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MONTHLY SUMMARY

2010 ejecuciones up 89% over same period last year with visible cartel-related violence • President Calderón replaces Interior Minister Fernando Gómez Mont • Local elections take place in 12 states with violence in days before • President Calderón pushes for increased intelligence sharing with Latin America • Corruption examined in Mexican education system • Cancún corruption investigation focuses on misuse of public funds • PEMEX criticized for deficiency of transparency • Financial institutions identified for failing to provide transparency in home loan information • Federal Police decline to make the number of civilians killed in operations public • INEGI reports challenges of carrying out 2010 census with security concerns • Allegations of election corruption in Oaxaca and Veracruz • Arrests made in connection with several high-profile attacks • Allegations of abuse arise after a federal raid on a migrant center in the State of Mexico • Journalist killings in Guerrero and Michoacán stir pressure on federal government • PRI loses in Oaxaca could lead to investigations of 2006 uprisings • Mexico State and Guerrero appoint new attorneys general

LAW AND ORDER

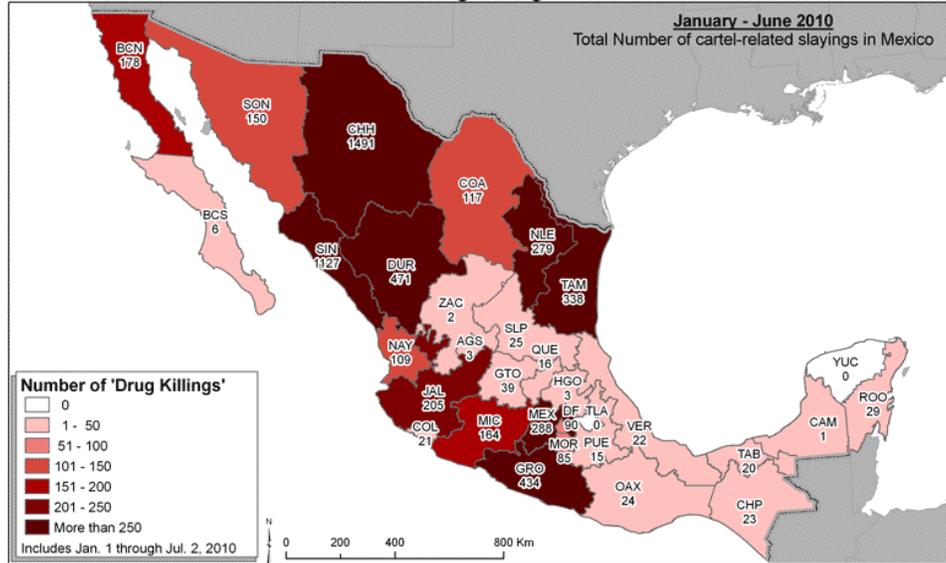
CARTEL-RELATED VIOLENCE

2010 ejecuciones up 89% over same period last year amidst increasingly visible cartel violence

According to data compiled by the newspaper *Reforma*, there were 6,262 cartel-related killings or *ejecuciones* in 2010 as of July 16, as compared to 3,312 at the same time last year. The tally is just 323 shy of the total for all of 2009, which was in its own right the bloodiest year since the beginning of President Calderón's campaign against Mexico's drug trafficking organizations, which began in December 2006. Chihuahua remains the state most impacted by cartel violence with 1,665 *ejecuciones*. Sinaloa follows with 1,221, and then Durango and Guerrero, with 509 and 453, respectively. All of those states either have passed (in the case of Sinaloa) or likely will far surpass their 2009 totals. The northern border

states of Tamaulipas and Nuevo León have seen drastic upturns in violence this year, with 373 and 299 ejecuciones, respectively, as compared with 49 and 99 for 2009. Nayarit, bordering Sinaloa to the south, itself has seen unprecedented levels of violence this year, with 122 ejecuciones already, as compared to 22 during the previous year. Nationwide, cartel-related killings have remained steady over the past two months, averaging about 260 weekly. TBI's regular monitoring of Reforma's data is projected on the maps below.

