

JUSTICE IN MEXICO

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News Report
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The current reporting period saw continued high levels of violence, particularly in the states of Chihuahua and Sinaloa where drug trafficking organizations (DTOs) are battling for lucrative and increasingly pressurized trade routes. Meanwhile, concerns are growing in Oaxaca that DTOs, the Gulf cartel in particular, are attempting to make inroads into the Pacific state. On the U.S. side, a report by the National Drug Intelligence center revealing the extent of Mexican DTO presence in U.S. cities highlights the complex nature of the bi-national challenge drug trafficking presents. In the midst of a push to reform the country's police force, allegations of police brutality have emerged from Mexico City and Guanajuato, underscoring the nationwide tensions between police and the public. The military, too, is increasingly accused of human rights abuses, particularly in the high-conflict states of Chihuahua and Sinaloa, which has led some to question the constitutionally protected use of military tribunals. In the arena of justice sector reforms, Mexican states continue to approve in their congresses the justice reform package that Pres. Calderón signed into law in June (after having received approval from a majority of state legislatures already). Aside from the widespread approval garnered by aspects like presumption of innocence and oral trial proceedings, concerns about increased police powers still linger.

LAW AND ORDER

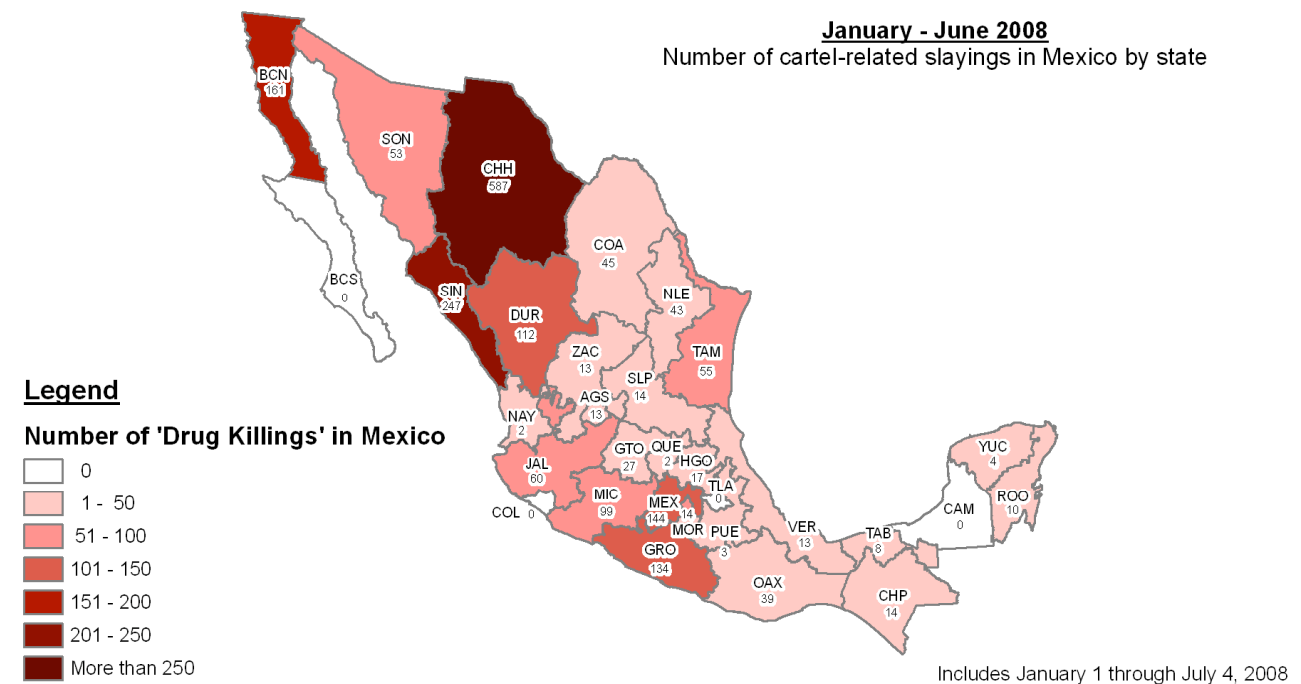
DRUG TRAFFICKING

Heightened cartel-related violence continues in states of Sinaloa and Chihuahua, despite military deployments to both states.

