MONTHLY SUMMARY

January goes down as Mexico’s bloodiest month on record, with high rates of cartel-related violence continuing into February • Alleged “El Teo” successors captured in Baja California • 15 people killed and 12 injured in massacre at birthday party in Ciudad Juárez, leading to calls for new drug strategy and citizen security • Merida Initiative under criticism from Mexican press and politicians • Death of 24 in Durango prison riot underscores problems of overcrowding and surge in cartel-related prisoners • Widespread corruption, bribery, and violation of codes in Mexico City nightclubs • Reforms to transparency laws threaten IFAI’s independence • Calderón promotes 10 political reforms he claims will empower and involve citizens in democratic governance • Reporter killed in Guerrero brings calls for greater protection for journalists • Human rights organizations call for protection of women against military abuses in Chihuahua • Citizens of Ciudad Juárez march and take stand against government • Tabasco Supreme Court considers reforms to juvenile justice laws • Nine dead in territorial and inter-ethnic dispute in Oaxaca after months of calm

LAW AND ORDER

CARTEL-RELATED VIOLENCE

Cartel-related violence spikes in first six weeks of 2010

By all counts, January was the bloodiest month on record, according to data on ejecuciones, or cartel-related killings, available to the Justice in Mexico Project (see last month’s special report on Drug Violence in Mexico on our project website). A running tally of ejecuciones by Reforma newspaper found roughly 780 cartel related homicides for December 2009; in January 2010, there were nearly 800 homicides, including the deaths from massacres in Ciudad Juárez, Chihuahua and Torreón, Coahuila at the close of the month. Additionally, the high rate of ejecuciones, has continued into the first two weeks of February, with 1,137
ejecuciones nationwide through February 12. Of those, nearly one half were recorded in Sinaloa and Chihuahua, which had 289 and 259 ejecuciones, respectively.

While Chihuahua’s rate of ejecuciones has remained relatively flat in 2010 at just over 43 killings per week as compared to 40 in 2009, violence in the Pacific state of Sinaloa has spiked, with 48 ejecuciones per week in the first six weeks of 2010, as compared to 14.75 in 2009. This year marks the first time since 2008 that the number of cartel-related killings in Sinaloa has surpassed that of Chihuahua. In response to the escalating violence, Sinaloa governor Jesús Aguilar Padilla announced that he would seek a change in strategy, particularly in the more violent municipalities of Mazatlán, Culiacán, Guamúchil, Navolato, and Los Mochis. He said that patrols in those areas will be augmented, and that he has requested increased intelligence operations carried out in coordination with federal police.

In Ciudad Juárez, Chihuahua, President Calderón has introduced what he calls an integral plan to restore the social integrity of the city, which has been shaken by a massacre involving mostly teens at a birthday party on January 31 (see article below). On February 16, Calderón introduced the package “Todos Somos Juárez,” with an initial pledge of over $600 million (MEX) to be invested in social programs to build schools, fund after school programs, remodel hospitals, and develop addiction centers. The city of 1.5 million and the site of the majority of Chihuahua’s ejecuciones, has become the epicenter for President Calderón’s drug control strategy since a turf war between the Sinaloa and Juárez cartels erupted in early 2008.

Also experiencing escalated levels of cartel violence is Baja California; with 78 killings so far this year, the state has doubled its weekly rate of ejecuciones from 2009. Guerrero and Durango, with 78 and 89 ejecuciones for 2010 respectively, have sustained their weekly rates of violence from 2009, a year in which both states saw cartel-related killings more than double compared to 2008.

SOURCES:

Massacre at a Ciudad Juárez birthday party heats up drug strategy debate
Several gunmen stormed into a house in the Villas de Salvárcar neighborhood of Ciudad Juárez on January 31 and killing 15 people and wounding 12 others, mostly teenage high school and college students. Large-scale killings are not new for Chihuahua. As documented in previous reports, a massacre of similar proportions occurred in 2008 in the rural town of Creel and a total of 28 people were killed in separate incidents at two drug rehabilitation centers in September 2009. However, the most incident has become the subject of intense domestic and international scrutiny, and continues to be a focal point of major criticisms against the counter-drug strategies of President Felipe Calderón.

The events transpired on January 30, around 11:30pm in a government-assisted (INFONAVIT) housing project in a neighborhood known as Villas de Salvárcar in the southeast corner Ciudad Juárez, near several major “maquiladora” assembly plants. Approximately fifteen armed gunmen in four vehicles reportedly blocked the streets, and entered three homes located on the street Vista del Portal. The gunmen opened fire on dozens of people at a teenager’s birthday party, brandishing 9mm and .40-caliber handguns as well as .223 caliber weapons. Some accounts suggested that the assailants made an effort to separate the men from the women; however, two females were killed (including a 13 year old girl) and at least one was injured. The shootings took place over the course of several minutes, with the gunmen reportedly leaving the scene in silence. Local accounts suggest that police arrived approximately thirty minutes later. Also, hours later, in a separate incident that occurred around 1:30am, gunmen killed three men and a woman, firing 51 rounds from high-powered weapons, in the Bandoleros nightclub located on Zaragoza Boulevard.

Not all of the facts are entirely clear. Amidst substantial media coverage, different press accounts showed discrepancies in the number of people killed in the Villas de Salvárcar massacre. Current reports place the count at 15 dead, though sources initially referred to a total of 16 dead. Ten people reportedly died at the
scene of the crime, while five died while undergoing medical treatment or while en route. Twelve others were reportedly wounded. Officials stated that the body of a girl killed in a separate incident near the scene contributed to confusion over the number killed in the massacre. Still, media discrepancies in the reported number of killings, not to mention other facts of the case (such as possible associations of the victims with local gangs), illustrate the difficulty involved in documenting “ejecuciones” and other cartel-related violence in Mexico.

What stands out about these killings is the youth of most of the victims, who were apparently unarmed and included high school and college students (from Bachilleres 9, Cbts 128, and the Autonomous University of Chihuahua). As a result, this tragic event raises a critical question: who are the victims of Mexico’s drug violence? Given the limited public information available about the more than 20,000 ejecuciones that have occurred since 2001, government officials, experts, and other sources — including a recent report by the Justice in Mexico Project— have generally assumed that such homicides are the result of “bad guys killing bad guys,” while only about 7% are law enforcement or military personnel and roughly 3% are ordinary civilians.

Indeed, initial media reports and statements by authorities —including President Calderón, in remarks made from Japan— characterized the killings up as a result of a turf war between rival drug gangs. At first, some investigators speculated that the massacre was related to the November 2009 execution of four men allegedly involved in organized crime, outside an elementary school in the same section of the city as Villas de Salvárcar. These accounts were reinforced by later testimony from Oscar Dolores Arroyo Chavarria, 30, one of the suspected assailants, arrested shortly after the massacre in a shoot-out that reportedly killed the lead assailant, an El Paso man named Adrian “El Rama” Ramírez (another alleged assailant, Israel Arzate Melendez was arrested on February 6). The arrest of the first suspect led to a confession which indicated that he and other assailants were members of the Barrio Azteca gang, which is linked the Juárez Cartel (also known as the Carrillo Fuentes Organization, or “La Línea”). According to this account, the assailants attacked the party because three of the attendees were believed to be members of the Artistas Asesinos gang, which is linked to the Sinaloa cartel. The two drug gangs have been fighting against each other for decades over drug-dealing turf, while their respective patron cartels began to escalate a larger turf war of their own in early 2008.