Number of 'Drug Killings' in Mexico



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

Maximum and Minimum values:

Maximum value: 1,491 in Chihuahua

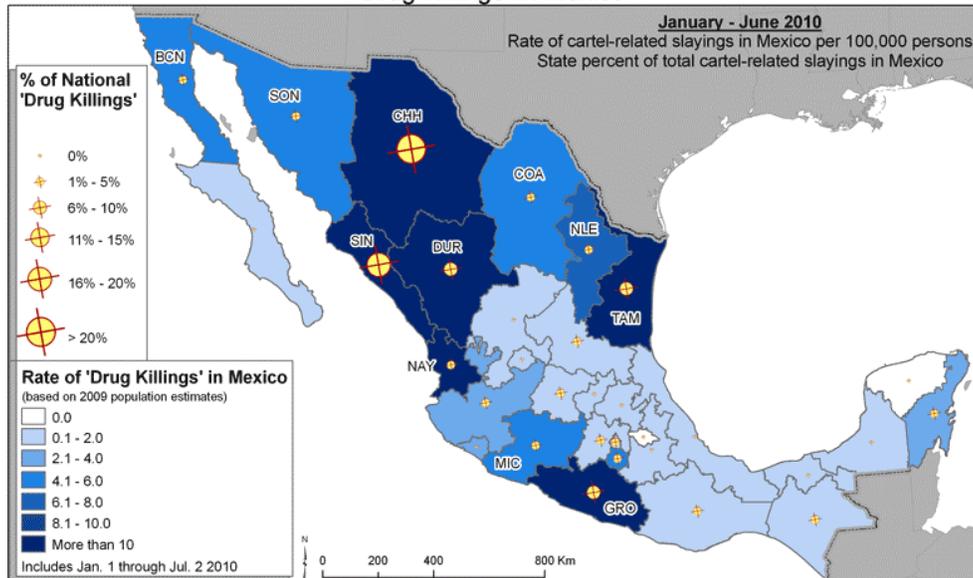
Minimum value: No 'ejecuciones' were recorded in the states of Tlaxcala or Yucatán according to the source for these maps, Reforma newspaper.

National average: The national total number of 'ejecuciones' (cartel-related slayings) Jan. 1 - Jul. 2, 2010 was 5,775



Maps produced by Theresa Firestone
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'Drug Killings' in Mexico



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

Maximum and Minimum values:

Maximum value: 44.0/100,000 (25.8% of national 'ejecuciones') in Chihuahua

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

National average: The national average rate of 'ejecuciones' (cartel-related slayings) Jan. 1 - Jul. 2, 2010 was 5.37



Maps produced by Theresa Firestone
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Violence in Chihuahua continues to take on new forms as authorities have confirmed that a large explosion that occurred in Ciudad Juárez on July 15 was a car bomb. Investigators found residue of 10 kilos of C-4 explosives in the remains of the green sedan that drove into a Federal Police convoy. The bomb was reportedly activated via a cell phone signal. Two Federal Police officers and a municipal police officer were killed in the blast, along with a medic who responded to the blast. The Juárez cartel claimed responsibility for the bombing, which seems to have been in reprisal for the capture of one of their leaders. While the term “narcoterror” has been employed since at least 2008 to describe violent acts carried out in public by the cartels for the purpose of intimidation, this is the first car bombing attributed to cartel violence. Attorney General Arturo Chávez Chávez, however, rejected the notion of narcoterrorism in the country, emphasizing that the cartels’ motivations are economic, not ideological.

In another audacious display of violence, on June 27 armed men entered the drug rehab center Grupo Fuerza para Vivir in Gómez Palacio, Durango, and killed nine people, including the director of the center. Nine other patients were wounded in the attack, three of which later died from their injuries. There have been numerous such attacks over the past two years in Chihuahua and now Durango, claiming at least 40 lives. The motives are not entirely clear, though the killings have been attributed to drug gangs possibly believing that the centers are protecting members from rival gangs. Police have also reported that cartels use rehab clinics to recruit foot soldiers and lash out against those who resist.