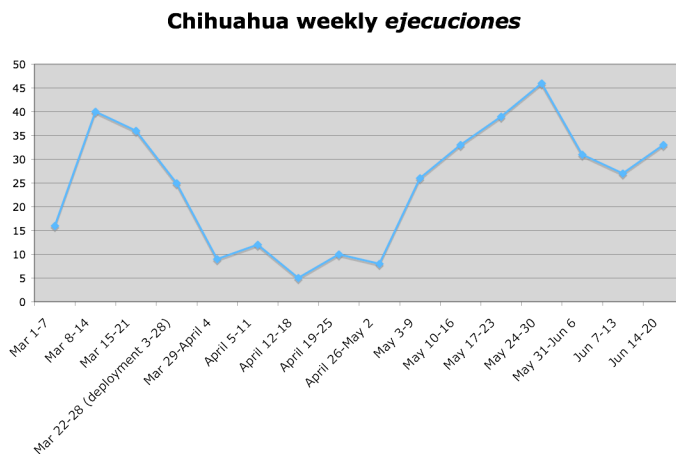
According to Mexico City newspaper *Reforma's* running tally, cartel-related slayings have reached 2226 for 2008, only 49 shy of the total for 2007. The states of Chihuahua and Sinaloa have the most pronounced levels, with 659 and 301 respectively, comprising nearly half of the nation's total. Alongside Chihuahua, Baja California and the State of Mexico are the states with over 100 *ejecuciones* that have already in 2008 surpassed their 2007 totals, with 178 and 155 respectively. The states of Michoacán and

Tamaulipas, who saw 543 and 181 *ejecuciones* in 2006 respectively before major military and federal police deployments at the end of 2006 and early 2007, remain down significantly from their 2006 rates, with 112 and 58 respectively. The Justice in Mexico Project maintains a series of maps that illustrate drug-related violence in Mexico since 2007, including the absolute number of reported killings, the rate of killings per capita, and the proportion of killings per state. Shown below are the number of killings reported by Reforma, by state, in the first six months of 2008.

Number of 'Drug Killings' in Mexico



After a four-week lull in reported cartel-related killings in Chihuahua after the deployment of troops and federal police in late March, weekly rates took a sharp increase, and have remained between 25 and 46 since, despite military presence. In Sinaloa, cartel-related killings have escalated following deployments in April and May of over 1000 soldiers. Since mid-May, weekly *ejecuciones* in Sinaloa have remained above 25, and have included targeted assassinations of municipal, state, and federal police, Sinaloa cartel leader Joaquín “El Chapo” Guzmán’s son, and banners hung in Culiacán challenging federal police, and El Chapo himself. The common belief is that the violence in Sinaloa and other central states is attributable to a fracturing of what has come to be known as the “Federation of Cartels” and a resulting turf battle. In Baja California, the gruesome find in early July of six charred bodies and two other corpses broke a period of relative calm for Tijuana, which has been the site of several extended gun battles this year, and the recent deployment of troops and federal police to the city to reinforce an already strong presence.

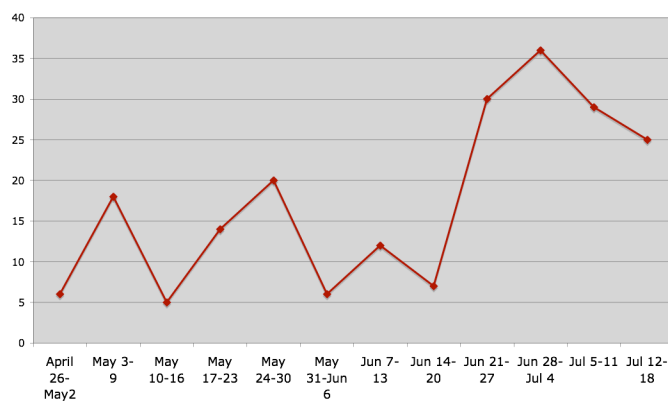


Meanwhile, Mexican officials and the public continue to be reminded of the persistent transit of drugs to and through their country. In mid-July,

