responding to demand for greater accountability

A recently published study into accountability among state governments explores how greater autonomy for state governments has not translated into greater efficiency and sensitivity to citizen demands for information. The report, "[Accountability in State Governments](#)," is part of a larger research project about the structure of accountability in Mexico that is being spearheaded by a Mexico City research center called the Center for Economic Research and Teaching (Centro de Investigación y Docencia Economicas, CIDE) with funding through The William and Flora Hewlett Foundation.

The section on state governments, which is written by Guillermo Cejudo and former-Justice in Mexico Project Coordinator Alejandra Rios Cazares, looks at the states' role in providing a means for greater accountability and access to public information and finds wide differences in how information is being safeguarded and how state-created institutes of public information are being managed and funded throughout Mexico.

In one example, the research finds protection of most state archives is deficient due to a lack of a legal framework. Lack of coordination among government dependencies and heavy work loads also hinder the effectiveness of the Institutes. The researchers find that "the magnitude of the work of these Institutes does not appear to correspond with their capacities." Researchers also looked at the autonomy and enforcement power of state institutes set up to receive and process public information requests, and found that they vary according to the different legislative frameworks.

The budget amounts for these Institutes also vary widely. The average amount per state budget that goes to the Institutes represents .11 percent of overall spending, though this ranges from Chiapas spending just .02 percent of its budget to Campeche and Quintana Roo where .25 percent of their budget is set aside for the Institutes.

The report includes four conclusions: In the first case, the mechanisms for accountability – such as keeping track of finances – need to include greater muscle and concrete actions from local legislatures. Second, state governments need to do a better job of following up on deficiencies that appear in evaluations, as well as in preventing the duplication of functions and responsibilities so that accountability is more clearly delineated. The third finding is that attempts to provide greater transparency are stymied by a lack of coordination between state institutions. Finally, state government accountability tends to be more reactive rather than pro-active.

SOURCE:

Cejudo, Guillermo and Rios, Alejandra. "La rendición de cuentas en gobiernos estatales."
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Mexico's top auditor wants more powers to sanction public workers

Mexico's top-ranking federal auditor Arturo Gonzalez de Aragon is calling for a reform to the constitution to allow his office the power to not just recommend corrective actions but to also sanction public servants who don't follow through with the recommendations.

Gonzalez de Aragon claims that the current system prevents public servants from taking full responsibility for their actions and that is preventing the office of the *Auditor Superior de la Federación* from having a larger impact. The state's ability to hold public officials accountable for their action is one of the necessary conditions for democracy, according to Gonzalez de Aragon. The office run by Gonzalez de Aragon recently concluded an audit into the 2007 budget that determined that the ultimate destination of millions of pesos remains unclear. The money was supposed to be used for public security, social programs and infrastructure projects, but it had instead been distributed among special commissions. Gonzalez de Aragon criticized the movement of the public money into these special accounts since it raises questions as to the proper use of these funds.

SOURCE:

“Recomienda ASF sancionar a funcionarios incumplidos.” *El Financiero*. June 26, 2009.

Mexico’s NGOs to undergo analysis by international group

An international alliance of groups that promote citizen action, CIVICUS, is undergoing an analysis of civic groups in Mexico to get a better idea of their structure, as well as their means of obtaining and using financial resources.

According to official statistics, Mexico has about 9,000 non-governmental organizations —ranging from groups that fight against poverty and provide attention to the elderly to those that promote human rights— though this number could actually be higher since inscription into the registry is voluntary. Last year, registered non-governmental groups received about US\$142 million from the Mexican government. This money represented 8 percent of the total resources they received. The role of these non-governmental organizations in Mexico is of particular interest since they are seen as a means to promote democracy, transparency and accountability within the state.

The study —called the Index for the Civil Society— appears to be the first comprehensive project of its kind, according to *La Jornada*. CIVICUS is an international alliance established in 1993 to nurture the foundation, growth and protection of citizen action throughout the world, especially in areas where participatory democracy and citizens’ freedom of association are threatened, according to their website.