The Juárez massacre has clearly shaken the public, as well as Mexican authorities, whose responses to the event have been characterized as “schizophrenic,” in the words of one analyst. Some officials, including Chihuahua state attorney general Patricia González and Ciudad Juárez Mayor José Reyes Ferriz rejected claims about the victims’ possible associations with organized crime from the outset. Based in part on their assessments and the outcry of the victims’ families, President Calderón recanted his earlier statements upon arriving Ciudad Juárez. There he characterized the victims as model citizens and students. Despite the president’s change in tone, the victims’ parents expressed continued outrage and publicly turned their back on Calderón when he attempted to meet with them. PRI Chihuahua governor José Reyes Baeza had received similar treatment when attempting to visit some of the victims’ families on the day of the funeral. Governor Reyes Baeza’s own response to the crisis was also equivocal. A week after the massacre, the governor released a statement indicating that his government would relocate Ciudad Juárez, without prior notification of the state legislature. After being attacked by PRD and PAN senators who criticized the move as a political ploy, Reyes Baeza backpedaled, saying that his office would merely increase its presence in the city.

Meanwhile, amidst calls to redefine Mexico’s drug strategy, both nationwide and in the troubled state of Chihuahua, President Calderón has rejected the possibility of withdrawing troops from the streets, stating...
that the military is the most capable force for challenging powerful drug cartels. He has, however, acknowledged that a strictly law and order approach to the problem is insufficient, echoing promises made in recent months by Interior Minister Fernando Gómez Mont to introduce programs to Ciudad Juárez that will “repair the social fabric” of the city and give young people viable alternatives to crime. In a meeting with Juárez residents, Calderón promised new streets, childcare centers, and schools. Many, though, worry that the proposed measures will be too little to curtail the downward social spiral in the city, whose symptoms include an estimated 25% home vacancy rate and the closure of some 30% of businesses in the city as a result of the violence.

Some analysts have characterized the killings as a pivotal point for President Calderón’s war with the drug cartels. Since March of 2008 the administration has placed a great deal of political capital on the line in Ciudad Juárez and surrounding areas in Chihuahua, where over 10,000 soldiers and federal police have been deployed (nearly a quarter of the nationwide total). Building viable municipal police forces in Juárez and nationwide is key to providing an exit strategy for military elements currently engaged in domestic law enforcement functions. However, the future of police reform is still uncertain. Some officials, led by Public Security Secretary, Genaro García Luna, advocate incorporating the nation’s municipal police forces into centrally controlled state agencies. Among the challenges faced by local police force in Ciudad Juárez, 145 of the estimated 3,000 municipal police officers in Ciudad Juárez resigned between November of last year and January 2010, citing threats from organized crime, concerns from their families, and unfavorable working conditions. Testifying in front of the permanent committee of the Chamber of Deputies, García Luna acknowledged that resources to provide police with a dignified salary are lacking. García Luna indicated that nearly 61% of the nation’s municipal police officers earn less than 4,000 pesos per month, or $309 (USD) at the current conversion rate. He also testified that of the 160,967 municipal police in Mexico, 70.2% do not have beyond a secondary education and 1.9% are illiterate.

**SOURCES:**


**Recent multiple homicides underscore youth presence in drug war**

The aftermath of the Ciudad Juárez massacre that claimed 15 lives, 11 of whom were teenagers, has in large part focused on the victims’ involvement, or lack thereof, in the Juárez drug trade. The youth of the victims and the fact that their killings were deliberate, though, is undeniable, and by no means unprecedented. Throughout Mexico young people are being caught in the crossfire, being recruited by drug gangs to act as drug runners and street dealers, and forming a new generation of henchmen for the warring drug cartels. While nationwide numbers are difficult to calculate, 1,073 of the 1,623 murders committed in Ciudad Juárez last year targeted people under 26 years old, according to Reforma.

The same weekend as the Juárez massacre, at least 21 people, most between 19 and 30 years old, were gunned down in Torreón, Coahuila. The violence began in the early morning of Sunday January 31, when gunmen killed 10 individuals in a bar. Several scattered killings followed, and gunmen attacked two funerals where victims of the earlier massacre were being mourned. In early January, three teenagers in school uniforms were gunned down in Tijuana just after finishing final exams at Ricardo Flores High School. Two days earlier, the 17-year-old grandson of a supermarket magnate was shot dead as he sat in his car outside his home in an upscale Tijuana neighborhood. The motives for the killings have not been officially established, though anonymous sources told Tijuana media that the victims may have been involved in organized crime.

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Calderón’s acknowledgement of the need for a more integral public security strategy underscores the economic underpinnings of the current crisis. According to the National Institute of Statistics and Geography (INEGI), over half of the nation’s 2.5 million unemployed are between 14 and 29 years old. The unemployment rate among that demographic increased by 25% during 2009, and 42.5% during President Calderón’s three years in office. Of the estimated 1.3 million Mexicans unemployed between the ages of 14 and 29, 60.5% are males. Moreover, according to Axel Didriksson writing in Proceso last month, 40% of Mexicans between 16 and 18 do not attend school – an idleness that, combined with the restlessness and need for belonging inherent in teenagers and young adults, lends itself to recruitment into criminal gangs. This is particularly the case in Ciudad Juárez, where an estimated 100,000 users fuel a growing local drug trade.

Aside from the economic factors drawing youth with few options into the cartels, some academics have pointed to a less measurable yet palpable “narco-culture,” which tolerates and even legitimizes working for the cartels and the drug, kidnapping, money laundering, and execution squads affiliated with them. Luis Astorga, author of El Siglo de las Drogas: El narcotráfico del Porfiriato al Nuevo Milenio, traced the history of drug trafficking in Mexico, where in the states of Sinaloa, Sonora, Durango, Tamaulipas, and Chihuahua such activity has been present for at least 70 years, and is seen much as a way of life for many in those states. Astorga says that this “narco-culture” has now extended into new territories, such as Michoacán and Guerrero, where entire generations are being born and raised in a culture where drug trafficking is an everyday reality.

Sources:


Federal Police continue key arrests of Sinaloa cartel operatives in Baja California

On February 8, Mexican federal forces captured José Manuel García Simental, alias “El Chiquilín,” and Raydel López Uriarte, alias “El Muletas” in an upscale neighborhood of La Paz, Baja California Sur. El Muletas is brother to Teodoro García Simental “El Teo,” who was detained last month, also in Baja California Sur. As presumed members of the powerful Sinaloa Cartel, both were alleged to be successors of “El Teo.”

Raúl Pequeño, chief of the anti-narcotics division of the Federal Police, said that El Muletas had an operation of six groups of between 30 and 40 armed men. The men had bullet-proof vests and carried out kidnappings and executions of rival gang members and their families at the behest of El Teo. López Uriarte was also allegedly in charge of various drug trafficking operations that moved marijuana and the synthetic drug methamphetamine, or “ice,” provided by the Sinaloa Cartel, into the United States.

Pequeño said that the detention of the duo allowed his agency to obtain information needed to perform another operation in Tijuana that resulted in the detention of 11 others. Five of the detainees were municipal police, including two police chiefs. At the time of their arrest the suspects had with them two kidnapped males, identified as members of the Tijuana cartel. Among the police officers detained were Francisco Ortega Zamora, appointed chief of the La Mesa district and the deputy chief of the area Juan Carlos Espinoza. The other agents detained were La Mesa commander Enrique Ramírez Zambrano; his second in command Macario Arturo Ramírez; and a supervisor, Ramón Angel Soto Corral.

In response to the arrest of the five officers, Tijuana mayor Jorge Ramos Hernández said that the arrest of El Teo and El Muletas relieves some pressure from local police. He attributed the murders of 43 police officers over the course of 2009 to the two Sinaloa cartel members. Addressing the issue of the five municipal police officers arrested, Ramos acknowledged that more Tijuana police officers likely have criminal associations as well. Ortega and Espinoza were appointed to their positions in December of last year, at which time mayor Ramos lauded the “great trajectory” that both men followed during their military training. Both men had reached the rank of captain in the Mexican Army. After the officers’ arrest, Ramos maintained that the municipal authorities are keeping a constant watch on the performance of municipal
Police officers, asserting that it was the municipal Public Security Secretary, Julián Leyzaola Pérez, who turned in the agents.

