

# JUSTICE IN MEXICO

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*President Calderon met with U.S. President Obama this month to discuss the efforts made to combat the drug cartels and the trafficking of arms across the border, of which both countries recognize they have a shared responsibility to find a solution for trans-border crime. Cartel-related killings decreased sharply from earlier this year, with the biggest decline in the state of Chihuahua. This decrease was attributed to the thousands of soldiers sent to the city of Juárez, where killings are down 60 percent from a month ago. Nationwide, drug related killings have reached 1,815 in the first 15 weeks of 2009, an alarming number. Meanwhile, Mexican soldiers and police were assigned to help address the swine flu epidemic that has infected over 1,800 people and killed over 100 in Mexico. Efforts to combat corruption this month include a statement released by Megamedia in their regional paper Diario de Yucatán, accusing an official of bribery in order to publish favorable coverage of a PAN candidate. Meanwhile, 88 percent of attacks on police officers in Tijuana go unpunished; most of the attacks remain and some stage of investigation, and the municipal police have borne the brunt over the past eight years. Around the states, in Michoacán and Oaxaca, members of the PRD raised concerns over a series of attacks against members of their party.*

## LAW AND ORDER

### U.S.-MEXICO RELATIONS

#### **Obama, U.S. cabinet secretaries visit Mexico in April to meet with counterparts**

Pres. Obama made a brief one-day stopover in Mexico in mid-April to meet with Mexican Pres. Felipe Calderón en route to the Summit of the Americas in Trinidad and Tobago. Obama is the first president since Bill Clinton in the 1990s to visit Mexico City. This visit, made just two and a half months into Obama's term, was widely seen as sending a message of deeper U.S. involvement with Mexico than existed in the previous administration. Obama's trip was preceded two weeks earlier by visits from Secretary of State Hillary Clinton, Homeland Security Secretary Janet Napolitano, and U.S. Attorney General Eric Holder; all of whom brought with them unprecedented acknowledgements of U.S.

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responsibility for addressing the problem of drug trafficking and weapons and cash flow on both sides of the border.

Pres. Obama praised Calderón's efforts to combat the drug cartels as "heroic," and pledged increased U.S. support for what Obama's administration has unequivocally acknowledged is a shared responsibility, but did not go into many specifics as to what that support will look like. He made reference to moving forward with the Merida Initiative, the three-year, US\$1.4 billion aid package to provide Mexican law enforcement agencies with surveillance equipment, information technology, and training. The initiative was agreed upon by Pres. Calderón and former U.S. president George W. Bush to provide support throughout FY 2008-2011, but has since faced delays and cutbacks from the U.S. Congress.

Conspicuously absent from Obama's visit was a pledge that Calderón and Mexican lawmakers were hoping for: to reinstate a Clinton-era assault weapons ban that was allowed to expire during the Bush administration. While Obama supported the reinstatement of the ban during his presidential campaign, it seems that he is wary of expending political capital on the measure, which is unpopular with many Republican and Democratic legislators. Obama expressed his view that instead of reinstating the contentious assault weapons ban, the problem of arms trafficking into Mexico could be addressed through more effective enforcement of existing laws.

Of the cabinet secretaries who visited Mexico in April, Attorney General Holder has been the most vocal advocate of reinstating the assault weapons ban, saying "I think that will have a positive impact in Mexico at a minimum." (More on the arms trafficking debate is discussed below).

Perhaps the most significant development of the cabinet secretaries' visits came when Hillary Clinton acknowledged that U.S. demand for illegal drugs and lax gun control are major factors contributing to drug violence in Mexico, a statement that set the tone for Obama's visit a week later and was characterized as a "mea culpa" in the U.S. and Mexican press.

The firm recognition from Obama and his three cabinet secretaries of not only a shared responsibility in finding a solution to trans-border crime, but also of responsibility for the problems themselves was seen as a substantial break from past administrations. These were welcome signals to Mexican representatives and law enforcement officials, who have long urged the United States to more highly prioritize addressing its citizens' demand for illegal drugs and the southbound flow of guns and cash into Mexico.

Pres. George W. Bush also acknowledged the role of drug consumption when he met with Pres. Fox in February 2001, noting that "we have an obligation inside this country to fight to reduce the demand for drugs." Bush also worked to end the process of drug certification that many Latin American countries found paternalistic and offensive. However, efforts to reduce drug demand saw relatively small funding increases during his two terms.

**SOURCES:**

Crespo, José. "Mea culpa estadounidense." *Excelsior* April 1, 2009.  
Wilkinson, Tracy. "In Mexico, Obama's words do for now." *Los Angeles Times* April 18, 2009.  
"Estados Unidos, el vecino que se acerca." *Informador* April 18, 2009.