The Index intends to evaluate the state of civil society in various countries in the world, including in Mexico. It will be based on certain indicators drawn from surveys, and taking into account external factors such as the government. The process will also include focus groups comprised of twenty people in regions throughout the country.

SOURCE:

“Mexico, Sociedad Civil a Examen.” *La Jornada*. July 1, 2009.

Scrutiny on public officials and owners in June fire at ABC day care center in Hermosillo, Sonora

In the aftermath of the devastating fire in May that claimed the lives of 47 children at the ABC day care center in Hermosillo, Mexican authorities have come under attack for allegedly failing to provide proper documentation and oversight. An ongoing series of reports by Mexican media are also shedding light on how concessions for these centers seem to have financially benefitted the politically connected.

El Universal reported that government concessions for day care centers throughout the country were given to at least 14 people who are either former elected officials or their family members. These include: Jose Vicente Quesada, the brother of the ex-president Vicente Fox; Oscar Medina Plascencia, the brother of an ex-governor of Guanajuato; Antonio Gonzalez Kuri, the ex-governor of Campeche; Monica Borrego, the sister of an ex-director of the *Instituto Mexicano de Seguro Social* (IMSS); and Nicolas Castaneda, who worked with the Zacatecas government.

At least four of the 21 day care centers contracted by IMSS in Chiapas are also operated by relatives of former elected officials, according to *La Jornada*. Jose Angel Cordova Villalobos, Mexico’s Secretary of Health, told *La Jornada* that he was not aware of any favoritism regarding the distribution of these contracts, and added that the owners “are of all colors and types.” He said IMSS expects to review rigorously each of these contracts to make sure they are complying with their functions.

In response to the criticisms, Genaro Borrego Estrada, who oversaw the IMSS from 1993 to 2000, confirmed that his sister Monica is owner and director of the Guarderia Querubines in Zacatecas since 2001 but he said this did not represent any political favoritism because it happened after he had left his office. Meanwhile, former-President Vicente Fox criticized the reports as distorting reality. His brother told reporters he had been associated with a day care center until 2003, but has had no ties since then.

Meanwhile, Tarcisio Torres Calderón, who is related to the current president, admitted he is one of the owners of a day care center, but that he became part of the association in 2005, prior to the election of Felipe Calderón. Torres Calderón said he has been trying to sell his ownership rights to avoid any appearance of conflict of interest.

Complicating the issue is poor record keeping that makes it hard to pin down information on the parties responsible for some of the day care centers, according to Maria Marvan of the Federal Institute of Access to Information. Marvan said that there appears to be no central archive that includes all the information.

In Jalisco, *Milenio* reported that running a day care center is an unusually profitable business based on the amount of money the government provides the centers as compensation per child. In Jalisco, that may be as much as 1 million pesos per month at some of the state's 97 day care centers. The newspaper reported that until this year there was no public bidding process. This year, however, many of their contracts expire and new centers are undergoing a public bidding process while those that have received contracts are receiving less money than their predecessors. *Milenio* raises the question as to whether this lower amount might impact the quality of service for the children.

Other critics claim that the Mexican Constitution and other international agreements signed by Mexico provide special protections for children that could serve as the basis for the claim that their basic rights were violated in the government's alleged failure to prevent the tragedy. A request has been filed with the Supreme Court to form a special commission to investigate the matter.

Also, Mexican media reported other unusual developments in other child care facilities in the country. For example, the name of the daughter of alleged drug trafficker Ismael Zambada shows up as an associate of a child care facility called the Estancia Infantil del Niño Feliz in Culiacan, according to one report. That facility tends to 2009 children and receives 2,249 pesos on a monthly basis per child. In 2007, the U.S. Department of Treasury identified this child care center as a suspected business used to launder money.