**SOURCES:**

**PRISON SECURITY**

**Prison riot in Durango leaves 24 dead, highlights endemic overcrowding in nation’s prisons**

Three simultaneous riots in Durango’s state prison number 1 in the city of Durango left 24 prisoners dead on January 20. Two were determined to have been killed with firearms. According to authorities, various rival gangs were involved, and the majority of the participants are charged with federal crimes. A search of the prison following the riot uncovered around 500 hand weapons. The riot brought an immediate international outcry over the current condition of Mexico’s prisons, and raised the question of whether the criminal justice system can handle the estimated 67,000 drug-related arrests made in the past three years, often resulting in rival gang members being housed in close proximity to one another. It is not clear which gangs precipitated the January riot, although the region is known to be a battleground for the warring Sinaloa and Zeta drug trafficking organizations.

The riot was not an isolated event for Durango. The same prison was the site of a previous riot in March of last year that left seven dead. An August prison riot in Gomez Palacio, Durango left 20 dead, and in March of last year a riot in a Ciudad Juárez prison also killed 20. Additionally, there have been successful prison breaks in a Zacatecas prison in May and a Ciudad Juárez pre-trial detention center in December of 2009, liberating 53 and 23 prisoners and detainees, respectively.

The Inter-American Human Rights Commission (CIDH) called on the Mexican government to take the necessary measures to prevent further violence from erupting in the nation’s penitentiaries, with a reminder that the state has a responsibility to ensure the safety and well-being of all of its citizens, including its prisoners. Durango’s Public Security Secretary General Valentín Romano López announced in early February that the state will undergo reforms of its prison system, beginning with separating prisoners deemed “dangerous” from the general population and moving them to other facilities. Romano López’s first move was to name a new director to the state prison number 1 as well as 50 new guards to bolster security in the prison.

The problems of prison overpopulation and mixing of dangerous prisoners with general populations are not unique to Durango, however. State human rights ombudsmen from the Federal District and Tabasco recently warned that their penal systems are outdated and dangerously overcrowded. Tabasco’s Human Rights Commission inspected the state’s six penitentiaries, and reported that all of them are grossly overcrowded, amplifying the dangers posed by already inadequate infrastructures. In the case of the Centro de Readaptación Social del Estado de Tabasco, the prison with a capacity of 1,368 prisoners currently houses 2,478. The state’s 22 municipal jails are also overpopulated, according to the Commission. In the Federal District, the CIDH characterized the criminal justice system as “obsolete,” leading to the imprisonment of innocent people, and contributing to escalating overpopulation in the capital’s prisons. CIDH Ombudsman Luis González Placencia criticized the policy of pre-trial detention for robbery suspects, which he says is another source of prison crowding. In Guerrero, a state whose cartel-related violence and related arrests have spiked over the past year, there are 18 prisons with a combined capacity for 3,500 prisoners, currently housing 5,500. In the absence of a federal prison, prisoners convicted of federal crimes are mixed in with the general population.

**SOURCES:**
DRUG TRAFFICKING NETWORKS

Series of reports uncovers dynamics of black tar heroin supply chain
Demand and use of black-tar heroin has become prolific throughout the United States, as revealed by an in-depth look at the roots and supply chain of drug trafficking networks in the municipality of Xalisco in the Pacific Coast state of Nayarit, Mexico. As the hub of black-tar heroin, Xalisco provides the raw materials needed to produce the semi-processed form of Mexican heroin as well as the labor resources for distribution.

According to a series of special reports from L.A. Times reporter Sam Quinones, young men from Xalisco have developed thriving trafficking networks based on the easy production of potent black tar heroin, innovative business models (including convenient drop-off delivery), and low cost to consumers thanks to ample, but relatively non-violent competition among dealers. Rather than cartel models based on one major boss, black tar networks are managed by individual entrepreneurs whose workers often break off to form their own networks, creating competition, increasing the scope of the drug’s distribution and driving down prices, according to Quinones.

Quinones’ three-part piece on black-tar heroin exposes the links between the vast market for the drug and its ties to the small town of Xalisco, which (including 20 small neighboring villages) has a total population of just 44,000. In a town that has long been dependent on the sugar cane market, black-tar is offering opportunities to those living in poverty that have few options to support themselves and their families. Quinones describes drug dealers paying for village fiestas, family weddings and education, providing loans, and the building of large homes (complete with automatic garage door openers). The enormous wealth they have accumulated has put Xalisco among the top 5% of Mexican municipalities in terms of wealth, according to a government report. For many young men, drug profits offer the first opportunity for their family to have enough food and sufficient means to survive.

At the same time, Quinones’ reports show, the advancement of Mexicans in Xalisco has deeply hurt Americans. The business model of black tar drug dealers is aggressive, as they actively seek users and provide incentives for users to buy greater quantities and bring in new users. Additionally, dealers target middle-class and working-class white populations as they find this population safer and more profitable to work with than African Americans and Latinos. Populations where prescription drug addiction rates are high have also been crucial, as many users switch over to the cheaper and stronger Mexican heroin to relieve their symptoms. Black-tar dealers have thus infiltrated areas where there was once little prior demand, effectively creating their own market. As a result, black-tar now accounts for two-thirds of the U.S. heroin market, and cells are present in Idaho, Indiana, North Carolina, Ohio, Pennsylvania, Tennessee, Utah, and elsewhere, according U.S. reports. Counties across the nation have also seen increased rates of overdoses and fatalities, largely due to the extreme potency of black tar heroin. Quinones cites the case of 12 fatal overdoses in the small town of Huntington West Virginia in fall and winter of 2007, as well as rural counties and university towns that have experienced major increases of drug overdoses in recent years. Large-scale heroin rings have been reported in traditional markets, most notably in Reno, Phoenix, and Southern California.

The process of distribution for black-tar heroin is extremely efficient and convenient, as addicts simply need to dial a number and a dispatcher sends a driver directions for a meeting location. Costs at $10-$15 a dose of black-tar heroin, make it even easier for addicts. Quinones cites a health department doctor who claims that a moderate heroin habit is now equivalent to the cost of six-pack of premium beer. A single dose is about the size of a pencil eraser and is often kept in un-inflated balloons in the dealers’ mouths; given the small amounts, dealers face less suspicion and lower penalties if the driver is arrested. The forceful marketing, creative entrepreneurship, decentralized network design, and emphasis on customer convenience and satisfaction has allowed black-tar to create a substantial, new drug market in a relatively short time frame. Despite several successful raids and arrests, the labor supply is difficult to thwart. According to Quinones and narcotics agents, a cell with six to eight drivers, working seven days a week,
makes a profit of about $80,000 a week; an outstanding incentive for young men facing few choices back home in Xalisco.

SOURCES:

U.S.-MEXICO SECURITY COOPERATION

Merida Initiative under scrutiny in Mexican press
The Obama administration announced that it would seek $310 million (USD) for 2011 as part of the Merida Initiative, a three-year, $1.4 billion (USD) commitment by the United States initiated in 2008 by President George W. Bush to assist Mexico in its battle with organized crime through materiel provisions and institution building. While the Obama and Calderón administrations continue to point to the Merida Initiative funding as a sign of a bi-national commitment to fight drug trafficking and organized crime, the initiative is receiving increasing criticism in the Mexican press for being insufficient and ineffective.

Senators from all three leading parties (PAN, PRI, PRD) criticized the U.S. government for falling short in its commitment to work with Mexico on the shared problem of drug trafficking. Senators Rubén Velázquez (PRD), Guillermo Tambrorrel (PAN), and Humberto Benítez Treviño (PRI) all characterized U.S. efforts, particularly in the form of the Merida Initiative, as a mere gesture toward true cooperation. The senators’ statements came a day after El Universal ran a story revealing that U.S. corporations – namely Bell, manufacturer of the Blackhawk helicopters given to Mexico at the end of 2009, as well as Dyncorp, Cessna and Harris – stand to capture much of the Merida Initiative funding for contracts awarded to them to produce surveillance equipment, armored vehicles, software, and telecommunications infrastructure, among other materiel. According to official U.S. government data, 70% of authorized funds are destined for equipment and technology spending.