Mexican authorities intercepted a small submarine carrying six metric tons of cocaine and escorted it to a Oaxacan port. Mexican officials said that the “narcosubmarine” was crewed by Colombians, and was en route to Sinaloa. They also said that they believe submarines have been used on more than one occasion by smugglers from South America hoping to fly under an increasingly tight radar. U.S. Homeland Security Sec. Michael Chertoff has said that the United States played a role in detecting the submarine, and expressed his concern that similar methods could be used by terrorists seeking to enter the country. Days after the discovery of the “narcosubmarine,” a particularly large marijuana seizure was made in Baja California. Three metric tons in 392 separate packages were found stashed in several trucks near the Otay Mesa border crossing. Soldiers of the Second Military Region, stationed in the state, searched the trucks, acting on military intelligence information.

Edgardo Buscaglia, an expert in organized crime at the United Nations, has offered a grim assessment of the state of corruption by drug trafficking organizations in Mexico. He said that Mexico is in its first stages

Sinaloa weekly ejecuciones



in a process of “feudalization,” with 50-60 percent of Mexican municipalities “feudalized and/or captured currently.” At a conference with members of the Citizen Participation Council of the Federal Attorney General’s Office where he presented his findings, Buscaglia added that Mexico occupies sixth place worldwide in prevalence of organized crime, behind Iraq, Afghanistan, Pakistan, Nigeria, and Equatorial Guinea. He warned that the level of corruption will “continue to rise to the [state level]... the case of Mario Villanueva is an interesting precedent, but don’t consider it the last case that will arise.”

SOURCES:

Herrera, Rolando. “Ven 50% del País bajo control del crimen.” *Reforma* 25 June 2008.

Pavón, Olivier. “México, entre los seis países con mayor delincuencia organizada: experto de la ONU.” *La Crónica de Hoy* 25 June 2008.

Dibble, Sandra. “Gruesome find: 6 burned bodies, 2 other corpses.” *San Diego Union Tribune* 12 July 2008.
 “Hallan tres toneladas de marihuana en Tijuana.” *El Universal* 18 July 2008.

Three members of the Arellano Félix cartel sentenced to 60 years

Three members of the Arellano Félix cartel were sentenced to 60 years in prison in a Tijuana courtroom in early July, adding to a string of convictions of members of that cartel on both sides of the border. The three individuals – convicted of organized crime, kidnapping, and possession of weapons intended for exclusive use by the military – were arrested in January 2006 as they attempted to collect a kidnapping ransom. They reportedly performed the role for the Arellano Félix cartel of kidnapping traffickers who did not pay the cartel for safe passage through Tijuana. The three men are Armando Nava Millan, aka “El Beto” or “El Preti Boy”; Israel Arturo Silva Aguirre, aka “El Filit”; and Oswaldo Guadalupe Millan Moreno, aka “El Papi.”

The Arellano Felix cartel has taken a number of substantial hits in recent months as high-ranking members have been arrested, convicted, and sentenced in Mexican and U.S. courts. The heightened levels of violence in Baja California have coincided with these prosecutions, which has led experts to believe that lower-ranking cell leaders are vying for control over the lucrative transit points in the San Diego-Tijuana region, while under increasing pressure from the thousands of soldiers and federal police that have been deployed to the region.

SOURCES:

Castillo, Gustavo. “Dan 60 años a tres integrantes del cártel de los Arellano Félix.” *La Jornada* 5 July 2008.

Increased pressure is driving cartels westward along the border, say U.S. officials

Pressure from military and federal police in the eastern Mexican border states of Tamaulipas and Nuevo Leon, traditional transit points for drugs entering the United States from Mexico, appears to be driving conflict between cartels westward as they vie for control over security gaps along the border, according to a recent report by the U.S.-based National Drug Intelligence Center.