In response to the media coverage, IMSS reportedly demanded an investigation into whether the information is correct regarding the connection of Zambada's daughter – Maria Teresa Zambada Niebla – and money laundering through the child care facility. The Mexican branch of the U.S. Attorney General's office that investigates organized crime responded that an investigation is ongoing to determine the origin of the financial resources of Zambada Niebla. IMSS officials, meanwhile, said they would not suspend the day care center as long as it is providing adequate services to the children and complying with security and safety measures.

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TRANSPARENCY

Internet movements promote greater transparency and accountability during Mexican elections

Some Mexican citizens participated in the July federal midterm election in innovative ways as they used the Internet and social networking tools to encourage greater transparency and accountability from candidates and political parties.

In one example, the website for "¡Cuidemos el Voto!" or "Let's Protect the Vote,"

(www.cuidemoselvoto.org) served as an aggregate portal to document the electoral process. Members of the public were encouraged to send tips on possible violations or problems during Election Day through text messages, Twitter updates and photos. The project was developed by Andrew Lajous, a political analyst from Massachusetts and Oscar Salazar, a programmer who studies telecommunications in France. "This is a chance to use the new technologies and provide additional transparency to a process that may already be transparent but requires the management of lots of information," Andrew Lajous told *BBC Mundo*.

The July 5 elections were to replace the country's 500-seat Chamber of Deputies. Actual allegations of fraud during Election Day appeared to have been relatively low, according to the Federal Electoral Institute (IFE). Several allegations of party members "buying" votes, and the failure of some electronic voting equipment were reported in the Federal District, according to *El Universal*.

Lajous and Salazar modified the open source code of Ushahidi, an online platform that has been used to manage electoral information in India, Lebanon and Kenya and included an option to add updates through Twitter. The platform also allowed participants to send messages, photos and videos through electronic mail. They could also send text messages directly to the site through a cell phone. A total of nine people were involved in creating the project with the aim of providing a tool for Mexican citizens to be their own electoral observers and contribute to the electoral process, according to *BBC Mundo*. The participants were reportedly motivated by the use of technology in other recent world events, such as the recent elections in Iran.

The Internet also provided platforms for Mexican citizens interested in expressing their electoral viewpoints in nontraditional ways. Several alternative movements developed as a form of expressing the dissatisfaction of some Mexicans in the political process and candidates. Traction came from blogs and other Internet sites.

The movement that captured the most attention was the "Voto Nulo," or "Null Vote," campaign in which Mexicans were encouraged to scribble a large "X" on the ballots, which resulted in their vote being canceled. Another movement that got attention through the Internet was "Vota Independiente," or "Vote Independent," which was aimed at writing the name of a non-official candidate.

As many as 30 percent of ballots cast in the voting booths were to be recounted, and more than half of these were believed to require additional scrutiny because of the high number of votes that were cast as statements rather than for a particular candidate, according to *La Jornada*. In the Federal District alone, as much as 10 percent of all the votes were annulled for these and other reasons, according to *La Jornada*.

Political analysts say that the anti-vote movements represent the inability of Mexico to operate as a democracy in which people's voices are heard and represented. Organizers of these movements decided to hold their own polls on Election Day to determine how many people decided to exercise their options - and their reasons for doing so. They also decided to hold an assembly in Guadalajara on July 18 to continue the discussion on ways to promote citizen involvement in political and electoral reforms.

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Researcher finds financial discrepancies in Mexican participation in World Fairs

A blogger brought attention to the possible misuse of public funds for Mexico's participation in World Fairs. His research is raising additional questions over how money is being used to fund the upcoming 2010 World Fair in Shanghai.

The researcher, Cesar Corona, has filed numerous public records requests with Mexican authorities to

document the distribution of funds for the World Fairs, according to *El Universal*. Corona has focused his research on Mexico's participation in Aichi in 2005 and Zaragoza, Spain in 2008. According to his findings, Mexico spent at least 305 million pesos in the pavilion that was constructed in Zaragoza compared to the more moderate amount of 179 million pesos spent by Japan. Updates on Corona's public records requests are displayed in several blogs he created, including one for the upcoming Expo 2019 in Shanghai. His findings recently caught the attention of *El Universal* newspaper, which wrote a story about the issue that credited Corona's investigations.