In December 2009, the U.S. Government Accountability Office (GAO), citing State Department data, reported that as of September 2009 $1.12 billion (USD) had been appropriated in accordance with the Merida Initiative, while only $24.2 million (USD) had been expended. The total appropriated for Mexico, Central America, and the Caribbean was $1.295 billion yet only $26.27 million had been spent. The appropriations included in the analysis came in three installments: $400 million for Mexico and $65 million for Central America and the Caribbean in June, 2008; $300 million and $105 million in March 2009; and $420 million for Mexico in June 2009. State Department officials told the GAO that expenditure delays can be attributed to statutory conditions, including a requirement for the State Department to report to Congress on Mexican and Central American government progress in several human rights areas; administrative procedures such as negotiating agreements with beneficiary governments, coordinating implementation among various U.S. institutions, and putting contracts out for bidding; and limited institutional capacity of both donor and recipient countries, particularly limiting Mexico and other recipient countries’ ability to effectively distribute funds that, ironically, are allocated for institution building.

SOURCES:

TRANSPARENCY & ACCOUNTABILITY

CORRUPTION

Corruption in Veracruz state government alleged in media reports
Proceso magazine reported that several protected witnesses providing information to the Mexican Attorney General’s organized crime unit have alleged that the governor of Veracruz has had contact with an
organized crime group called "La Compania." Veracruz governor Fidel Herrera Beltran denied any ties to organized crime and said the allegations appear to be an unfair personal attack and an example of poor journalism. Meanwhile, several elected officials are calling for the Mexican Attorney General’s office to investigate the information published in the article.

The allegations against Herrera come from sources who themselves were involved in organized crime activities, working for the Herrera administration while also working the Zetas, according to the publication. “La Compania” is said to be the name of the organization that aided the Zetas’ establishment of dominance in Veracruz along with the Gulf Cartel, according to Proceso. The Proceso reporter, Jorge Carrasco wrote that he corroborated the information and identities of the protected witnesses. The witnesses stated the federal government’s special unit that investigates organized crime decided not to pursue the allegations because the information was deemed to have been influenced by politics.

According to the information compiled by Proceso, Herrera allegedly met at least once with a suspected member of the Zetas in 2008. The governor was allegedly accompanied by other government officials during that meeting in a local hotel. The reporter documented several other alleged interactions. The Wall Street Journal reported last year, on a September 2007 intelligent assessment by the U.S. Federal Bureau of Investigation, the link of high-ranking officials in the states of Veracruz and Michoacan with the Gulf cartel. The Journal was able to review the assessment and reported that the assessment said that Veracruz Governor Fidel Herrera had made a deal with the Gulf Cartel that allowed the group to operate in the state. The allegations were denied at that time by Herrera, who blamed the information on political rivals attempting to smear his name.

SOURCES:

Postal Service comes under additional scrutiny
A high-ranking administrator based out of the Nuevo Leon branch of the Mexican Postal Service has been accused of bribery and sexual improprieties, according to Milenio. The newspaper quoted an unnamed employee as saying that the official has demanded bribes from some workers in exchange for keeping them in their posts. In addition, he is being accused of sexual improprieties with several female workers. The accusations have been brought to the attention of postal office authorities in Mexico City, though the unnamed employee said that their concerns are not being addressed. It was unclear whether any formal charges have been filed.

The Mexican postal office came under scrutiny last year after the Federal Attorney General’s office undertook an investigation into an alleged corruption ring that was believed to be operating out of the Mexico City airport. During a span of six months, the ring is suspected of stealing more than 4,000 packages and envelopes that contained valuable items estimated of having a total value of more than $7.7 million (USD).

SOURCES:

Retired General accused of fraud
The Mexican Attorney General’s office is seeking the detention of a retired general, Joaquin Morales Ojeda, who is accused of fraudulent activities during the time he oversaw the Third Brigade of the Military Police in Mexico. Morales allegedly sold sports uniforms to his troops for a profit even though the clothing was intended to be dispensed as Christmas holiday gifts. Morales also allegedly forced his subordinates to provide plumbing and carpentry services at his home without any compensation. The amount Morales is accused of obtaining through fraud is estimated at $300,000. The initial accusation was filed in 2002. The
request for the arrest warrant was initially dismissed by a federal judge, but the Mexican Attorney General's office decided to appeal the decision.

SOURCES:

Allegations of bribery and code violations in Mexico City nightclubs
The January assault of a famous soccer player at an after-hours Mexico City club has renewed attention on how corruption facilitates the operation of bars and other night-time establishments. Salvador Cabanas, who plays for the Mexican team Club America, is recovering from a shot to the head while in the bathroom of the Bar Bar nightclub at around 5 a.m. The bar has been closed by inspectors for failing to comply with licensing and alcohol sales codes, and a criminal investigation is underway. Meanwhile, authorities are looking more closely into how these after-hours establishments are allowed to operate. In the immediate aftermath of the attack, about 40 clubs were closed down for code violations, such as selling alcohol after the cut-off time of 3 a.m.

In 2007, Mexico City government officials identified widespread corruption that involved both city code and compliance officers and the establishments. The after-hours nightclubs were apparently paying money to government workers so they could continue operating and selling alcohol past official closing hours. Meanwhile, owners of discos and nightclubs in Mexico City have alleged that they must pay bribes of between $1,000 and $77,000 (USD) each month to “operate without problems,” according to El Universal. “When there is corruption, this involves two parts: A business and a code officer. They are both involved and it does not matter who asks for it, since ultimately the bribe is provided,” said Ismael Rivera Cruces, president of a national association of nightclub businesses. Cruces told El Universal that neighbors of these types of establishments have even accepted jewels, cars, and homes as bribes to appease their concerns and contribute to a culture of silence.

A contingent of nightclubs and other entertainment establishments have announced their plan to propose more than 100 changes to the Mexico City legislation in order to avoid corruption at the clubs. The industry group is discussing creating a certification process for establishments. They are also offering to work with authorities to increase safety measures – such as metal detectors – in order to operate until 5 a.m. Currently, Mexico City is attempting to ensure that code compliance officers are properly certified through psychological and confidence tests, and this has slowed down the process of properly assessing the city’s establishments. Milenio reported that the Federal District only has three officials out of 207 inspectors - who are credentialed to certify that the 42,000 establishments that sell alcohol comply with the 2009 law that prohibits the sale of alcohol after 3 a.m. At the same time, the Mexico City governing body is considering reforming the laws that oversee such establishments to provide the code and compliance office with greater authority to fine establishments that do not comply with standards.

SOURCES:

Millions of pesos paid to bribe prison officials
A report released in January estimated that prison officials have been paid $60.9 million (USD) over the past two years to turn a blind eye to visits from prison inmate’s family members and friends. The main motivation of the bribes are to “not be bothered” during visits, according to the report by the Instituto Ciudadano de Estudios Sobre la Inseguridad (ICESI). The report was titled: “Payments by family members of the penitentiary population to enter the centers and bring food.” The amount paid to prison officials for “conjugal visits” varied between $35 and $115 (USD), according to the report. The report also identified Mexico City as the most common place for bribes to be paid to prison officials, followed by prisons in Baja California and Jalisco. The states with the least amount of reported bribery in prisons were Tlaxcala,
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Zacatecas and Campeche. The report noted that corruption among custodians and other prison workers also extends to the Islas Marias, an alternative prison facility that operates on an island.