Navolato, Sinaloa, 23 police officers resigned and there are reports that 20 more are considering the same, citing insufficient resources for responding to violence in that city as their reason. According to municipal police records, only 140 preventive police remain in the city out of an original 300, a number that appears likely to drop even further. The announcement of the resignations came less than a week after the killing of a sub-commander of the municipal police department as he left work at the end of his shift. In all, 10 police officers have been killed in Navolato in recent weeks, including the director of the city jail, who was shot dead in his car late May. Killings of police officers are up significantly over 2009 nationwide.

Tamaulipas continues to be closely watched by officials and analysts on both sides of the border who fear that it could be the new red zone in inter-cartel violence. The heightened violence in Tamaulipas and, to a lesser extent Nuevo León, has been attributed to two main factors. First, a break has been detected – announced earlier this year by the DEA and corroborated by Mexico’s Attorney General’s Office (Procuraduría General de la República, PGR) – between the Gulf cartel and the Zetas, formerly the Gulf cartel’s enforcement wing. This split has resulted in an alliance between the Gulf and Sinaloa cartels in the region. Second, the DEA has detected a rift in the Gulf cartel between its leaders Eduardo Costilla and Ezequiel Cárdenas, which it says has weakened the central command of the cartel and contributed to the instability in inter-cartel relations in the region. DEA Intelligence Chief, Anthony Placido, attributes the upsurge in violence in Tamaulipas and Nuevo León since the beginning of the year to the Zeta’s newfound independence, and resulting drive to control drug trafficking, kidnappings and extortions in the region.

Further violence has been attributed to the Gulf cartel-Zetas rift, when at approximately 1:15 am on Sunday morning several gunmen killed 18 people and wounded at least 10 others at a party in the city of Torreón, located in the northern Mexican border state of Coahuila. Due to the discovery of shell casings commonly used by organized crime, the Federal Attorney General’s Office is currently investigating the crime, though early reports from authorities indicated that the killings took place at a birthday party hosted at a ranch in the San Luis neighborhood. These deaths followed an earlier massacre of 10 people at a bar in Torreón in late January, as reported in the Justice in Mexico February news report. This weekend’s killings in San Luis added to the more than 120 *ejecuciones* in Coahuila so far this year. As such, Coahuila has nearly reached the number of killings it saw in 2009 (151 total), and ranks among the dozen or so states that have experienced triple digit or higher numbers of drug trafficking related killings this year. However, Coahuila’s numbers are far lower than those seen in states like Chihuahua and Sinaloa. Following the attack, Coahuila Governor Humberto Moreira made a request to the Interior Ministry for a reinforcement of Federal Police, which was approved and sent along to the Congress for final approval. With 2010 now half over, and cartel-related killings clearly on track to surpass the unprecedented levels of 2009 and quickly approaching 25,000 since President Calderón’s government began its campaign against the nation’s drug cartels, criticism is mounting over his ability to handle the crisis. The recent gubernatorial victories for the Institutional Revolutionary Party (Partido Revolucionario Institucional, PRI) seem to have particularly emboldened members from that party in their criticisms of Mr. Calderón. Coahuila governor

Humberto Moreira in an interview with *Proceso* railed against Calderón for initiating his “war” against drug traffickers without consulting with the states that would be most affected. The PRI governor also accused President Calderón of “abandoning” his state, pointing out that the PGR has not taken on several high-profile cases, such as the disappearance of U.S. anti-kidnapping expert Félix Batista and that of two journalists, one disappeared and another assassinated.