Corona, a graduate in international relations at the UNAM, notes that in 2008 Mexico handed over the management of Mexico's participation in the World Fair to a group called ProMexico. According to the official definition, ProMexico is a group that assists in promoting exports from established countries in the country and coordinates activities to attract foreign investment. Previously, management of the process was done by the Secretary of Exterior Relations. Corona raises the question of whether it was appropriate to transfer responsibilities of the cultural event to an organization involved in promoting investment and commerce.

Corona is hoping to obtain an audit of the money spent on the 2008 World Fair, but in the meantime he has compiled bits and pieces from more than 100 public information requests. In one of the documents, he was able to detail how in 2006 the office of the Secretary of Exterior Relations paid 600,000 pesos to a group called MetaDesarrollo for a preliminary assessment for the project. The final report was an Excel table with eight concepts detailed with costs, more than 100 pages of historical background of previous World Fairs and a synthesis of official information regarding the upcoming World Fair.

No methodology was explained to justify the cost of Mexico's participation at 66.7 million pesos in "salaries and honorariums", with a total cost of more than 252 million pesos, according to *El Universal*. César Corona also documented that there was not a competition to elect the design of the pavilion for Zaragoza, according to *El Universal*. One example of possible anomalies in the World Fair of Aichi was the payment of 7 million pesos in salaries to 30 employees in one month.

According to the *El Universal* article, ProMexico officials emphasized that they are committed to transparency and efforts are being made to improve their accountability. For example, Expo Zaragoza 2008 was a more transparent process than Aichi of 2005 because it was organized in a way so that it can be audited. For the upcoming World Fair, ProMexico has designated 344.5 million pesos for a pavilion. The bidding process for the pavilion construction was won by Creatividad y Espectáculos, S.A. de C.V. In reaction to his findings, Corona has been invited to participate in the advisory council for the planning of the upcoming World Fair in China.

Meanwhile, Corona has started another blog that is meant to bring attention to public information requests he files for other matters that catch his eye. The most recent one he writes about is his search for information about the exact location of all the archeological sites in the Federal District. Despite a response from the Federal Institute for Access to Public Information that reserved release of the documents to prevent damage to the sites, the National Institute of Anthropology and History provided him with an exact location of 310 of the sites. He was able to confirm that one of them was just a few streets from his home and 73 others exist in the delegation he lives in.

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Corona, Cesar. <http://transparenciaporpurolacer.blogspot.com/>
Corona, Cesar, <http://mexico-expo2008zaragoza.blogspot.com/>

ACCESS TO JUSTICE

FOREIGN NATIONALS IN MEXICO'S JUSTICE SYSTEM

French citizen convicted of kidnappings in 2005 will serve 60-year sentence in Mexico

After repeated calls from the French government to allow convicted kidnapper Florence Cassez to be returned to France to face justice, President Calderón finally made the call that Cassez will serve her 60-year sentence in Mexico. Cassez was arrested in 2005 at a ranch near Mexico City where three kidnapping victims, one of them eight years old, were freed after two months of captivity. She admits being at the ranch, but insists that she was only dating one of the perpetrators. One of the victims, however, has identified her as one of his captors. Cassez's case stirred much controversy in France and Mexico after it became known that police re-enacted her arrest for the news media.

While representatives of the Democratic Revolutionary Party (PRD) and Convergencia agreed that the decision was fair, they also made known their suspicions that Calderón, whose National Action Party ran largely on a law and order platform, acted on electoral motivations. Convergencia deputy Alejandro Chanona expressed his satisfaction that Cassez will not be returned to France where her sentence could be reduced or commuted entirely, but questioned the timing of Calderón's decision, only two weeks before the July 5 midterm elections. The maximum sentence in France for kidnapping is 30 years.