The report was presented several months after a Senate initiative was introduced to reform prison laws by requiring greater professionalization of the prison workforce in the country’s 449 prisons, which house approximately 245,000 people. Of the total number of prisons, five are federal prisons, 330 are state centers, 103 are run by the city, and 10 are overseen by the government of the Federal District, according to the initiative document that was presented by members of the Ecological Green Party of Mexico (Partido Verde Ecologista de México, PVEM). The reform initiative also highlighted bribery conditions in the prisons, estimating that the amount of illicit money that passes through the prisons may be more than $1.5 million (USD) a day for a wide range of services and benefits. This money may be used to bring cigars, drinks, food, clothing, and other benefits within the prisons, according to the initiative report.

**Sources:**

**Transparency**

**Federal District criticized for not providing information on Christmas celebration bills**

The Federal District administration of Marcelo Ebrard has not been forthcoming with the costs for recent Christmas celebrations in the country’s capital, according to media reports on the failed attempts to obtain this information through public information requests. The only amount that the administration has made public was the $1.5 million (USD) paid for the December 19, 2009 Christmas Concert, in which the city hired the company Entretenimiento, Promocion y Eventos de Mexico to contract opera star Placido Domingo and three sopranos, as well as the Philharmonic Orchestra of Mexico City and the Chorus of Mexico.

However, the government has not provided information on how much money was paid during the holiday season to install, maintain, or operate an ice skating rink in the Zocalo, the city’s central plaza, for the past three years. The government has said that this information would be distributed among several secretory departments, such as that of Culture and Public Security. Currently though, none of these branches have said they have the information. The attention on the city’s inability to provide this information comes as the Federal District’s Institute of Access to Public Information announces they will recognize several branches of the government for its innovations in regards to transparency in 2009. Some critics note the irony of the situation in light of the lack of information regarding the Christmas celebrations.

**Sources:**

**IFAI’s independence threatened as transparency laws reforms are considered**

The Secretary of Governance (Segob) is preparing an initiative to reform the Federal Law of Transparency and Access to Information so that appeals can be settled in outside courts. The initiative is meant to provide better protection for cases in which certain information made public would negatively affect national interests of security, defense, international relations, or economics.

The initiative appears to be in conflict with constitutional guarantees for access to information, according to some judicial experts who see it as a serious blow to the Federal Institute for Access to Information (IFAI). Marco Cancino, director of the Program of Transparency and Accountability of the Center for Investigations for Development (CIDAC) told Excelsior that the proposed initiative would set back the gains made in public access to information by ten years. “This initiative comes from those who do not understand what is the right of information and who continue trying to force their own authority over the rights of the citizenry,” he was quoted as saying.

**Sources:**

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Justice in Mexico News Report, Feb-10
The Segob initiative comes as Mexico’s Supreme Court is considering the validity of a similar reform to the state of Campeche’s Law of Transparency, which would allow for a similar separate tribunal to review resolutions made by the Transparency Commission. The Mexican Federal Attorney General’s office has expressed its support of the Campeche reform. Meanwhile, a group of organizations that encourage transparency and access to public information - including the Federal Institute for Access to Public Information - have made formal statements asking Mexico’s Supreme Court to overturn the reform. The reform would permit a separate tribunal to review resolutions made by the Transparency Commission and determine whether or not they are valid. The reform came from the Institutional Revolutionary Party in the state Congress of Campeche. The National Action Party immediately challenged the reform due to concerns that it would limit access to information and foment government corruption.

Several groups that petitioned the Supreme Court against the reform are: Alianza Civica and Fundar Centro de Analisis de Investigacion. Academic associations have also stepped up to make the court aware of their disappointment with the proposed reform. They include representatives of the UNAM (Universidad Nacional Autonoma de Mexico) and the law department of the Monterrey Technological University in Mexico State.  

**SOURCES:**

**San Luis Potosi reforms its state education law to promote transparency culture in schools**

Schools throughout the state of San Luis Potosi will be required to teach students about government transparency, accountability, and their right to obtain public information. The law impacts all levels of education, and it includes schools run by the state and city, as well as authorized private schools. The law is intended to educate children about how to participate more actively in a democratic state, and to teach them the process of requesting public information as a way of encouraging the honesty and efficiency of government authorities. The reform came from the Commission of Education, Culture, Science and Technology regarding Article 9 of the Law of Education for the State of San Luis Potosi.

Meanwhile, in Oaxaca, the State Institute of Public Education and the State Institute of Access to Public Information signed an agreement to include themes of transparency and accountability at the secundaria, or middle school level.

**SOURCES:**

**New congressional channel made available to Mexico City residents**

Mexico’s federal commission of telecommunications (Cofetel) has agreed to allow the Congressional Channel to transmit its programming in the Federal District through a designated digital channel for public television. Prior to the approval, the programming was being transmitted only through cable and other pay-per-view options, though efforts to make it free and open to the public have been undertaken since 1998, according to the Congressional Channel’s website. The recent development was attributed to the Supreme Court determining that Cofetel was the appropriate group to dole out the necessary permits.

Congressional leaders say that the public channel will allow more Mexicans the opportunity to watch what is taking place in Congress on a daily basis. This includes ordinary and special commissions and sessions, presentations by functionaries, opinion pieces transmitted by journalists, and regular updates on what each legislator has on his or her agenda. The plan is to provide similar access to the public in other states in Mexico.

**SOURCES:**
ACCOUNTABILITY

Proposed reforms to Procampo agriculture program meets resistance
A legislative proposal that would provide greater oversight of the Procampo agricultural program has not made much progress in Congress despite suspicions that the program was being abused by certain agricultural producers. The proposal came from three congressmen – Adolfo Toledo Infanzon, Ramiro Hernandez and Francisco Herrera – who pushed for reforms to the Ley de Capitalizacion de Procampo in order for academic institutions to regularly evaluate the lists of people who economically benefit from the program. Critics say the program has become a means of subsidizing people rather than stimulating production, and that in some cases the benefits are going to relatives of government officials and even family members of drug traffickers.

However, in December, the proposal ran up against resistance from Senator Alberto Cardenas Jimenez, who was formerly the Secretary of Agriculture. Cardenas Jimenez is now president of the Commission of Agriculture and Livestock. He made the argument that there were not ample errors in the program to justify the drastic measures proposed; effectively preventing the proposal from moving forward, according to El Universal.

Procampo was originally created to alleviate the financial impact of the North American Free Trade Agreement on agricultural workers. The program was created in 1994 and it has distributed 171 billion pesos (about $13 billion dollars) to agricultural producers through 2008. The Procampo federal agricultural program came under scrutiny last year following an investigation by the Mexico City-based Center for Research and Teaching of Economics (Centro de Investigación y Docencia Económicas, CIDE) and newspaper reports, which detailed how the program has been financially benefitting families of government officials and drug traffickers (see our August 2009 news report). In response to these reports, then-Secretary of Agriculture, Alberto Cardenas Jimenez, announced that measures would be taken to eradicate the abuse of Procampo benefits.

In February, 2010, however, El Universal reported that the brothers of suspected trafficker Joaquin Guzman Loera continue to appear on the Procampo beneficiary list since 2001. The paper also identified family members of the Secretary of Agriculture Francisco Javier Mayorga, as having benefitted from the program, deemed by some as a conflict of interest.

SOURCES:

President embarks on campaign for political reforms to create greater accountability
Mexican President Felipe Calderón is embarking on a campaign to win consensus for a package of political reforms - announced in December 2009 - that he says are intended to empower citizens and create greater accountability from Mexico's elected officials. "Our democracy is still far from being able to express and represent clearly the voice and desire of the people in decisions of laws and public politics," said Calderón in Reforma. "It's clear that the citizenry is demanding new and more effective channels of communication with authorities and governments."