President Calderón’s rhetoric has also come under fire amidst recent violence. Writing in *Proceso*, Daniel Lizárraga pointed out that Calderón’s call for a “vision of the state” in confronting cartel violence and asking for the efforts and backing of all facets of government and civil society was at least his seventh such call for unity, all coming at times of crisis. PRI leaders, incensed at the murder of Tamaulipas gubernatorial candidate Rodolfo Torre Cantú, claimed that Calderón’s call for unity, as well as recent claims of an improving economic landscape, were entirely political in nature and meant to garner support for his party in the July 4 elections.

SOURCES:

- “Matan a nueve en centro de rehabilitación de Durango.” *El Universal* June 27, 2010.
- “Mexico drug clinic shooting leaves nine dead.” *BBC* June 27, 2010.
- Lizárraga, Daniel. “Sus estériles llamados: del vacío al vacío.” *Proceso* July 4, 2010.
- Ravelo, Ricardo. “El noreste zona roja.” *Proceso* July 4, 2010.
- Rodríguez García, Arturo. “No consultó... y luego nos dejó solos.” *Proceso* July 4, 2010.
- “Ejecutan a subcomandante en Sinaloa.” *Reforma* July 8, 2010.
- “Renuncian 23 policías de Navolato.” *Reforma* July 13, 2010.
- de la Luz González, María. “PGR dice que en México no hay narcoterrorismo.” *El Universal* July 17, 2010.
- Villalpando, Rubén, et. al. “Ignora PGR causa de explosión en Juárez; con celular se activó artefacto: jefe militar.” *La Jornada* July 17, 2010.
- “Matan a 17 personas en una quinta en Torreón,” *El Siglo De Torreón*, July 18, 2010.
- Mejía, Gerardo. “Segob aprueba refuerzo policiaco en Coahuila.” *El Universal* July 19, 2010.

CABINET CHANGES

President Calderón makes major cabinet changes in wake of local elections

President Calderón announced on July 14 that he would be replacing his Interior Minister Fernando Gómez Mont, who had served in the position since November 2008, after the death of his predecessor, Juan Camilo Mourino. Gómez Mont will be replaced by José Francisco Blake Mora, who has been serving as the secretary general of Baja California, the state equivalent of interior minister. He is also known to be a personal friend of Calderón’s, as was Gómez Mont. The interior minister has become in effect the public face of the government’s anti-cartel strategy, and the recent estrangement between the President and Gómez Mont has been seen as a liability to Mr. Calderón.

The change seems to be politically motivated as opposed to being in response to Gómez Mont’s job performance. In what came to be seen as an affront to President Calderón in February, a document surfaced in which Gómez Mont (pictured right) rejected proposed alliances with left-wing parties in the upcoming elections, a strategy that would provide his National Action Party (Partido Acción Nacional, PAN) with its only electoral victories on July 4. He resigned from the party soon after his statements. He had been a fervent party member, and was close friends with party leader Diego Fernández de Cevallos, kidnapped two months ago. Gómez Mont had also raised hackles recently in Chihuahua when he claimed that justice reform measures there were contributing to the continued violence in the state. Francisco Blake Mora, not considered to be one of Calderón’s inner circle, and who lacks any national political experience, has pledged loyalty to Mexico and to the president.



Blake Mora marks the fourth appointment of the interior minister and 17th overall cabinet change during the Calderón administration. Also gone from Calderón’s cabinet is Patricia Flores, head of the Office of the Presidency. Replacing her will be Gerardo Ruiz Mateos, formerly Economy Secretary. Ruiz Mateos has in turn been replaced by Bruno Ferrari, an ex-colleague of Calderón’s from the Escuela Libre de Derecho law school and previously head of ProMéxico.