Stan Furce, director of a coalition of state and federal law enforcement agencies involved in policing the 16-county strip of Texas known as the Houston High Intensity Drug Trafficking Area, characterizes the trend as a "temporary shift." Houston, long a destination and transit point for drugs entering via Tamaulipas and Nuevo Leon, has seen the price of a kilogram of cocaine rise from what was a norm of US\$18,000 to US\$22,000 in recent months. While factors such as a weakening U.S. economy possibly diverting drugs in transit through Mexico to Europe and increased demand for cocaine in Mexico could contribute to a rise of street prices in the United States, Furce says that for the first time it is becoming difficult to buy cocaine in Houston.

Cartel-related violence in the state of Tamaulipas, though at 55 *ejecuciones* so far this year and on track to surpass its 2007 total of 88, is down significantly from its 2006 number of 181, before thousands of soldiers and federal police were sent to the state. Chihuahua, by contrast, has reached 615 *ejecuciones* during 2008, and is on track to top its 2006 and 2007 numbers by eight to nine-fold.

SOURCES:

Schiller, Dane. "Drug traffic may shy away from Houston." *Houston Chronicle* 9 July 2008.

Several state-level authorities in Oaxaca publicly threatened, presumably by the Gulf cartel

The head of a young man was found July 5 near the home of the state's attorney general Evencio Nicolás Martínez Ramírez with a note threatening Martínez, state PRI leader Jorge Franco Vargas, and organized crime investigations director for the local Attorney General's Office Pedro Celestino Guzmán. The unidentified man's body was found shortly after near the airport. The note was signed "cártel de Golfo." Authorities have responded with heightened security for the three individuals and other state officials. The incident lends weight to fears that the Gulf Cartel is attempting to extend its influence into Oaxaca and other southern states amidst a turf battle that so far this year has manifested itself in terms of heightened human casualties in border-states and in Pacific and central states, particularly Sinaloa and the State of Mexico.

Oaxaca Gov. Ulises Ruiz Ortiz verified after the incident that various state officials, himself included, have been threatened by elements of organized crime trying to increase their influence in the state of Oaxaca, a state that is not generally associated with cartel violence. Gov. Ruiz in his rhetoric strongly aligns himself with Pres. Calderón's policy of aggressively confronting the drug cartels. Federal police have recently been establishing a presence in Oaxaca for operations against organized crime in the state, as well as to increase security for the upcoming Guelaguetza celebration, says Ruiz Ortiz.

SOURCES:

Vélez Ascencio, Octavio. "Oaxaca: hallan cabeza humana en torno al domicilio del procurador de Justicia estatal." *La Jornada*, 5 July 2008.

Matias, Pedro. "Refuerzan seguridad de funcionarios." *Noticias Voz e Imagen de Oaxaca* 6 July 2008.

U.S.-MEXICO SECURITY COLLABORATION

With the Merida Initiative approved by U.S. Congress, a report of Mexican cartel presence in U.S. cities released to the public

A recent study released by the National Drug Intelligence Center (NDIC) reveals that Mexican drug cartels are operating in 109 cities throughout the United States. Of those, 27 are in California, and are chiefly represented by the Tijuana-based Arellano Félix cartel. While the study shows affected cities being more concentrated in southwestern states, Mexican cartel influence extends throughout the United States into all regions, and in some cases, into Canada.

This report came just before the U.S. Congress approved funding of the Merida Initiative, a US\$1.6 billion aid package for Mexico and Central American countries to assist in the fight against drug trafficking and organized crime. US\$400 million has been allocated for Mexico for fiscal year (FY) 2008, and the U.S. and Mexican governments have 45 days from the signing of the legislation to present a spending plan to the U.S. Congress for final approval. Pres. Bush originally asked Congress for US\$500 million for Mexico for FY 2008 and US\$50 million for Central America. The legislation approved in June allocates US\$65 million for Central America. US\$ 9 million will go to the Dominican Republic and Haiti. White House press secretary Dana Perino expressed Pres. Bush's disappointment in the reduction of funds for Mexico, stating that the initiative was specifically designed to address the problem of drug trafficking and related violence along the U.S.-Mexico border. The funds for Mexico are expected to be distributed among the military and federal law enforcement, though Pres. Calderón has expressed a priority for expanding the technological capacity of the Federal Police, presumably in the areas of surveillance and intelligence gathering.