The political initiatives, which range from reducing the number of Congressional members to allowing for certain elected officials to be re-elected, apparently came as a surprise to some members of his own party. El Universal reported that a multi-party Senate Commission was preparing a proposal in December that would allow for the re-election of legislators and mayors, when they were notified that the topic should be put on hold as the president was preparing to announce his own political reforms. However, some critics say that the reforms are not actually meant to be passed, since they did not undergo the usual process of preliminary negotiations among the different parties, but are intended to distract from other themes such as the public insecurity, the economy, and poverty.
Members of the National Action Party (PAN) are being prepped on how to explain the initiatives at regional and statewide forum and to address the expected criticisms they will likely encounter regarding the most polemic topics, such as a reform that would allow for a second round of votes in the case of very close presidential elections. A poll in Reforma found that the public remains somewhat skeptical of the proposed reforms. About 57% of people believe that politicians have the most to gain from the changes – compared to 34% believing that citizens will benefit from the reforms. Furthermore, 37% of respondents believe the most important part of the legislation is in reducing the number of legislators.

The ten proposed reforms are:

1) The consecutive election of mayors and council members, with a proposed limit of 12 years in one post. This is meant to strengthen accountability by allowing voters to reward elected officials who do a good job, said Calderón. It will also allow for public administration at the local level to create more stable and experienced structures with the ability to integrate more long-term planning into their administration.

2) The federal re-election of federal legislature with term limits set at 12 years. This is meant to address concerns that these elected officials are not sufficiently accountable to their districts, and to allow legislators the opportunity to become more knowledgeable on issues important to their constituents.

3) The reduction of the number of members in the Chamber of Representatives and the Senate. This is intended to create greater efficiency in legislative work and to better use public funds, according to Calderón.

4) Increasing the minimum number of votes required for a political party to conserve its registration status and have access to public financing. This is aimed to assure that parties have sufficient citizen support to justify their existence.

5) A citizen initiative process so that citizens can participate directly in the legislative process and propose laws before the Congress. This will allow citizens to have a direct impact on the process, said Calderón.

6) Allowing for independent candidates. This will allow citizens to directly participate in the political process and make the political parties more responsive to citizenry, according to Calderón.

7) A second round of voting for the president in cases in which none of the candidates has a strong majority. Having a runoff election between the two strongest candidates means the president-elect will be able to start office with better chances of building majority support, according to Calderón.

8) Allowing for the Supreme Court to propose legislative initiatives.

9) A system to better streamline the most important subjects to be discussed and decided on by the president and Congress.

10) Changing the budget approval process so that disagreements over sections of the budget do not delay the approval of sections that are agreed on by all parties.

The Calderón administration has managed to obtain 55 reforms to the constitution over the past three years, which is more than the number that were enacted during the same time frame of presidents Miguel de la Madrid and Ernesto Zedillo, according to Milenio. In addition, Milenio reported that de la Madrid obtained 61 changes and Zedillo had 78 during their respective six-year terms. The numbers of changes are radically higher than the constitutional reforms undertaken in the United States and Great Britain during their entire history as nations, according to Milenio. Luis Carlos Ugalde, former president of the Federal Electoral Institute, called the proposed political reforms the most important in 30 years. The proposals have been greeted with skepticism from some members of the academic community who view the reforms as an attempt to revert to authoritarianism and government centralism. Much of the criticism has come from opposition parties.

The issue is so sensitive that members of several political parties cried foul when the head of the Secretary of National Defense – Guillermo Galvan Galvan, reportedly made comments supporting Calderón’s initiative. The Secretary’s statements were denounced by members of the Institutional Revolutionary Party, the Party of the Democratic Revolution (PRD), and the Labor Party (PT) who claim that the Constitution delineates a clear separation between the military and politics, and that the military acted outside of its parameters by making a political statement. However, a senator with the National Action Party, Felipe Gonzalez, later said that the Secretary was not speaking about the political reforms,
but about several other initiatives that include modifying the constitution so that the military’s growing role in combating drug trafficking is incorporated as part of its official duties.

The Secretary of Gobernacion announced the creation of a web site www.reformapolitica.gob.mx for citizens to debate the ten proposed sections of the initiative, which is being called Iniciativa 2010, La Reforma Ciudadana.

SOURCES:

Sanctions leveled against political parties for failing to remove propaganda
The Electoral Institute of the Federal District approved tougher economic sanctions against political parties that have not removed their electoral propaganda from the 2009 elections. So far, the amount of sanctions levied against political parties is more than $128,000 (USD) among seven parties and political groups. The Party of the Democratic Revolution (PRD) received the strongest sanctions for the leftover propaganda and other electoral sanctions that added up to $116,000 (USD). In addition, the Institutional Revolutionary Party (PRI) received a fine of $8,137, and the National Action Party (PAN) was fined about $5,028 (USD). Current electoral code requires that electoral propaganda be removed within 72 hours, whether or not the campaign material was put up by the parties or by businesses they contracted.

Furthermore, La Jornada reported that Televisa and TV Azteca have failed to pay more than $4 million (USD) that the IFE levied in fines against the television companies. Those fines were related to several improper activities during the elections. For example, TV Azteca was fined for airing political campaign spots during inappropriate times and failing to transmit the pre-campaign promotions during February, 2009.

SOURCES:

ACCESS TO JUSTICE

CITIZEN PROTESTS

Citizens of Ciudad Juárez march against the government, movement gains momentum
In the aftermath of the massacre in Ciudad Juárez, the immediate, organized outcry from family members has succeeded in jarring a population accustomed to large-scale violence. Hundreds of protestors marched through the streets of Ciudad Juárez on February 13 to demonstrate against the policies of President Felipe Calderón two weeks after the Villas de Salvácar massacre in Ciudad Juárez. Some of the parents went so far as to call for the president’s resignation and the involvement of UN peacekeepers to control the violence. The protestors included Luz María Dávila, mother of two of the victims of the massacre, as well as the mother of one of the alleged gunmen.

Mrs. Dávila and other parents expressed their grief, frustration, and outrage directly to President Calderón, who made a rare personal visit with the families in an effort to address citizens’ security concerns the week after the massacre. Dávila, in particular, gained the attention of the Mexican media when she confronted President Calderón during his visit, telling him that he was not welcome there. She has since become the most prominent figure in a growing citizens’ movement that is demanding a change in the policies it says have led to the spiraling violence that has crippled the border city. By some counts, 4,300 people have been assassinated in Ciudad Juárez since the arrival of troops to the city two years ago, and even
Calderón’s administration has acknowledged that the norm of impunity is the primary cause of the continued violence. President Calderón made an unexpected return trip to Ciudad Juárez on February 17 to reiterate his commitment to improving conditions in the troubled city.

The national and international attention the incident and subsequent fallout has gained is reminiscent of the kidnapping and murder of 14-year old Fernando Martí in 2008. The boy’s father, wealthy businessman Alejandro Martí, became a champion of police reform and ending impunity in kidnapping cases, particularly those in which police officers are involved in the crime. As with the January 31 Juárez massacre, the Martí kidnapping and murder resulted in a strong public outcry and large-scale demonstrations against violence and impunity in Mexico. Martí has since started the civic organization known as the Citizen Security Observation System (Sistema de Observación para la Seguridad Ciudadana, also known as Mexico SOS), which seeks to engage civil society in the fight against crime and impunity. Mexico SOS also works with and supports the efforts of other NGOs, notably the Citizens’ Institute for the Study of Insecurity (Instituto Ciudadano de Estudios Sobre la Inseguridad, ICESI) and Mexico Evaluates (México Evalúa) and other organizations working to monitor and promote solutions to Mexico’s rule of law challenges. While much attention is currently focused on the anguish and outrage caused by senseless violence and impunity, authorities and residents of Ciudad Juárez may have an opportunity to forge similarly positive responses to the Villas de Salvácar massacre.