SOURCES:

LOCAL ELECTIONS

Elections in 12 states unfold amidst continued cartel violence

Mexico's July 4 elections, which put into play 12 governorships nationwide and which have been considered as a possible test for the 2012 presidential elections, ended with no clear victories for any major party. The Institutional Revolutionary Party (Partido Revolucionario Institucional, PRI) won 9 governorships, however all were states the party held before the election. President Calderón's National Action Party (Partido Acción Nacional, PAN), meanwhile, lost two states it had previously held. In three states – Puebla, Sinaloa, and Oaxaca – the PAN joined with the left-wing Party of the Democratic Revolution (Partido de la Revolución Democrática, PRD) to form coalitions backing winning candidates who had all defected from the PRI. In Sinaloa, the campaign of PRI candidate Jesús Vizcarra, currently the mayor of the capital, was dealt a blow when *Reforma* published a photo of him attending a party years ago with Joaquín "El Chapo" Guzmán's next-in-command Ismael Zambada. The PRI's image was also in decline in Puebla and Oaxaca largely due to their unpopular governors. Overall, though, the elections are being signaled as a victory for the PRI, and it remains to be seen how or whether emboldened governors, recently given the power to directly petition Congress for new or continued military deployments, will impact President Calderón's national security strategy.

The PRI dominated in the violence-wracked state of Chihuahua, with federal deputy César Duarte Jáquez winning the governorship, and Héctor Murguía now mayor-elect of Ciudad Juárez. Murguía, who served as Juárez mayor from 2004-2007, had aspired to be the PRI gubernatorial candidate, but was eclipsed by Duarte. In an interview with *Proceso* shortly following his election in which he was asked to articulate his public security strategy for the state, Duarte called both Operation Chihuahua and the Merida Initiative failures, and pledged to institute a state asset-forfeiture law, and the *Narcomenudeo* law targeting small-time drug dealers. He also said the state will move toward a unified police force.

In Baja California, the PRI was able to claim several victories over the PAN, which has long dominated state and local governments. PRI candidates won mayoral elections in Tijuana, Mexicali, Ensenada and Tecate, all of which are currently held by the PAN. René Mendivil Acosta, President of the State Directorial Committee (Comité Directivo Estatal) for the PRI, said that he has confidence in the current PAN governor José Guadalupe Osuna Millán, as well as the strategy of military intervention in public security operations. He said that the party would put pressure on the governor to implement more social programs.

The elections had been marred by violence in the days leading up, particularly in border-states. In the highest-profile attack on a political candidate since the 1994 murder of presidential candidate Luis Donaldo Colosio in Tijuana, Rodolfo Torre Cantú, PRI candidate for governor of Tamaulipas was assassinated in Ciudad Victoria. Six others died in the attack, including local PRI deputy Enrique Blackmore. Torre Cantú and his convoy were ambushed by gunmen dressed in navy uniforms while they were on their way to the Pedro José Méndez airport in Ciudad Victoria on a campaign circuit. Tamaulipas has been controlled by the PRI since the party's inception in 1929, and recent opinion polls pointed to Torre winning the race by 30 points. 12 political candidates have been killed in Mexico this year, although Torre as a gubernatorial candidate was the highest-ranking, and his death drew a quick response from state and national politicians. The Mexican government blamed drug gangs for the killing, and state officials vowed to see the elections through. Rodolfo Torre Cantú's brother Egidio stepped in as the new candidate, and won the election comfortably.

In related news, local leader of the PAN, Pedro Brito Ocampo, 50, was assassinated in the Heliodoro Castillo municipality of Guerrero on June 26. Armed men reportedly forcibly removed Ocampo from his home, shot him four times, and left his body in the town center.

Cartel violence had some visible impacts on election day. In Tamaulipas, 160 poll workers resigned in the days leading up to the July 4 election, due to fears of election-day violence. In Tampico, which accounted for 100 of the resignations, the elections commissioner estimated that 5% of polling stations would be left

without personnel as a result. Elections officials in Tampico and Reynosa, the city that accounted for the remaining 60 resignations, did not foresee that the resignations would be a threat to the elections overall. In Chihuahua, four bodies were hung from bridges on election morning, one of which was identified as a local prison warden. Local officials insisted that the display was part of ongoing cartel violence, unrelated to the day's elections.