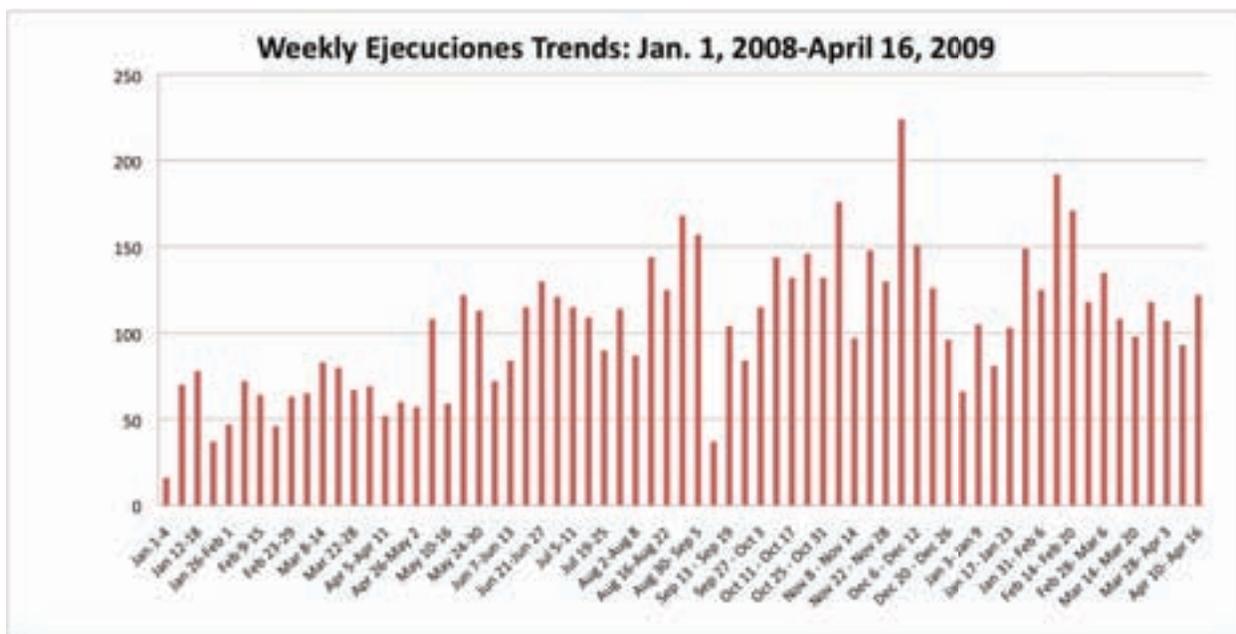
## **DRUG TRAFFICKING**

### **Cartel-related killings down sharply in recent weeks; most pronounced in Chihuahua**

According to *Reforma's* running tally of cartel-related killings, or *ejecuciones*, cartel violence is down sharply from a month ago, with the biggest declines by far in the state of Chihuahua where last month thousands of soldiers and federal police officers were sent to the troubled city of Juárez, where according to the state attorney general, killings are down 60 percent compared to a month ago. Nationwide, *ejecuciones* have reached 1815 after the first 15 weeks of 2009 – an alarming number by most standards, though still down nearly 8 percent from the last 15 weeks of 2008. Durango, where two Army

soldiers were recently executed, and Guerrero continue to be among the most troubled states, with 215 and 180, respectively. Baja California, which registered only four *ejecuciones* in as many weeks, rests at 87 for 2009, compared to 404 during the last 15 weeks of 2008. Meanwhile, the Calderón administration continues to assert its strategy of targeting major cartel players, taking down suspected high-level operatives in the Gulf, La Familia, and Juárez cartels.

*Ejecuciones* in the state of Chihuahua have slowed to an average rate of 17 per week over the past four weeks, down from an average of just over 40 over the twelve previous. This extreme downtick in violence corresponds with the second phase of Operation Chihuahua, which brought the total number of military personnel and federal police in the state to over 10,000. While the decline in violence is a welcome change to residents, the deployments are not a long-term remedy, and it remains to be seen for how long they will stay.



Source: Reforma ([www.reforma.com.mx](http://www.reforma.com.mx)). Data for unavailable for some weeks. Prepared by Judith Dávila.

The federal government claims to have made important arrests in its campaign to target cartel kingpins. Alleged members of the La Familia, Gulf, and Juárez cartels have been apprehended, and face detention awaiting formal charges.

Federal police claim to have dealt a substantial blow to the drug trafficking organization La Familia de Michoacán in Morelia, that state’s capital, and the center of operations for the group. Agents of the federal Public Security Secretariat (SSP) interrupted a baptism celebration on April 19 and apprehended 44 suspected members of the cartel, including Rafael Cedeño Hernández, 47, considered by authorities to be a major operator in the city as well as parts of Guerrero, and the third in command of the entire organization. He is believed to lead a group of assassins who primarily target members of Los Zetas, the armed wing of the Gulf Cartel, which is vying for control in the two states.

On April 9, Israel Nava Cortez, suspected head of Los Zetas in Oaxaca, was killed in a firefight with Federal Police officers in Fresnillo, Zacatecas. Two more gunmen were also killed. According to the Federal Police, Nava Cortez was responsible for the 2007 killing of two police commanders at the port of Acapulco, where seven other agents also lost their lives. While it was first reported that he was a former member of the Guatemala Army Special Forces, it was later clarified that Nava Cortez was a Mexican citizen.

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In another targeting of the Gulf Cartel, the federal Attorney General's special prosecutor for investigations of organized crime (known by its Spanish acronym as SIEDO) apprehended Francisco Javier Estrada Sánchez, an attorney accused of facilitating communication between imprisoned Zeta members and outside members of the group in order to aid in the commission of crimes. He has been indicted by a district court in Nayarit where he will face charges of involvement in organized crime.