SOURCES:

PRESS FREEDOM

Reporter killed in Guerrero renews calls to federalize crimes against journalists
Jorge Ochoa Martínez, director and editor of the weekly El Oportuno and El Despertar de la Costa newspapers in the state of Guerrero, was killed with a single shot at 10:30 p.m. on January 29 as he sat in his vehicle. As is often the case in targeted assassinations, people have been unwilling to step forward to provide eyewitness accounts of the incident.

The Ochoa Martínez killing marks the 60th journalist death during the PAN presidencies of Vicente Fox and Felipe Calderón, and has brought criticism from journalism activism groups such as Reporters Without Borders and the Committee to Protect Journalists, who condemn the impunity with which crimes against journalists are carried out in Mexico. The groups also demand that media functions be protected under federal law, as has been approved by the Chamber of Deputies and has for months awaited approval in the Senate.

Aside from the 60 journalist deaths registered over the past nine years, there have also been eight disappearances of journalists, and seven attacks with explosives on media installations. In Guerrero alone, five journalists have been assassinated since 2003 and one disappeared. None of those cases has been resolved.

Following the Ochoa Martínez killing, the director of section 17 of the National Press Editors’ Union, Sindicato Nacional de Redactores de la Prensa (SNRP), demanded that the State Attorney General’s Office bring the killers to justice and to restore the conditions necessary for the safe practice of journalism in the state. The Inter-American Human Rights Commission (CIDH) made similar demands of the Mexican government.

Mexico City daily El Universal cited a report by media activism group, Cencos, this month documenting all of the alleged aggressions committed against journalists in Mexico during 2009. Of all the states, Oaxaca was host to the most attacks on journalists and their work, while the increasingly violent states of Guerrero and Durango had the most deaths. There were a total of 244 attacks registered against journalists in 2009, of which 11 were homicides. Oaxaca had a total of 30 “aggressions” against journalists, while Veracruz had 28 “aggressions” and one assassination. Chihuahua followed in the total number of attacks, with 20
“aggressions” and one assassination. Durango had the most assassinations of journalists with three, along with 11 “aggressions”; and Guerrero followed with two and 14, respectively. Other troubled states were Sinaloa, with 17 “aggressions,” one assassination, and one disappearance; and Coahuila and Chiapas, which had 13 and 11 “aggressions,” respectively. Michoacán also registered one assassination and one disappearance, along with nine “aggressions.” Quintana Roo, a state with relatively low levels of cartel-related violence, reported a disproportionate number of attacks on journalists, with nine “aggressions” and one assassination.

In all, 65% of accused aggressors were identified as public officials, 7.79% as affiliates of political parties, while only 6% were identified as criminals. Most of the attacks went unpunished, according to the Cencos report. The majority of the victims worked for state and local news outlets, and three quarters were men. The report criticizes the Special Prosecutor for Attention to Crimes Committed against Journalists (FEADP), created in 2006. Cencos characterizes the FEADP as being overly-beholden to the Federal Attorney General's Office in its operations and budget allocation, lacking transparency, and being dismissive of the gravity of the dangers posed to journalism in Mexico.

Among journalists themselves, Cencos found that 81.25% of those interviewed perceived danger in practicing journalism in their respective regions, and 68.75% reported that a colleague had been the victim of an attack. Another 68.75% reported that adequate measures have not been taken to protect threatened journalists.

**SOURCES:**

**HUMAN RIGHTS**

**HR organizations decry alleged abuse of women by military in Chihuahua**
After a deluge of criticism in the wake of the January killing of a Ciudad Juárez human rights activist, the Interior Ministry (Secretaría de Gobernación, or Segob) insisted that the Mexican government will work to guarantee the safety of all of its citizens, particularly defenders of human rights. For its part, Amnesty International characterized Mexico as one of the most dangerous countries for human rights activists. The organization recommended the creation of a mechanism specifically to protect human rights activists and journalists, a measure to which Interior Minister Fernando Gómez Mont said he would commit.

The federal government also responded to the organization Human Rights Watch, which accused the Mexican government of sweeping military human rights abuses under the rug. In a press release, the Interior Ministry said that “in Mexico, military elements that commit crimes are processed and sanctioned in accordance with the law.” According to Mexican law, crimes allegedly committed by soldiers are to be handled internally by a military special prosecutor. The expanded role of the military in public security functions where alleged abuses are committed against civilians, though, has made the military justice system, often seen as opaque and unresponsive, very controversial.

Human rights groups were not convinced by the Interior Ministry’s assurances that military justice mechanisms provide an adequate response to alleged military human rights abuses. On January 27, a coalition of human rights organizations sent a memorandum to the U.S. Congress denouncing abuses by the Mexican military against women in the state of Chihuahua. The Washington Office on Latin America (WOLA) collaborated with the Mexico-based Center for the Human Rights of Women and with Gustavo de la Rosa of Chihuahua's State Human Rights Commission on the memorandum, which urges Congress to adhere to human rights statutes in the Merida Initiative.

**SOURCES:**
Amnesty International demands immediate release of two women accused of 2006 kidnapping

Amnesty International has called on Mexico to immediately release Alberta Alcántara and Teresa González, two Otomi indigenous women awaiting a probable 40-year sentence for allegedly kidnapping six agents of the now-defunct Federal Agency of Investigations (AFI) in 2006. In September of last year, a third defendant, Jacinta Francisco Marcial, was ordered to be released by a Querétaro district judge because of numerous inconsistencies in the AFI agents' testimonies. The Federal Attorney General’s Office (PGR) has maintained that Jacinta’s release was entirely procedural, and that it did not cast her guilt or that of her two alleged accomplices in any doubt.

Amnesty International has accused the Mexican government of unfairly imprisoning Teresa González and Alberta Alcántara. After their 21-year sentence was nullified, the two now await possible 40-year sentences in their retrial. According to the human rights group, the only evidence corroborating the AFI agents’ claims that the three women kidnapped them during a raid on pirate DVD vendors in Santiago Mexquititlán Square in March 2006, is a photograph in the local paper of the women standing next to the agents. Rupert Knox, Mexico Researcher at Amnesty International, said that the women “have been framed as a convenient target because of their marginal status in society as poor indigenous women.” The women’s defense attorney claims that they were not given translation services at the time of their first trial, and so did not understand the charges against them. The organization also pointed out that the evidence against the two women is identical to that against Jacinta Marcial, who has been cleared of her charges. The two women’s retrial concluded on February 10, and the judge now has 30 days to deliver a sentence.

The possible 40-year sentence would be 10 years less than the sentence handed down to Juan Manuel Lugo, one of the members of the Sinaloa cartel’s kidnapping cell. Throughout Mexico, there are currently 8,403 indigenous prisoners, 873 of whom are accused of federal crimes, according to a report published last November by the Public Security Secretariat. The National Human Rights Commission (CNDH) and the National Commission for the Development of Indigenous Communities (CDI), agree that indigenous defendants are subjected to a justice system with “grave deficiencies,” based on discriminatory and racist criteria in Mexico. The Organization of American States (OAS) published a report in Washington claiming that indigenous defendants are often subjected to trial without vital translation services, and disproportionately suffer arbitrary detentions and excessive pretrial detention.

The most common charges that indigenous defendants face are drug-related. Mauricio Camacho, in charge of the Special Unit for Attention to Indigenous Affairs for the Federal Attorney General’s Office, says that Coahuila is the only state in Mexico that does not have indigenous people imprisoned for involvement in growing, transporting, and possessing drugs. He says that many are targeted as mules by drug traffickers because of their precarious economic situation, and often are not aware of the contents of packages they are employed to transport. Such cases have led defenders of indigenous people to accuse the Mexican state of criminalizing indigenous populations, who are at a linguistic and economic disadvantage.