Low voter turnout in Tamaulipas and Chihuahua has been attributed in the press to recent violence in those border states. Tamaulipas had roughly 40% turnout rate, while Chihuahua was even lower, at 36 percent. These figures are substantially lower than in the last gubernatorial election in 2004, when Tamaulipas and Chihuahua had 51% and 44% voter participation, respectively. In Sinaloa, however, there was a slight increase in voter participation, from 55% in 2004 to 57% this year. While it is difficult to demonstrate that low voter turnout was a direct result of fear of violence on election day itself, it is likely that organized crime violence set the stage for elections with high abstention rates, both voluntary and involuntary. In Ciudad Juárez, depopulation as a result of cartel violence likely contributed to high abstention rates as well. Widely varying estimates agree that tens of thousands of residents have quietly fled Ciudad Juárez since early 2008, when violence in the city began to spike. In addition, around 10,000 businesses have closed in the city since 2007.

In Tamaulipas, party leaders reported difficulties in finding candidates willing to run in the mayoral races in towns known to have a strong cartel presence. Writing in *Proceso*, Jesús Cantú said that in Tamaulipas, "there is no freedom of expression, there is no freedom to vote or to be voted for, and violence inhibits citizen participation." He documents several incidents of organized crime groups threatening and carrying out attacks on candidates they did not approve of during the two months prior to the elections, which included members of all three major parties aspiring to all levels of state government. Cantú also reveals that the press has essentially been hijacked in the state by organized crime elements with ten journalists killed since 2000, and nine disappeared since 2004, seven of whom remain missing. These aggressions and repeated threats against journalists have led to widespread self-censorship and a failure to adequately report on political campaigns, thus hindering the realization of truly democratic elections.

SOURCES:

- Quintana S., Víctor M. "Chihuahua: elecciones sin alternativa." *La Jornada* July 21, 2010.
Esquivel, Marco. "Desde 1995 al 2007 aumentó el abstencionismo un 14 por ciento." *Hoy Tamaulipas* Nov. 18, 2010.
"Asesinan a candidato del PRI en Tamaulipas." *El Universal* June 28, 2010.
López Valdez, Mario. "Candidatos al gobierno de Sinaloa." *La Jornada* July 2, 2010.
Rodríguez, Olga and Alexandra Olson. "Vote shows Mexicans have little faith in any party." *Associated Press* July 5, 2010.
Loya, Julio. "Renuncian 160 funcionarios de casilla en Tamaulipas." *El Universal* July 3, 2010.
"Violencia causó hasta 60% de abstencionismo." *El Universal* July 5, 2010.
Martínez, Julieta. "BC PRI llama a firmar pacto de gobernabilidad." *El Universal* July 10, 2010.
Dávila, Patricia. "A gobernar el estado más violento del mundo." *Proceso* July 11, 2010.

TRANSNATIONAL CRIME

Mexican, Central American presidents push for increased intelligence sharing

President Calderón has offered to make Plataforma México, a large crime-fighting database the Mexican government announced in November of last year, extend to governments in Latin America and the Caribbean. Calderón said at the Fifth Summit of the Latin American and Caribbean Intelligence Community (Cumbre de la Comunidad Latinoamericana y del Caribe de Inteligencia, CLACIP) that the gesture was made in the spirit of fighting transnational organized crime, which "knows no boundaries." Agencies from 28 countries participated in the summit.

Belize, Colombia, Guatemala, and El Salvador already have the applications necessary to connect to Plataforma México, while Costa Rica, Panama, and the Dominican Republic are working to ready themselves. Calderón called on the participating countries to take similar steps to counter transnational crime, which he characterized as one of the principal obstacles to regional development. Plataforma México is a national database that includes information about criminal investigations, crime data, weapons, stolen vehicles, prison inmates, and police registries. Calderón characterized it at CLACIP as an intelligence tool that "facilitates the analysis of intelligence for combating crime."