Perhaps the most significant arrest came when Vicente Carrillo Leyva, or "The Engineer," 32, was apprehended early April by elements of the military and the Federal Preventive Police as he exercised in a park in Mexico City. Federal authorities charge that Carrillo Leyva and his uncle, Vicente Carrillo Fuentes, are the principal operatives of the Juarez Cartel, which they say moves between 20-30 metric tons of marijuana and an equal amount of cocaine into the United States each month. The violence in Ciudad Juárez, which began to escalate a year ago, has been blamed on a turf battle between the Juarez and Sinaloa cartels.

**SOURCES:**

- León Zaragoza, Gabriel. "Arraigan 40 días a Vicente Carrillo Leyva." *La Jornada* April 5, 2009.  
"Muere supuesto jefe "zeta" y kaibil." *El Universal* April 10, 2009.  
"El Ostión no es guatemalteco, confirma Policía Federal." *El Universal* April 10, 2009.  
"Dictan formal prisión a presunto abogado de "Los Zetas." *Milenio* April 16, 2009.  
Méndez, Alfredo. "Asestan golpe a La Familia: aprehenden a 44 integrantes." *La Jornada* April 20, 2009.

### **Mexican senate approves asset-forfeiture law for properties related to organized crime**

After seven months of debate in committee, the senate approved in early April a law defining the terms for seizing assets belonging to those deemed by the Attorney General's Office (PGR) to be profiting from organized crime. The bill was passed unanimously in the midst heightened intra-party tensions stemming from some Institutional Revolutionary Party (PRI) senators' claims that the Calderón administration was tampering with the legislative process. Nonetheless, according to senators Tomás Torres of the Democratic Revolutionary Party (PRD) and Jesús Murillo Karam of the Institutional Revolutionary Party (PRI), the bill was modified substantially in committees from the original version sent by Pres. Calderón.

The asset-forfeiture law, known by its Spanish name as *Ley de extinción de dominio*, would give the PGR discretion to seize assets that it determines are related to crimes involving drug trafficking, human trafficking, and auto theft. Assets falling subject to the law are defined as: instruments, objects, or products of crimes; those used to hide, disguise, or transform criminal proceeds; properties of third parties used to aid in the commission of crimes; and goods belonging to third parties deemed by the PGR to be the product of criminal activity.

Under the law, the PGR must submit an annual report to Congress of asset seizures. Moreover, if a judge deems that a seizure was performed unjustly the assets must be returned with interest within six months. The law now awaits discussion in the Chamber of Deputies.

On the U.S. side, Pres. Obama announced the addition of three Mexican criminal organizations to the list of designated kingpins under the U.S. Foreign Narcotics Kingpin Designation Act. The measure adds the Sinaloa cartel, Los Zetas, and La Familia de Michoacán to the list, allowing for the blocking or seizing of assets belonging to those groups in the United States.

**SOURCES:**

- Becerril, Andrea and Ballinas, Victor. "Aprueban la ley de extinción de dominio." *La Jornada* April 3, 2009.  
Villamil, Jenaro. "Ley de extinción de dominio, apenas la primera prueba." *Proceso* April 3, 2009.

## **DRUG POLICY**

### **2007 data addressing rising cocaine prices brought into question**

Recent analysis of drug data released by the Obama administration points to weaknesses in previous claims about the effectiveness of crackdowns of Colombian and Mexican drug cartels. U.S. drug policy

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has acted under the premise that lower availability would lead to higher prices, which in turn would bring about reduced consumption. In 2005 and 2007, the Bush administration released data that it said showed an upward trend in cocaine street prices and a corresponding downward trend in purity, and claimed that the numbers pointed to substantial supply disruptions.

John Walsh, from the Washington Office on Latin America (WOLA), says that while there were some up-ticks in street prices in those years, the new data confirm what WOLA had suggested when the earlier data were released: a broader, downward trend in cocaine prices and an upward trend in purity.

The data, which were prepared for the Office of National Drug Control Policy (ONDCP) by the Institute for Defense Analyses (IDA), cover a 27-year period between 1981 and 2007, and are reported in constant 2007 dollars. The analysis shows that cocaine street prices dropped continually over the 27 years, while purity remained fairly steady, with some fluctuations. Interestingly, the average street price for cocaine in 2007 hit its lowest recorded price. (For the complete analysis, visit WOLA's website at <http://www.wola.org/>).

The conclusion that Walsh reaches is that there will be fluctuations in cocaine supply caused by a variety of factors including pressure on drug cartels and shifts in border enforcement that result in temporary price spikes. However, such "supply-side" anti-drug efforts will only result in cartels restructuring and revamping their strategies in order to feed demand wherever it exists.

**SOURCE:**

Walsh, John. "Lowering Expectations: Supply Control and the Resilient Cocaine Market." *Washington Office on Latin America* April 14, 2009.

### **Chamber of deputies discusses legalization of marijuana**

A debate has opened in the Chamber of Deputies over the possible decriminalization of minor possession of marijuana for personal use. Proponents of the measure say that it would free up needed law enforcement resources for addressing more serious crimes and discourage official corruption. Some opponents warned that the measure would in effect condone the use of illicit drugs and add to the problem, while others said that it would be dangerous for Mexico to be the only nation in the region to undertake such a measure. Participating in the discussion were Mexican lawmakers and representatives from the public security and justice sectors, as well as international experts in drug policy, bioethics, and addiction.