SOURCES:


TRANS-BORDER JUSTICE

Owners of two Sonora media outlets to be tried in Arizona for criminal association

Mario de la Fuente Manríquez and his son Mario de la Fuente Mix, owners of El Diario de Sonora, Channel 3 of Sonora, and cable provider Omnicable in Sonora were detained January 20 in Nogales, Arizona, and are being held on charges of criminal association in that state. Both men have dual Mexico-U.S. citizenship. Fuente Manríquez and De la Fuente Mix face 19 and 10 charges, respectively. The Arizona Republic cited judicial documents accusing the men of moving $16 million (USD) from Mexico into the United States without authorization. They are also accused of obtaining a $750,000 (USD) loan with false documentation and selling a Mercedes Benz to three different buyers. The crimes were allegedly committed between 2000 and 2008. In all, the father, son, and six alleged accomplices are charged with a
total of 102 counts, including fraud, conspiracy, money laundering, and participation in a criminal syndicate.

The media executives were released February 3 in Maricopa County Superior Court on their own recognizance on the condition that they not leave the state. They will also be monitored at their homes in Tuscon, Arizona, and $6 million to $12 million (USD) in assets seized from them will be held as collateral against their court appearances. The defendants’ attorney claims that the father and son were conned into providing financial support to the criminal organization. They are scheduled to appear in court on March 15.

**SOURCES:**


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**AROUND THE STATES**

**TABASCO**

**Tabasco Supreme Court urges reform of adolescent justice law**

Rodolfo Campos Montejo, president of the Tabasco Supreme Court, urged the state congress that criminal sanctions for minors should correspond to the suffering caused by those crimes. Campos Montejo, also president of the National Commission of Supreme Court Presidents of the Mexican Republic (Conatrib), pointed out that youths are becoming involved in organized crime at a growing rate, and are often recruited by drug gangs because their chances of avoiding long-term sentences are far greater than that of adults.

Tabasco Governor Andrés Granier has expressed his support for such a measure, saying that “youths feel protected to continue committing crimes, with the knowledge that they will leave [prison] in at most eight years.” PAN national deputy Eduardo de la Torre Jaramillo, also pointed out that under current law a “youth” who enters legal adulthood while in prison is kept with the juvenile population until his release, leading to men as old as 27 still living in the youth population with inmates as young as 14. Like Campos Montejo, Granier is advocating for a new juvenile justice system that reflects the difficult current realities. The calls followed a day after the capture of a 13-year-old “assassin” allegedly trained to kill by a drug gang in Tabasco.

**SOURCES:**


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**OAXACA**

**Territory dispute in Mixtec region of Oaxaca leaves 9 dead in 48 hours**

An armed group killed five and later ambushed four more near the village of San Miguel Copala in the Mixtec region of Oaxaca. Among the victims of the first attack were an active duty municipal police officer, a former-police officer, and three members of a Triqui indigenous organization. A member of the same indigenous organization was killed in the second attack. 100 state preventive police officers were sent to the region to quell the violence, a product of a 30-year dispute between rival organizations. The attacks broke several months of relative calm, the product of a peace accord agreed to by the organizations and the Oaxaca government.

According to the state Attorney General’s Office (PGJE), between 2008 and 2009 more than 90 deaths resulted from the inter-ethnic dispute that has pitted the Unified Movement of the Triqui Struggle (*Movimiento Unificador de Lucha Triqui*, MULT); and the Union for the Well-being of the Triqui Region,
(Unidad para el Bienestar de la Región Triqui, Ubisort), the group to which the aforementioned victims belonged and which reportedly has ties to the Institutional Revolutionary Party (PRI) as well as regional paramilitary groups. The victims run the gamut, from elderly persons to women and children. The PGJE reports that nobody has been brought to justice for any of the killings, citing peoples’ fear of reprisal for speaking to authorities. Tensions escalated in the region following the 2006 uprisings in Oaxaca, after which the MULT reportedly aligned itself with the APPO and claimed the town of San Juan Copala as its seat. That led to a struggle between the MULT and Ubisort for political control of the municipality.

As more than 300 San Miguel Copala residents affiliated with Ubisort have fled their town for fear of continued violence, some say that the scale of violence has surpassed the state’s capacity to restore order to the region. Ubisort director Rufino Juárez Hernández referred to the dissolution of the peace accord as a sign that the Oaxacan government’s efforts to quell the violence have failed. He requested the deployment of troops to the region to prevent more towns like San Miguel Copala from becoming “ghost towns.”

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Sources:
President Calderón proposes new Public Security System for DF

President Felipe Calderón sent an initiative to the Chamber of Deputies to establish a new Public Security for the Federal District, consistent with the actions and guidelines to be established nationwide under the 2008 judicial reform package and the National Public Security System. The proposal was presented at the legislative session held on Thursday, February 18th, and was published in the Parliamentary Gazette.

The president’s initiative proposes to establish the Council and Executive Secretary of the local security system, as well as regulations concerning the areas of career service and information obligations, such as systematization, classification, trade, supply and access to same. If approved the initiative would establish an Administrative Registry of Arrests and would also integrate the Federal District into the Consolidated Criminal Information System, the National Personnel Registry, and National Registry of Weapons and Equipment.

The District’s public security council would be presided by the Mayor of Mexico City, who can also be substituted by the Secretary of Government. Meanwhile, the executive secretary of the local council must have five years experience in the field of public security and two years of actual residence in Mexico City before his appointment, to ensure basic knowledge of the territory and the reality of local public safety. The mayor will be required submit a quarterly report on the security situation in the DF to the local council of the security system, to encourage transparency and accountability.

The bill also sets guidelines for coordination between the National Public Security System and the System of Public Security of Mexico City. The bill also outlines the design, operation, and guidelines under which the police of the capital's Public Security Ministry will be coordinated with the District's Public Prosecutor for the investigation and prosecution of crimes under new criminal procedures adopted at the national level in 2008.

SOURCE:

DF residents to report crimes via cell phone application

On February 15, the Federal District’s Citizens’ Public Security Council and Attorney General’s Office announced the availability of a free, downloadable cell phone application designed by Microsoft for reporting crimes in the city. The application will require cell phones with the new Microsoft operating platform, which will not be available in the city until October of this year. Clicking an icon will immediately put the individual in contact with the Public Security Council, and the user will have options to send a text message, as well as picture and video attachments.

The application, which took three months to develop, is the first of its kind to be launched worldwide. Federal District mayor Marcelo Ebrard lauded the application as a valuable tool for the capitol, a means to cultivate a culture of reporting crimes, and a way to ensure quicker responses to crime reports. He also said that the application will be linked to security cameras being installed throughout the city.

SOURCES:
About the Project: The Justice in Mexico Project studies rule of law developments in Mexico, and is coordinated through the Trans-Border Institute (TBI) at Joan B. Kroc School of Peace Studies at the University of San Diego. The Justice in Mexico Project conducts and disseminates research on three broad categories related to the rule of law: law and order, transparency and accountability, and access to justice. The project receives generous financial support from the William and Flora Hewlett Foundation and the Tinker Foundation. To make a financial contribution to our organization, please visit: http://www.sandiego.edu/tbi/support.

About the Report: The Justice in Mexico Project produces monthly news reports based on regular monitoring of international, national, and sub-national developments affecting the rule of law Mexico. The project also provides periodic updates to its news blog at http://wordpress.justiceinmexico.org, and stores archives of past reports at http://www.justiceinmexico.org. This report was compiled by TBI Research Associates Cory Molzahn and Anna Cearley, with editing and research assistance from Elisse Larouche, Theresa Firestine, and Nicole Ramos. All maps and tables generated by TBI; all photos obtained from Wikimedia. Any opinions expressed in attributions for this summary are those manifested in the media reports and op-ed pieces compiled herein, and not those of the University of San Diego, the Trans-Border Institute, or its sponsors. Please report any questions, corrections, or concerns to transborder@sandiego.edu.

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