SOURCES:

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ANTI-CRIME ACTIVISM

Mormon anti-crime activist assassinated in Chihuahua

Armed men have assassinated a Mormon anti-crime activist in the town of Galeana, Chihuahua, highlighting the tenuous public security situation in rural areas of Mexico where organized crime commonly operates with impunity.

Benjamín Le Barón and his brother-in-law, Luis Widmar, were kidnapped from Le Barón's home by 15 to 20 armed men in the early morning of July 7 and killed shortly after. Both men held dual U.S. and Mexico citizenship. The anti-crime group organized by Le Barón had reportedly led several mobilizations and gathered intelligence in his Mormon community against organized crime operating in the area. Le Barón garnered attention in the press in May when he refused on the behalf of his community to pay a \$1 million ransom for his younger brother Eric. He and other community members staged a demonstration in Chihuahua City in front of the government building demanding that authorities intervene. Eric was later freed.

Along with the bodies was found a note warning of more victims, and referring to the recent arrest of 25 cartel members by the Mexican Army, in which Le Barón's anti-crime group reportedly participated. According to military authorities, the killings were perpetrated by a cell of either the Juárez or Sinaloa cartel responsible for carrying out kidnappings, extortions, and killings in the surrounding areas. The Federal Attorney General's Office (PGR) is investigating the case due to the strong evidence of organized criminal involvement. The U.S. Embassy said that the FBI has offered to assist in the investigation.

Striking a tone similar to that of Le Barón, his brothers and other community members have said that they will not relent in their efforts to bring criminals operating in their region to justice. They also have demanded that authorities provide protection for the community. Chihuahua governor José Reyes Baeza emphasized that the residents of Galeana will not be allowed to arm themselves as some have vowed to do; rather, he announced a plan to train residents wishing to carry out public security functions as state police officers and subject them to the corresponding qualifying exams. 80 individuals have reportedly

expressed interest in this, though it has not been made clear how long the process will take, or when it will begin.

SOURCES:

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HUMAN RIGHTS

National and international scrutiny on military justice system for soldiers accused of HR abuses

With the continued military presence in populated areas of Chihuahua, Baja California, Michoacán, and Guerrero among other states, claims of unlawful entry, torture, and forced disappearances by Mexican soldiers continue to accumulate. The office in charge of complaints against soldiers and federal police in Chihuahua has registered 623 claims since April. Meanwhile, Chihuahua's Human Rights Commission reports 50 complaints of disappearances, torture, and murder. Such cases are currently handled by the military's own justice system, a process that is coming under increased scrutiny amidst escalating abuse claims as well as a hearing in the Inter-American Human Rights Court in Costa Rica over the disappearance of a Guerrero man under military custody in 1974.

Mexican and international human rights groups are demanding increased transparency from the Mexican government in scores of alleged human rights abuses by the military during President Calderón's military-led campaign against the drug cartels. The organization Human Rights Watch (HRW) has urged Interior Minister Fernando Gómez Mont to hand over arrest orders, indictments, case files and sentences from cases of alleged violations handled by the military justice system. Officials in the Foreign Relations Ministry (SRE) last month reported to the United Nations that six cases are currently under investigation. The SRE reported that three of these collectively involve 32 soldiers, and that 14 individuals have been sentenced. HRW countered by pointing out that the Secretary of Defense has failed to make public any specific convictions carried out over the past 10 years. José Miguel Vivanco, HRW director for the Americas, requested information regarding the specific abuses for which the 14 soldiers were reportedly sentenced, as well as their ranks, and the dates when the abuses took place. Vivanco also requested information regarding soldiers who have been absolved of charges against them. HRW recently released its report "Uniform Impunity," in which it documents 17 cases of military abuse involving more than 70 victims. According to the report, none have resulted in a conviction with the exception of a case tried in a civilian court in which soldiers were convicted of raping 13 women in Castaños, Coahuila.