Thus far, deputies from the Democratic Revolutionary Party (PRD), the Institutional Revolutionary Party (PRI), Convergencia, and the Social-democratic party have proposed reforming federal public health law and penal codes to decriminalize the use of marijuana for medical and scientific uses. Some PRD senators have gone even further, proposing decriminalizing possession of small amounts of the drug for personal use.

Proponents, largely from the PRD, have argued in line with a recent statement released by prominent figures throughout Latin America including former Mexican president Ernesto Zedillo, former Brazilian president Fernando Henrique Cardoso, and former Colombian president César Gaviria, that urged a paradigm shift in regional drug policy away from the prohibition model that they classified as an abject failure and towards a harm-reduction model, which would treat drug use as a public health issue rather than a criminal offense.

By official accounts, drug use among Mexicans is up in recent years. According to the Interior Ministry, 4.5 million people have experimented with drugs as of 2008, up from 4.5 million in 2000, an increase of 29 percent. In the same period, marijuana consumption jumped from 1.1 to 3.3 percent for women and from 4.5 to 8.3 percent for men, according to the 2008 National Addiction Survey (*Encuesta Nacional sobre Adicciones 2008*).

**SOURCES:**

"Inicia hoy el debate." *El Diario* April 13, 2009.

## BORDER VIOLENCE

### Department of Homeland Security announces detailed border measures

Department of Homeland Secretary Janet Napolitano has announced her plans for “the way ahead” in addressing challenges faced at the U.S.-Mexico border. These measures include creating the post of Assistant Secretary for International Affairs and Special Representative for Border Affairs to coordinate border security efforts, and diverting DHS resources to bolster security and interdiction efforts along the border region.

Homeland Security Secretary Janet Napolitano announced in mid-April the appointment of former U.S. prosecutor Alan Bersin to fill the new post, widely described as that of “border czar,” which will be responsible for overseeing efforts to combat border violence, drug and weapons trafficking, and illegal immigration. While Bersin is not new to the region – he served in a similar role during the Clinton administration – he will face a new set of challenges in the form of cartel violence at a level that didn’t exist during his previous tenure. Instead of doubling as a federal prosecutor in San Diego, he will now operate from a high-ranking position in the Department of Homeland Security.

As TBI Director David Shirk pointed out in an op-ed column in the *San Diego Union Tribune*, among Bersin’s attributes are his experiences in the Justice Department, an intimate familiarity with the border region, and close ties to the State Department. While he has a reputation for working closely with Mexican authorities on shared security concerns, Shirk points out that there is no Mexican counterpart to the new U.S. border czar position, which could make direct cross-border cooperation challenging.

Napolitano also announced this month a set of Southwest border initiatives aimed at slowing the flow of weapons and cash south into Mexico, the movement of drugs north into the United States, and to address the perceived threat of drug violence spreading north of the border. The measures include substantial increases in U.S. Immigration and Customs Enforcement (ICE) agents and intelligence analysts along the border, as well as ICE Attaché personnel in Mexico; bolstering the Secure Communities program, which uses information sharing technology to assist 23 communities along the border in removing high-risk criminal aliens; implementing 100 percent southbound rail screening (already under way, according to DHS); point of entry enhancements including mobile x-ray units, increased Border Patrol agents, canine detection teams, mobile response teams, and license plate readers; as well as increased maritime interdiction operations. As to this last point, the Mexican senate recently voted to allow the Mexican Navy to participate in the U.S. Navy’s Unitas program, the first time since seven years ago when the Mexican Navy Secretary authorized the exercises without senate approval, a violation of the constitution.

The border security measures will carry an estimated cost of nearly US\$23 million, which DHS has said will result from reorganizing and reprioritizing its existing budget.

#### SOURCES:

Department of Homeland Security, Press release, [www.dhs.gov/ynews/releases/pr\\_1239820176123.shtm](http://www.dhs.gov/ynews/releases/pr_1239820176123.shtm), April 15, 2009.  
“Fact Sheet: Southwest Border: The Way Ahead.” *U.S. Department of Homeland Security, Office of the Press Secretary* April 15, 2009.

Méndez, Alfredo. “Agradece Saynez al Senado autorización para participar en los ejercicios navales Unitas.”  
Shirk, David A. “New Challenges for Bersin on Border,” *San Diego Union Tribune*, April 17, 2009.

### DEA spokespeople challenge popular notion of “spillover violence” from Mexico

Recent DHS border security allocations answer continued calls by numerous officials in southwestern states, such as Arizona Senator John McCain and Arizona Attorney General Terry Goddard, for increased funding and manpower (including the deployment of National Guard troops) to bolster security along the border. While officials’ claims of “spillover violence” from the Mexican drug wars have been

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widely upheld in the press, the U.S. Drug Enforcement Agency (DEA) has taken a more conservative stance.

At a media roundtable, DEA spokesperson Michelle M. Leonhart said that adequate personnel and resources are in place along the border to face the security challenges at hand, and that what is needed more than increased manpower, firepower, and surveillance is continued and increased bi-national cooperation to stop drugs, weapons, and money from reaching the border. In response to concerns of so-called “spillover violence” expressed by some officials and representatives from U.S. border states, Anthony P. Placido, the DEA’s chief of intelligence, said that spillover violence is rare, and that his division does not foresee any increase in the near future.