Since the proposal for the Merida Initiative was made public by both administrations in the fall of 2007, Mexican law enforcement officials and lawmakers have drawn attention to what they view as unaddressed issues of cartel activity within the United States, as well as weapons trafficking resulting from lax gun control legislation, particularly within Texas.

SOURCES:

"Insatisfecho Bush con recorte a Inicitiva Mérida." *El Universal* 25 June 2008.
"Pactan presidentes de México y EU acelerar Plan Mérida." *La Jornada* 5 July 2008.

ACCOUNTABILITY

POLICE

Mexico City's police chief, attorney general resign in response to police brutality at a nightclub in late June

Mexico City's police chief Joel Ortega and attorney general Rodolfo Félix resigned from their positions July 8 amidst growing public outrage over a botched raid at a Mexico City nightclub that left 12 dead and many others wounded. Their resignations immediately followed a report released by Mexico City's Human Rights Commission (CDHDF). The raid in question took place late June at the downtown nightclub News Divine, in which police entered the bar in search of underage drinkers and blocked the exits, causing a stampede in which nine adolescents and three police officers suffocated.

Videos and pictures taken by officers, bar patrons and the media have been widely circulated in the press, and clearly depict police barricading the door from the outside as people struggled to escape the push from inside. The CDHDF's report stated that the tragedy was entirely avoidable and was a result of public policy that "criminalizes youths, particularly the poorer ones... [one that is] systematic and institutionalized." The report criticized police for treating the adolescents in the nightclub as evidence of a crime, rather than subjects with rights, emphasizing that this was not an isolated incident, but rather a

culmination of “institutionalized violence” at the hands of police. Several days later, CDHDF president Emilio Álvarez Icaza lamented the mutual sense of mistrust between the police and the public, characterizing it as the principal source of tension between the two.

Nonetheless, the News Divine incident clearly depicted Mexico City police treating a vulnerable population with excessive force, and Chief of Government Marcelo Ebrard accepted the resignations of Félix and Ortega the same day the CDHDF’s report was released, promising to rebuild the Federal District’s police forces. A week later, Ebrard nominated Manuel Mondragón y Kalb for the position of police chief, and Miguel Ángel Mancera Espinosa for attorney general. In a statement typical of his usual rhetoric emphasizing public security, Pres. Calderón applauded the nominations as a sign of cooperation between local and federal governments to “design and articulate cooperative strategies that combat with efficiency criminality and its organizations.”

In a press conference shortly following his appointment to police chief, Mancera Espinosa expressed a commitment to reach out to the public. He added that he will work closely with the CDHDF to address its 40 recommendations made in response to the News Divine incident, which in large part address a stated need for Federal District law enforcement to “modernize” its operations, particularly in terms of the Office of the Public Prosecutor’s willingness and capacity to prosecute crimes efficiently and in the interest of public interest and security.

SOURCES:

- Ibarra, Mariel and Juan Corona. “Cae Ortega; renuncia Félix por News.” *Reforma* 8 July 2008.
Dickerson, Marla. “Mexico City police chief, top prosecutor quit.” *L.A. Times* 9 July 2008.
“Anuncia Mancera cambios estructurales en Policía Judicial.” *Milenio* 17 July 2008.
“Avala Calderón designación de titulares de SSPDF y PGJDF.” *La Jornada* 18 July 2008.
“Requiere policía capitalina mecanismos de control: CDHDF.” *La Jornada* 18 July 2008.

TRANSPARENCY

Federal transparency oversight commission refuses to publicize number of U.S. agents operating in Mexico

President of the Federal Institute of Access to Information (IFAI) Alonso Lujambio ultimately refused to a citizen request for the number of U.S. agents operating in Mexico, stating that releasing such information would be potentially detrimental to the fight against organized crime in the country. With his decision, Lujambio is upholding an earlier decision by the Exterior Relations Secretariat (SRE) to withhold the information based on grounds of public security.