Interior Minister Fernando Gómez Mont continues to defend the use of military justice to investigate and prosecute alleged human rights abuses committed by Mexican soldiers against civilians, and insists that abuses by soldiers are not systemic occurrences, but rather isolated incidents that are being duly addressed through military channels. Gómez Mont, in charge of coordinating domestic security operations nationwide, assured members of the Inter-American Human Rights Court (CIDH) in Costa Rica that the same standards of independence, impartiality, and transparency exist in the military as in the civilian justice system. His statements came during a CIDH hearing on the 1979 forced disappearance of Rosendo Radilla.

Radilla disappeared in August 1974 after being held in a military installation in Acapulco, Guerrero. Rosendo Radilla's children, Tita and Rosendo, testified against the Mexican government, claiming that the investigations that ensued after their father's disappearance were inadequate, due to the fact that they were carried out by military authorities. Aside from accusations of forced disappearance of her father and an ensuing miscarriage of justice, Tita Radilla also reported that she had received threats from the Mexican military for her role as president of an association of families of detained and disappeared, and victims of human rights violations in Mexico. Representing the Mexican government at the hearing were Gómez Mont; general Jaime Antonio López Portillo, the Army's prosecutor; and Alejandro Negrín, the general director of Human Rights and Democracy for the Foreign Relations Secretariat.

Gómez Mont ultimately argued that Mexico has experienced a democratic transformation since the time of the alleged disappearance, in part due to the efforts of its armed forces, and challenged the CIDH's jurisdiction in a case from far before Mexico signed on to the court. For the plaintiffs in the case, however, the implications of Radilla's disappearance extend to a much larger and contemporary context, as they insist that similar acts of arbitrary detention, torture and disappearances by the Mexican military remain commonplace and systemic.

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AROUND THE STATES

AROUND THE STATES

Governors meet to discuss judicial reforms

Budgetary issues were at the heart of discussions between governors who met at the June 25 Security with Justice conference to share their perspectives on state-level justice reforms. Marcelo Ebrard of the Federal District and Gov. Enrique Peña Nieto of the State of Mexico led the charge in criticizing the federal congress for not sufficiently funding the reforms that they themselves approved last year. Nuevo León governor Natividad González Parás and Chihuahua governor José Reyes Baeza echoed this view. Implementation is currently under way in these two states. Reyes Baeza said that his state has spent 1.6 billion pesos thus far on the reforms.

Politics were not absent from the pre-midterm election conference, where Morelos' PAN governor Marco Antonio Adame countered opposition governors' claims that the reforms are too costly. Ebrard quickly clarified his objections – not that the reforms are expensive, but that the federal budget is not meeting their needs. The Nuevo León and Chihuahua governors reflected on their states' experiences with implementation. González Parás predicted that reforms would be complete within two years, and emphasized the importance of prevention amidst the current economic crisis. Reyes Baeza expressed concern that public security has become politicized at the federal level. Budget concerns aside, the governors renewed their commitment to meet the 8-year deadline for implementation set forth by Mexico's congress.

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Arrest by federal police casts confusion on Fernando Martí case

Nearly a year after Federal District (DF) police claimed to have arrested members of the La Flor kidnapping ring responsible for killing Fernando Martí, the 14-year-old son of a wealthy Mexico City businessman, federal police now also claim to have arrested the culprits, members of a separate criminal organization. The members of the so-called Petricolet gang, allegedly led by Abel Silva Petricolet who is still at large, have confessed to the kidnapping and killing of Martí, according to federal authorities. The group has also been implicated in 23 other kidnappings, in which they allegedly set up fake police

checkpoints, targeting businessmen and their children. Federal officials say that Fernando's driver, who survived the attack, recognized a safe-house, from which two kidnapping victims were freed.

The second round of arrests has put DF officials in the uncomfortable position of trying to reconcile the apparent discrepancy at a time when public trust in the capitol's police force is generally low. The newly-formed Federal Police, which made the recent arrests, and the Federal District Attorney General's Office are currently sharing information to determine if the two criminal groups are linked. Alejandro Martí, Fernando's Father, has asked local and federal authorities not to politicize his son's murder, and to work together to sort out their differences.