Indeed, while numbers of killings in Mexico related to cartel violence over the past several years are well documented in the U.S. and Mexican media, no such data are cited by the press or advocates of enhanced border security to substantiate claims of violence spilling over into the United States. In a testimony before the Senate Homeland Security and Governmental Affairs Committee, Homeland Security secretary Janet Napolitano, formerly governor of Arizona cited inconclusive data, pointing out that while weapons violations and reported kidnappings are up in Phoenix, other cities near the border have actually recorded declines in their murder rates. El Paso, across from Ciudad Juárez, recorded 17 murders in 2008, while Juárez suffered 1,600. Moreover, no data are cited to conclusively link the reported rise in kidnappings in Phoenix, commonly used to back up claims of spillover violence, directly to Mexican drug cartels.

**Sources:**

Testimony of Secretary Janet Napolitano before Senate Homeland Security and Governmental Affairs Committee, “Southern Border Violence: Homeland Security Threats, Vulnerabilities, and Responsibilities,” Department of Homeland Security March 25, 2009.  
Johnson, Matthew M. “DEA, Congress Disagree Over Resources Needed at Southern Border.” *CQ Politics* April 15, 2009.

## **PUBLIC HEALTH CRISIS**

### **Military and police enlisted in the response to swine flu outbreak in Mexico**

Military personnel were assigned to distribute surgical masks at the Mexico City airport and other strategic locations, as officials responded to a serious public health crisis in late-April. More than 1,800 people are believed infected—and more than 100 are believed dead—in Mexico as a result of swine flu, a hybrid variant of multiple influenza viruses.

On Sunday, April 26, Mexican military personnel from the Army (SEDENA) and the Navy (SEMAR) joined agents from the Federal Preventive Police (PFP) and the Ministry of Communications and Transportation (SCT) in distributing blue surgical masks to help prevent the spread of the illness and tried to identify people possibly in need of medical attention. Previously, only PFP agents assigned to Medical Services were involved in distributing masks.

The new swine flu virus is a hybrid of swine flu, bird flu, and human strains of the influenza virus. Typical symptoms of swine flu include fever, aches, congestion, coughing, sore throat, and respiratory problems. This flu virus is atypical in that people between the ages of 20 and 40 appear to be particularly susceptible, while children evidently have resisted serious infection so far. As flu cases spiked in March and April, Mexican labs evidently failed to detect the new strain because they lacked profiling data. U.S. and Canadian labs helped determine that this virus was a new variant on Thursday, April 23.

President Felipe Calderón sought to calm public fears by noting that roughly 60 percent of victims had received medical attention and were now recovered from the infection. Authorities also confirmed that more than 100 people had died from the disease, and urged state and local hospitals to report any suspected cases to the federal Health Ministry. The outbreak is widespread, with at least half of Mexico’s 32 states reporting cases of swine flu.

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More than six million masks have been distributed nationwide since the outbreak was first detected. Authorities also advised travelers and commuters who feel ill to avoid public transportation and seek medical attention. Schools, zoos, juvenile detention centers, and churches were reportedly closed and numerous public events (including soccer games) were cancelled in Mexico City and several states.

Meanwhile, U.S. authorities responded by declaring a public health emergency due to the identification of 20 people with symptoms similar to swine flu in the United States, including cases in New York, California, Kansas, Texas, and Ohio. The declaration of a public health emergency will make possible increased surveillance and medical testing. U.S. authorities also sent representatives from the Center for Disease Control to assist Mexico's efforts at detection and testing for the virus.

While Mexico has reported the largest number of swine flu cases, the disease appears to have spread rapidly around the globe, with suspected cases in Canada, France, New Zealand, Spain, and Hong Kong. Media reports emphasized the potential seriousness of this outbreak by pointing to earlier epidemics, including the 2003 avian flu outbreak and the 1918 pandemic flu that killed at least 20 million people worldwide.

**Sources:**

Bradsher, Keith and Jack Healy, "U.S. Declares Public Health Emergency Over Swine Flu," *The New York Times*, April 26, 2009.  
Koop, David. Mexico City Streets Empty as Swine Flue Toll Climbs," *Associated Press*, April 26, 2009.  
Sánchez, Verónica. "Refuerzan entrega de cubrebocas en AICM," *Reforma*, April 26, 2009.  
"Dan de alta a 60% de sospechosos-FCH," *Reforma*, April 26, 2009.

## TRANSPARENCY & ACCOUNTABILITY

### CORRUPTION

#### **Editorial group accuses national lottery official of attempted bribery for political influence**

The Mexican editorial group Megamedia, which controls the regional paper *Diario de Yucatán* printed a statement that accused an official of the National Lottery of attempting to bribe the general manager and assistant manager of publicity for Megamedia's Campeche division in exchange for publishing favorable coverage of Mario Ávila Lizæarraga, gubernatorial candidate for the National Action Party (PAN) in Campeche, among others. Also implicated in the alleged attempted bribe was Carlos Mouriño Terrazo, brother of Juan Camilo Mouriño, the former Interior Minister who died in a plane crash in Mexico City in the fall of 2008.