Calderón's announcement came as Central American governments continued to report the presence of Mexican drug cartels in their countries. In the most recent such declaration, Costa Rica's Exterior Minister René Castro told his Mexican counterpart Patricia Espinosa in a recent visit that the presence of Mexican and Colombian drug cartels in her country has increased since the onset of government anti-narcotics campaigns in the cartels' respective home countries. She emphasized the importance of working to establish a "common front" in combating international drug trafficking.

SOURCES:

"Ofrece Calderón plataforma México a países de AL." *La Crónica de Hoy* July 2, 2010.
"México compartirá su plataforma de inteligencia con Latinoamérica y el Caribe." *EFE* July 3, 2010.
Otero, Silvia. "Narco mexicano se expande a Costa Rica." *El Universal* July 13, 2010.

TRANSPARENCY & ACCOUNTABILITY

CORRUPTION

Attention on corruption in Mexico's education system

Mexico's education system continues to be susceptible to corruption and favoritism as decisions over jobs and promotions are influenced by bribes, political party affiliation, and union membership, according to a United Nations report. The report – "Corrupt Schools, Corrupt Universities: What to do?" identified four types of corruption found in Mexico's educational system: bribes, fraud, extortion, and favoritism. The report was prepared by the United Nations Educational, Scientific and Cultural Organization (UNESCO) as part of an ongoing study of corruption in the education systems of 25 countries around the world. Specific examples of corruption identified by the report included the employment of people for administrative jobs based on political party affiliation and union membership. In addition, the report noted that in certain cases bribes are used to obtain job postings.

The report's findings arrive in light of recent scrutiny of Mexico's Secretary of Public Education. The Federal Institute for Access to Information ruled that the Secretary should make public the exact number of teachers and schools operating in Mexico, the number of professors in each school, the assignments that each teacher has, and the total amount spent on their salaries. According to the released information, 1 million teachers are paid through federal government funds, though this figure does not include teachers who are part of the state education systems.

In addition, teachers' unions have criticized a process started in recent years in which teachers take a test that is supposed to determine whether or not they can hold a teaching position. Members of the teachers' group National Coordination of Education Workers have claimed that the exam results are not being applied fairly as some teachers who score highly do not receive posts, and others who did not even take the exam remain in their posts. A member of the group, Pedro Ramirez Vazquez, said that the evaluations are meant to create the appearance of transparency even as the "sale" of posts continues.

The UNESCO report found that a high number of public funds destined for the education system are diverted for questionable purposes. Throughout the world, an average of 10 percent of funds meant to go toward teacher salaries is typically lost to corruption, according to the study, but this total can be much higher in countries like Mexico. In certain cases, for example, money that is designated to be used for school construction ends up supporting the financing of political parties and electoral campaigns, according to the report. In reaction to the report, National Action Party Senator Teresa Ortuno Gurza said that Mexico's education system needs to have greater transparency as well as greater public involvement in school matters. She also called for more accountability on the part of states to ensure that money destined for education is not diverted for other purposes.

The report identified additional signs of corruption in the education system including the unequal distribution of professors in urban and rural areas, the employment of family members and friends to education posts, the sale of diplomas, and the unjustified absence of educators for long periods of time and yet who remain on the payroll. Examples of extortion identified by the report included the use of

threats, sexual advances, and demands from parents of students to pay extra amounts for their children to enroll in the schools.

El Universal, meanwhile, reported that in the first three months of this year the Secretary of Public Education has paid more than 407 million pesos to 10,279 professors who were spending more time on union activities and other political functions than teaching students. Some teachers are registered to schools that do not even exist, and others receive double salaries for job positions located in different states, according to the report. Guillermo Bernal, the representative of the National Union of Education Workers said the numbers were exaggerated and he suggested that citizens need to be more involved in identifying such abuses and in demanding that they no longer continue.