IFAI commissioner Alonso Gómez Robledo questioned the decision, saying that it seems to conflict with a decision that IFAI made in February to announce publicly that 227 agents of the U.S. Drug Enforcement Agency (DEA) were operating in Mexico. He added that that information was obtained from the U.S. Congress, and that the SRE had earlier reported that there were only 62 DEA agents in Mexico.

Nonetheless, most IFAI commissioners agreed with the recent decision, as knowledge of the numbers of DEA, FBI, CIA, and Immigration and Customs Enforcement (ICE) agents, and members of the U.S. armed forces could aid drug trafficking organizations.

SOURCE:

- “Rechaza IFAI revelar número de agentes de EU en México.” *El Universal* 25 June 2008.

ACCESS TO JUSTICE

JUSTICE REFORM

Senate Human Rights Commission pushes for Supreme Court hearings on constitutionality of new justice reforms

Rosario Ibarra de Piedra, the president of the Senate Human Rights Commission, has called for the House of Deputies to bring proceedings before the Supreme Court to argue the unconstitutionality of the federal justice reforms recently approved by both houses of Congress and signed into law by Pres. Calderon. Such an action would require the approval of at least 167 deputies, and needed to be instated by July 18. It appears that Ibarra's push was unsuccessful.

The reforms, signed by Pres. Calderón in June after the majority of the nation's states approved them in their local Congresses, have two components – one that will strive to transform the nation's justice proceedings from an inquisitorial model to an accusatorial model that incorporates oral trials, the presumption of innocence, and ultimately speed up the justice process; and another that affords attorneys general and police greater powers in searches and detentions, particularly in the case of suspected organized crime involvement. While the reforms to criminal proceedings have met with widespread approval from legislators, judges, attorneys, and legal experts alike, the measures increasing police powers have been more controversial.

Of greatest concern to human rights organizations as well as legal experts is the question of pretrial detention, allowed under the new constitutional reforms. Many argue that such detentions are in direct conflict with the presumption of innocence, a fundamental component of the new reforms. Also heavily criticized has been the definition of "organized crime" as being three or more people conspiring to commit crimes. Critics say that the flexibility of this definition could allow for the criminalization of protests and social movements. Also, while the most controversial proposed measure of increasing police power to enter and search private residences was ultimately dropped from the reform package, legislators voted to maintain the measure permitting public prosecutors to order detentions of individuals without a warrant from a judge.

SOURCE:

Pérez, Matilde U. "Exhorta Rosario Ibarra a protestar contra la reforma de justicia penal." *La Jornada* 27 June 2008.

HUMAN RIGHTS

As allegations of human rights abuses at the hands of the military mount, human rights organizations question the use of military tribunals

The issue of military tribunals for soldiers accused of human rights violations has recently been a growing concern of human rights organizations, both domestic and international. Exemptions for the members of the military from civilian courts are protected by the Constitution, though many argue that the changing role of the military in increasingly carrying out law enforcement duties in the name of fighting the war against Mexico's drug cartels require a reevaluation of military tribunals.

Allegations of human rights abuses by soldiers have increased over the years, and seem to be on track this year to surpass 2007. During 1991, when the policy of employing the military in battling the drug trade was first implemented, there were 66 complaints of human rights abuses at the hands of soldiers. That number rose to 384 in 2007. Between June and May of 2008, there have been 250 complaints. Since December of 2006, over 25,000 soldiers and federal police have been deployed to troubled regions to crack down on drug cartels and corruption within municipal police departments.

The recent rise in allegations of abuses has increased criticism from human rights organizations and legal practitioners and experts of the military justice system, in which judges and prosecuting attorneys are

designated by the Department of Defense. The vast majority of cases involving human rights abuses at the hands of the armed forces are handled in military tribunals, according to article 13 of the constitution. Jose Luis Soberanes, president of the National Human Rights Commission (CNDH), has indicated that he foresees the continued use of military tribunals while they are still protected under the constitution.