The *Diario de Yucatán* claims that the attempted bribe came in a meeting that took place on March 26 in Mouriño's office where Miguel Ángel Jiménez Godínez, general director of the National Lottery (Lotenal), was also allegedly present along with Ávila's campaign manager. The paper published that Mouriño offered the Megamedia executives 3 million pesos from the National Lottery fund for favorable publicity of Ávila, two aspiring federal delegates, and mayoral candidates in the cities of Campeche and Ciudad del Carmen, all from the PAN. The managers reportedly alerted Megamedia's board of directors, who sent two representatives to Mexico City the following day to file complaints with the president's office and the Ministry of the Interior.

The allegations were followed immediately by demands from Campeche's senators, both of the Institutional Revolutionary Party (PRI), for the removal of Lotenal's director for abuse of authority. After days of continual pressure from Congress, Jiménez Godínez stepped aside, though he claimed it was a temporary move in order to facilitate the ensuing investigations into the allegations being carried out by the special prosecutor for investigations of alleged election crimes and the Chamber of Deputies. Jiménez Godínez has denied the accusations against him, and has expressed confidence that he will return to his post after the investigations demonstrate his innocence.

**SOURCES:**

“Jiménez sale de Lotería; es una medida ‘temporal’, aclara.” *La Jornada* April 9, 2009.  
“Intentan sobornar a Megamedia para promover a candidato panista.” *Cimac* April 3, 2009.

## TRANSPARENCY

### **Appointment of IFAI chief Lujambio to Sec. of Education draws criticism from transparency advocates**

The decision by Pres. Calderón to move Federal Institute for Access to Information (IFAI) president Alonso Lujambio to the post of Education Secretary has drawn criticism from some policy experts who say that the IFAI is being used as a stepping-stone to further political careers. Lujambio will replace Josefina Vázquez Mota, who left her position to campaign for the chamber of deputies.

Writing for *Reforma*, Juan Ciudadano said that the move sets a poor precedent and sends the message that a friendship with the president is a “trampoline” for appointment to the IFAI, which in turn is a trampoline for attaining a cabinet position. The decades-old friendship between Lujambio and Calderón has been well-documented in the media, and was grounds for the flood of criticism leveled at his appointment to head the IFAI in 2006. In a joint statement, representatives of civil society transparency advocacy groups and the National Autonomous University of Mexico (UNAM) stressed the importance of appointing an IFAI head without direct ties to the president, and warned that recent events have left the IFAI in a state of “institutional fragility and a weakened image.” Apart from Lujambio, two other IFAI commissioners will end their terms in September. The statement emphasized the importance of ensuring that those posts are not filled by “comfortable” appointments.

Congress members from the Institutional Revolutionary Party and the Democratic Revolutionary Party expressed concern over the appointment for different reasons, citing the fact that Lujambio does not have the requisite training or experience in the educational sector to face the serious challenges at hand.

IFAI’s board of commissioners unanimously elected commissioner Jacqueline Peschard Mariscal to replace Lujambio through 2011. Peschard holds a degree in Sociology from UNAM, worked for the Federal Election Institute (IFE) from 1996 to 2003, and in 2007 was named IFAI commissioner in 2007. She was considered the only viable choice for the position, and now awaits confirmation by the Senate.

**SOURCES:**

Lizárraga, Daniel. “Lujambio, nuevo titular de la SEP; PRI y PRD critican su llegada.” *Proceso* April 6, 2009.  
Velasco C., Elizabeth. “IFAI, trampolín: expertos.” *La Jornada* April 9, 2009.  
Ciudadano, Juan. “IFAI, el trampolín.” *Reforma* April 13, 2009.

### **Public Security Sec. García Luna said to be building US\$2M home**

Several Mexican media outlets have reported on an extravagant home currently under construction in an exclusive Mexico City neighborhood and belonging to Public Security Secretary Genaro García Luna. The coverage was initiated by *Reporte Índigo*, which has reported on alleged irregularities and omissions in García Luna’s financial declarations since 2007. The value of the home has been reported at 20 million pesos, or just over US\$1.5 million at the current exchange rate. By media accounts, such a price tag would be unattainable from his government salary and reported financial holdings.

*Reporte Índigo* reported that since Dec. 1, 2008 a work crew of 50 men has worked at a constant pace to construct the four-story mansion in the Tlalpan district, a production that would require a substantial and continuous flow of money. The paper also reported that García Luna has been seen on numerous occasions visiting the worksite guarded by SSP officers. It’s García Luna’s second residence in the neighborhood – he purchased his current home in 2007 for 7.5 million pesos. In May of 2008, it was reported that he was in debt 6.8 million pesos, roughly equivalent to the cost of the land for his new home, which he purchased in November of that year. Moreover, *Reporte Índigo* reported that García Luna did not report the 7 million pesos loan he took out to finance his first Tlalpan mansion in 2007, constituting tax evasion.

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Mexican media have drawn parallels to a past chief of police for the Federal District, Arturo Durazo Moreno, or “El Negro.” Durazo was tried and convicted of homicide, tax evasion, and illegal arms possession in the early 1980s after the construction of two mansions clearly beyond his means, among other signs of possible criminal involvement, led to investigations initiated by then president Miguel de la Madrid.

García Luna has reportedly responded to the unwelcome media attention by attempting to obscure the view of the worksite from the street with black plastic, removing the house number from outside, and taking down the work permit, although work on the home continues. He also ordered the detention of two television journalists investigating the claims by *Reporte Índigo* who were held for over 15 hours. Police also arrested Roberto Vidal, former Tabasco public security secretary and currently a law professor at the National Autonomous University of Mexico, minutes after appearing on a radio show to offer analysis of the case being made against García Luna. He has been charged with involvement with the Carrillo Fuentes drug trafficking organization during his time as Tabasco public security secretary, and is currently under a 40-day detention order while investigations ensue.