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Baja California Sur Supreme Court removes its president

Supreme Court justices in Baja California Sur voted to remove their president, Ignacio Bello Sosa, citing irregularities in his job performance. Newly appointed president Humberto Montiel Padilla announced Bello Sosa's removal in a press conference arranged with the governor's office, saying that Bello Sosa operated outside the will of the court, had unjustifiably fired personnel, and has not been transparent in managing the court's budget. Bello Sosa had been Supreme Court president for just over a year.

Bello Sosa and the court's vice president Alejandro Santoyo Padilla were absent from the hearing, which could invalidate the vote according to some legal experts, who say that such a measure requires the presence of either the president or vice president. However, officials from the state government, with whom Bello Sosa is said to have had conflicts in the past, have recognized the move. Less than a week earlier, Bello Sosa had made statements at a conference of state Supreme Court presidents regarding Baja California Sur's preparations for implementing justice reforms approved by the Mexico's Congress last year, saying only that progress was being made.

SOURCES:

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Oral trials in effect in eastern region of Morelos; in southern region in 2010

Morelos governor Marco Adame Castillo officially inaugurated this month the new accusatorial justice system in the eastern region of the state, in accordance with the sweeping justice reform package passed by congress last year. The justice reforms have oral trials as a key component, which it is hoped will bring expediency and transparency to Mexico's admittedly sluggish justice system. Specifically, the reforms went into effect in the fifth and sixth judicial districts, based in the municipalities of Yautepec and Cuautla, respectively. At the inauguration, Castillo also reiterated his promise to see to the completion of the new judicial palace in Cuautla. Oral trials in the southern region of the state will go into effect in February of 2010, according to Mario Enrique Vázquez Rojas, Morelos' assistant attorney general.

SOURCES:

Martínez, Gabriela. "En marcha, nuevo sistema de justicia penal: Adame." *El Sol de Cuautla* July 7, 2009.
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Attorney General's office in DF updates information on detainees through computer screens

The Attorney General's office of the Federal District has placed computer screens in several offices so that members of the public can search for information about who has been detained and track where detainees are in the investigative process. The program is called "Ministerio Publico Transparente," and it is supposed to provide a more open process so that people can find out where their friends or family members are in the judicial process up to the point when they are either charged or freed. The information provided includes the detainee's name, case number, the reason for the detention, the date of the start of the process and the person's legal status. The screens also use a color code, with green signifying the person has been released, yellow meaning that the person's status is pending and red showing that the person has been formally detained. The screens have been installed in seven regional offices as well as in the main headquarters. However, the system is expected to expand to 70 other areas.

SOURCES:

Cruz, Filiberto. "Avanza en MP la transparencia." *El Sol de México*. July 5, 2009.
Luna, Elias. "Arranca el programa 'Ministerio Publico Transparente'." *Radio Trece*. June 24, 2009.

The Justice in Mexico Project researches justice sector and rule of law developments in Mexico at the national and sub-national levels. Through its host institution, the Trans-Border Institute (TBI) at the University of San Diego, the Project disseminates research organized under three broad categories related to the rule of law: law and order, transparency and accountability, and access to justice.

As a research output, the Project produces monthly reports based on news monitoring of federal- and state-level developments in Mexico. An archive of these reports is available at <http://www.justicemexico.org>. Click on the news tab and then the news archive selection to access the archive. To provide financial support for our organization, please visit: <http://www.sandiego.edu/tbi/support>. Finally, please report any questions, corrections, or concerns to transborder@sandiego.edu.

Summaries for this report were compiled and edited by TBI Research Associates Cory Molzahn and Anna Cearley, with assistance from Theresa Firestone, Judith Davila and Stephanie Borrowdale. Any opinions expressed in attributions for this summary are those expressed in the media reports and op-ed pieces cited, and not those of the Trans-Border Institute or the University of San Diego.

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