While Soberanes acknowledges that the context has changed in recent times, domestic and international human rights organizations go one step further in arguing that the dramatically increased use of the military for law enforcement purposes renders the use of military tribunals antiquated in the case of human rights abuses. José Miguel Vivanco, director of Human Rights Watch in Latin America and the Caribbean, argues that military tribunals are not institutionally prepared to properly handle cases addressing alleged human rights abuses against civilians. According to Mexican news reports, the Washington D.C.-based Center for International Justice and Law said in May that Mexico was the most troubling case in Latin America involving human rights abuses at the hands of the armed forces.

In Congress, some legislators have argued for the elimination of the constitutional military exemptions from civilian trials, while others have suggested reforms. However, there are few signs that the topic will be addressed on the floor of either house any time this year. The Calderón administration has not expressed any concern about misuse of the tribunals.

When overall cases are examined, it is not clear that civilian courts are any more likely to convict than are military tribunals. If a soldier is convicted in a military court, he or she has the right to appeal the case before a civilian court. Between 2000 and 2008, 360 such cases have been reviewed circuit courts, of which 60% of guilty convictions were overturned. By contrast, of the 1,381 overall appeals heard in Mexican courts in 2007, only 21% of cases were overturned.

SOURCES:

"México: justicia militar criticada pero intocable." *La Jornada* 2 July 2008.
Fuentes, Víctor. "Absuelven a militares en justicia civil." *El Norte* 29 June 2008.

National human rights ombudsman responds to allegations of torture training for Guanajuato police

José Luis Soberanes, the president of Mexico's National Commission for Human Rights (CNDH), is emphasizing the need to train all police in Mexico in the area of human rights, in responding to allegations of municipal police in León, Guanajuato being trained in methods of torture. He also responded to the municipal public security secretariat's claim that the police are receiving the training so that they can withstand it should it be inflicted upon them. Soberanes said that this claim was not convincing, emphasizing that cases of alleged torture at the hands of police outweigh those in which police attest to having been the victims.

The CNDH's attention was drawn to the case when Guanajuato Senator Gustavo Madero Muñoz, of the National Action Party (PAN), sent a letter to the commission, urging immediate action responding to the issue, shortly after videotapes clearly depicting police being subjected by their superiors to methods such as water immersion were disseminated in the national media. The case was initiated by Guanajuato's human rights commission, but was picked up by the CNDH because of its nationwide implications. The city's mayor also recently responded to five recommendations handed down from the state human rights ombudsman in response to other tapes disseminated in the media depicting police brutality against citizens. At the center of the recommendations is a call for reforming the city's police force, leaving in question the job of the current police chief.

Reforming the nation's police forces and restoring public trust in them have been key components of Pres. Calderón's fight against the drug cartels and also the criminal justice reform package recently signed into law. With a particular emphasis on reforming Mexico's notoriously corrupt municipal police departments, allegations of this nature are likely to be especially troublesome.

SOURCES:

"Investigará CNDH capacitación en tortura en Guanajuato." *La Crónica de Hoy* 3 July 2008.
Bárceñas, Gaby. "CNDH se hará cargo de investigar clases de tortura." *El Correo de Guanajuato* 3 July 2008.
Proal, Juan Pablo. "Reprueba CNDH escuela de tortura en León." *Excelsior* 3 July 2008.
Salas, Julio Cesar. "Deriva 'videoescándolo' en sanción a policías de León." *Diario de Yucatán* 12 July 2008.

CIVIL LIBERTIES

PRI Senator claims he was victim of spying by federal investigation agency

Manlio Fabio Beltrones, a Senator of the Revolutionary Institutional Party (PRI) alleges that he was subjected to spying by the Center for Investigation and National Security (Cisen). He says that various documents were handed over to his detailing the personal lives of him and his family, including his daughter's recent wedding.