For his part, García Luna maintains that his new home has been financed by legitimate means, and that the reports against him in the media are merely diversionary tactics to impede him in his efforts to combat organized crime. Nevertheless, the news of the SSP chief’s new home comes in the midst of a severe economic crisis, and five months after the corruption investigation *Operación Limpieza* reached several officials close to García Luna and left some members of Congress to openly speculate whether the investigations reached high enough.

**SOURCES:**

Guerrero, Claudia. “Exigen ‘limpieza’ en la SSP.” *Reforma* Dec. 15, 2008.  
Hernández, Anabel. “El naufragio de García Luna.” *Reporte Índigo* April 3, 2009.  
Blancas Madrigal, Daniel. “Arraigan a Roberto Vidal por presuntos vínculos con el crimen organizado.” *La Crónica de Hoy* April 7, 2009.

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## ACCESS TO JUSTICE

### HUMAN TRAFFICKING

#### **11 adolescents disappeared in the justice system; concerns raised about human trafficking**

At least 11 adolescents have disappeared from the Mexico City juvenile reform center known as Las Casitas del Sur. The Federal District Attorney General’s Office (PGJDF) was first attracted to the case in January when eight children were known to have gone missing from the center. Casitas was shut down shortly after due to fears of systematic irregularities, and 129 adolescents were brought under the care of the PGJR. Since then, three more cases have come to light, leading to increased calls from human rights groups to step up the investigation and to take active steps to ensure that the future of the children released from the center is resolved.

Some have speculated that Casitas del Sur, founded by the Christian Reform Church, formed part of a human smuggling ring along with similar installments in Monterrey, Nuevo León and Cancún. While the PGJDF has not confirmed this, it has said that there are signs of organized crime involvement, and have turned the case over to the federal Attorney General’s Office (PGR). DF Attorney General Miguel Ángel Mancera also would not comment as to whether the center formed a part of an international human trafficking network. Emilio Álvarez Icaza, president of the DF Human Rights Commission (CDHDF), said in an interview alongside DF chief of government Marcelo Ebrard, that reports he has received from the PGJDF point to international involvement, and also that the total number of missing children exceeds 11.

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The PGJDF has come under fire from the DF Human Rights Commission and legislators for delaying in its investigation of the case. Irregularities in the detention center were reported as early as 2007, yet the PGJDF did not begin investigating until late in 2008.

**SOURCES:**

Martínez, Fernando. "Casitas del Sur, ligado a iglesia." *El Universal* Feb. 13, 2009.  
Bolaños, Claudia. "PGJDF solicita nuevas órdenes de aprehension por caso Divine." *El Universal* April 14, 2009.  
Bolaños, Claudia. "Delincuencia organizada está detrás de Casitas: PGJDF." *El Universal* April 21, 2009.  
"Teme CDHDF más desaparecidos de Casitas del Sur." *La Crónica de Hoy* April 22, 2009.

## HUMAN RIGHTS

### **Human rights abuse complaints up in Ciudad Juárez since arrival of thousands more soldiers**

While the arrival of thousands of soldiers and federal police to Ciudad Juárez last month has corresponded with a sharp decline in violent crime in the city, claims of human rights abuses at the hands of the military are reportedly up, according to the National Human Rights Commission (CNDH) in Chihuahua.

Thus far in 2009, the Chihuahua state office of the CNDH has received 172 complaints of arbitrary detentions, compared to 311 for the entire year of 2008. Mauricio Ibarra, CNDH inspector, told *Reuters* that instead of turning suspects over to the Attorney General's Office as stipulated by law, detainees are often moved to military installments, interrogated, and tortured. Ibarra described complaints of electric shock administered to various parts of the body, and being beaten in the soles of their feet by baseball bats. The CNDH submitted a recommendation to the Army that its prosecutor initiate an investigation into the matter.

Enrique Torres, spokesman for the military operations currently underway in Ciudad Juárez, rejects the notion of widespread military abuses, but recognized that an operation of this size carries the risk of some abuses by isolated, rogue individuals. He added that public support for military presence in the city remains high.

**SOURCES:**

Torres, Jorge. "CNDH: torpas incurren en 'tortura sistemática.'" *El Universal* April 20, 2009.  
"Una ONG acusa al Ejército mexicano de aplicar la tortura en la lucha contra los narcos." *El País* April 23, 2009.

## PROTECTIONS FOR JOURNALISTS

### **Deputies pass law to protect journalists**

On April 1, the Chamber of Deputies approved a measure making it a federal offense to impede the free expression of journalists. Lawmakers hope that the measure will give journalists some relief amidst claims that fear of reprisal from organized crime elements as well as police and military personnel have caused some journalists to self-censor. Indeed, directors of news outlets in Ciudad Juárez announced that they would scale back their reporting on organized crime after a crime reporter was killed outside his Juárez home in November.

Proponents of the bill hope that assigning cases of violence against journalists to the federal Attorney General's Office (PGR) will sidestep corruption at local and state levels that some experts say fuels impunity in crimes against journalists. Skeptics, however, question whether such crimes will become a priority in the PGR, which is often criticized for investigative inefficiencies.

The National Human Rights Commission reports that between 2000 and 2007, 37 journalists were assassinated, while the special prosecutor for crimes committed against journalists for the federal Attorney General's Office reported 219 crimes committed against journalists, including killings, extortion,

and threats between February 2006 and February 2008. The Latin American Journalist Federation cites higher numbers, maintaining that Mexico continues to be second only to Iraq in violence committed against news workers. According to the organization, 85 journalists and 4 other media workers have been murdered since 1983, 55 of whom were killed during the Vicente Fox administration and the first two years of the Calderón administration.

**SOURCES:**

Sánchez Limón, Moisés. "Aprueban diputados dictamen para proteger con ley nacional a periodistas." *La Crónica de Hoy* April 3, 2009.  
"Serán federales delitos vs periodistas." *El Diario de Juárez* April 3, 2009.  
"Incontenible el ritmo de asesinatos de periodistas; caen tres en un mes." *Federación Latinoamericana de Periodistas* April 5, 2009.

## AROUND THE STATES

### Activist in Oaxaca assassinated

Secretary general of the Democratic Revolutionary Party (PRD) Hortensia Aragón has requested that the federal Attorney General's Office (PGR) investigate the killing in early April of a local PRD leader in Oaxaca. Beatriz López Leyva, 32, was reportedly gunned down while working in her home in the community of San Pedro Jicayán on April 6. She was active in the opposition movement of Andrés Manuel López Obrador, a former Mexico City mayor who narrowly lost his presidential bid to Felipe Calderón in 2006. Less than a week after she was killed, Beatriz López' brother's home in a nearby town was fired upon by unidentified gunmen.

Oaxaca PRD committee president Amador Jara Cruz echoed Aragón's appeal to the PGR, characterizing the assassination as political in nature. He cast blame on the mayor of San Pedro Jicayán, who he says was motivated to attack Beatriz López by her open opposition to his administration, and also her organized resistance to the planned construction of a gas station on communal lands.

The attack on Beatriz López' brother has heightened calls by PRD legislators for the PGR to address the impunity with which San Pedro Jicayán's PRI mayor, Leonardo Silva Palacios, carries out threats and attacks against those who oppose him. For his part, Silva Palacios in a press conference denied that he was responsible for the attack on López Leyva, or intimidated her in any way. He went on to express concern that members of the PRD were attempting to use Lopez Leyva's murder to their political advantage.

**SOURCES:**

Reséndiz, Francisco. "El PRD a PGR indagar asesinato de líder en Oaxaca." *El Universal* April 7, 2009.  
Vergara, Rosalía. "Exige el PRD a la PGR atraer el caso de activista asesinada." *Proceso* April 7, 2009.  
Vélez, Octavio. "Atacan pistoleros vivienda del hermano de la ex dirigente del PRD asesinada en Oaxaca." *La Jornada* April 12, 2009.  
Peralta, Pablo. "'No soy asesino', aclara el presidente de Jicayán." *El Imparcial* April 10, 2009.

### Political motive ruled out in slaying of PRD candidate in Michoacán

Michoacán's attorney general Miguel García Hurtado has ruled out any possibility of a political motive in the killing of Gustavo Bucio Rodríguez, Democratic Revolutionary Party (PRD) alternate candidate for the Chamber of Deputies for the district of Lázaro Cárdenas, Mich. García Hurtado told press that the investigation is currently focused on a possible personal dispute centered around ownership rights to a gasoline station located on communal lands.

**SOURCE:**

"Descarta PGJE asesinato de Bucio con tintes políticos." *Cambio de Michoacán* April 8, 2009.

### **88 percent of attacks on police in Tijuana go unpunished: BC attorney general**

The Baja California Attorney General's Office (PGJE) revealed data indicating that 88 percent of attacks on police officers in Tijuana since 2000 have gone unpunished. Since then, there have been 93 recorded attacks on police officers resulting in 111 deaths. Of those recorded attacks, only 13 have resulted in convictions.

The 80 remaining attacks remain at some stage of investigation: 52 are under preliminary investigation, and 28 have been turned over to the federal Attorney General's special prosecutor for investigations of organized crime, known by its Spanish acronym as SIEDO. None of those have resulted in convictions.

Municipal police have borne the brunt of attacks over the past eight and a half years, accounting for 65 of the 111 slain officers. They are followed by ministerial police, with 20, and then state preventive police, with 15. Federal police account for a much smaller share of the total: 5 Federal Agency of Investigation officers and 3 Federal Preventive Police have fallen. 2008 was the bloodiest year for police in Tijuana during the period under review. 36 officers were killed last year, nearly a third of the total since 2000.

Elsewhere in the state on April 8, 21 individuals were detained in Tecate, east of Tijuana, on suspicion of involvement with the drug gang led by Teodoro "El Teo" Simental. Some of the detainees are accused of attacking two federal police officers earlier in the month. According to police, one of the men confessed to the attack, stating that it was carried out in response to an earlier arrest of several men believed to be operating under orders of El Teo.

**SOURCE:**

"21 detenidos relacionados con ataque a policías en Tecate, Baja California." *Vanguardia* April 8, 2009.  
"Impunes 88% de ataques a policías en Tijuana." *Frontera de México* April 19, 2009.

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

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