The Mexico City newspaper *El Universal* was the first to report the story, and Cisen has denied the allegations since. For his part, Interior Minister Juan Camilo Mouriño insisted that the Mexican government has always treated the legislative branch and its members with respect, and denied any illicit behavior, including espionage. Meanwhile, the Mexican press, led by *El Universal*, has largely taken the allegations to be true. At issue is not whether spying took place, but rather whether it was carried out by elements of the Mexican government.

Since the accusations of spying surfaced, various legislators have been pushing for the removal of Cisen director Guillermo Valdés, claiming that Beltrones was among a number of legislators and Governors subjected to spying by Cisen. Under Mexican law, Cisen does not have the power to conduct surveillance measures like wire taps without a warrant issued by a judge. As momentum behind the calls for Valdés' removal has gained, Mouriño has strengthened his own rhetoric, recently stating that "We do not see any reason to fire anyone due to a political accusation not backed by evidence."

SOURCES:

"El Centro de Investigación y Seguridad Nacional siguió los pasos de Beltrones." *El Universal* 2 July 2008.
Ramos Pérez, Jorge. "Rechaza Segob prácticas de espionaje." *El Universal* 5 July 2008.
Vélez, Octavio and Hiram Moreno. "Mouriño: no hay razón para destituir al titular del Cisen." *La Jornada* 11 July 2008.

AROUND THE STATES...

States continue to pass justice reforms in local congresses; publicly optimistic they will lead to speedier trials, more transparency

In Hidalgo, representatives from the three branches of government signed on July 12 an agreement on collaborative reforms of the justice system in that state. The central goals of the state's planned reforms are goal is to attain speedy trials and to abolish the use of pretrial detention, the practice of detaining suspects awaiting trial, which in Mexico can sometimes last months or years. Only in cases of organized crime or violent felonies would pretrial detention be used.

Attorneys in Baja California have similar hopes for the reforms, recently approved in their state legislature. Enrique Alberto Gómez Llanos León, president of Tijuana's bar association, expects that the new reforms will lend themselves to a speedier and more transparent system of justice. He emphasized the potential of mediations, which he expects will prevent many cases from having to go to trial. He added that law students at the state's universities will soon be trained in oral trials as part of their course of studies. At the universities' request, attorneys from the bar association will act as guest professors to impart those courses.

SOURCES:

Rico, José Luis. "Juicios penales: cortos y sin detenidos." *El Sol de Hidalgo* 12 July 2008.

President of the Supreme Court in Oaxaca touts strengths of Oaxaca's reformed justice system

Héctor Anuar Mafud Mafud, president of the Supreme Court of Oaxaca, holds his state's new justice system up as a potential model for other Latin American countries, having greatly increased the number of judges in the state trained in oral trials, while having decreased substantially the backlog of trials that existed before new methods were adopted.

At a ceremony honoring Benito Juárez, Mafud emphasized that during his tenure he has increased the number of judges from 69 to 107, and hopes to reach 130 by the year's end. Many of the state's judges are in the midst of learning the new processes, but even during this time of transition Mafud says that 60 percent of the case backlog has been resolved. He attributes the successes so far largely to the wide use of mediation, in which affected parties resolve disputes outside of the courtroom. Of the past 2,401 conflicts, 90 percent have been resolved through mediation. He says that because of these accomplishments, the Oaxacan system has been recognized by other countries – including Chile where oral trials have been successfully implemented for the past 10 years – as a potential model for other Latin American countries in the process of reforming their justice systems.

He added that his offices are working to train translators and interpreters to work with indigenous populations that do not speak Spanish.

Sources:

García Martínez, Salvador. "Nuevo código penal de Oaxaca, modelo a seguir por otros países: Mafud." *ADN Sureste* 19 July 2008.
Rivera, Ismael. "Se combatirá la corrupción en procuración de justicia." *Voz e Imagen de Oaxaca* 19 July 2008.

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

As a research output, the Project produces monthly reports based on news monitoring of federal- and state-level developments. An archive of these reports is available at <http://www.justiceinmexico.org>. Click on the news tab and then the news archive selection to access the archive.

Summaries for this report were compiled and edited by Cory Molzahn, TBI Research Associate.

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