SOURCES:

- Gomez, Ricardo. "Senado pide revisar gasto educativo." *El Universal*. June 22, 2010.
Martinez, Nurit. "Diputados reciben padrón magisterial." *El Universal*. July 1, 2010.
Martinez, Nurit. "ONU critica sobornos en la educación nacional." *El Universal*. June 22, 2010.
Martinez, Nurit. "Pagan a maestros de escuelas inexistentes." *El Universal*. July 2, 2010.
Morales, Alberto. "IFAI urde transparencia en padrón de maestros." *El Universal*. June 30, 2010.
Poy, Laura. "Presentan examen 151 mil maestros para plaza de base en la SEP." *La Jornada*. July 17, 2010.
"Urge transparentar gasto en educación." *Diario de México*. June 23, 2010.

Cancún corruption investigation focuses on misuse of public funds



The Governor of Quintana Roo, Felix Gonzalez Canto (pictured left), called for an investigation into the financial operations of the Cancún city administration under the former administration of Gregorio Sánchez Martínez. Sánchez was detained in May on suspicions of ties with organized crime groups. Gonzalez noted that serious financial abuse allegations, published in local news reports, have been brought up in regards to corruption in Cancún's treasury and the civil protection agency during the Sánchez administration. Gonzalez said that it appears that funds were misused and pocketed by officials of those two agencies. The alleged misuse of public funds, as well as irregularities in other government offices, may have contributed to a serious debt problem in Cancún, according to Gonzalez.

Cancún is facing a debt of 600 million pesos, which has been complicated by its inability to obtain additional credit. The city has presented a plan to address the debt problem, which includes renegotiating with lenders and cutting back on purchases and expenses on energy and phones. The Governor has also offered financial assistance in addition to requesting an investigation into how the budget problem developed to this point.

Sánchez was arrested May 25, and he had been campaigning for the position of governor of Quintana Roo. Mexican authorities said he was suspected of providing protection to and sharing information with the Beltrán Leyva drug group and the Zetas, a mercenary group that has been linked to the Gulf Cartel but that is now believed to be operating more independently. Sánchez was also accused of money laundering and making withdrawals of excessive amounts of cash that add up to \$2 million which were not accounted for in his income, according to Mexican authorities. Sánchez, who was running under the alliance banner of the Democratic Revolutionary Party, the Workers Party and the Convergence Party, has denied the accusations. He has claimed the arrest stems from political persecution. Officials with the Mexican Attorney General's office said that a formal investigation into Sánchez was opened in January as a result of an anonymous tip that led them to finding unusual transactions on his accounts. In addition, several former political collaborators who had been arrested for their own ties to the Zetas apparently became protected witnesses in the case.

SOURCES:

- Levin, Jonathan and Lopez, Adriana. "Mexico Arrests Cancun Mayor on Ties to Drug Gangs." *Bloomberg Businessweek*. June 10, 2010.
Martoccia, Hugo. "Investigaran corrupcion en Cancun." *La Jornada*. June 24, 2010.
Ortiz, Alvaro. "Debe ayuntamiento de Benito Juarez 600 mdp a proveedores." *Milenio*. June 23, 2010.

Detention of government officials in Toluca and the PGR

In July, the Mexican Federal Attorney General's Office detained a federal government employee in Toluca after he was denounced for demanding a bribe of 300 pesos, or \$23 (USD). The high-ranking employee worked for a section of the federal government that focuses on work-related issues, the *Procuraduria Federal de la Defensa del Trabajo*. The employee allegedly demanded the money from a citizen in return for "speeding up" a legal process being considered before an arbitrage committee. The investigation was carried out by the Mexican Federal Attorney General's Office and the Secretary of the Public Function. Toluca is the capital of the State of Mexico.

The director of the Secretary of Public Function, Salvador Vega Casillas, stated that during the current administration 250 complaints have been filed against public officials and this year the agency expects to see an "unprecedented" number of formal complaints against public functionaries. Meanwhile, several professional organizations are developing a certification process for officials involved in the areas of economic administration in what is being promoted as a way to contribute to greater professionalization. The certification would be provided through the completion of an exam and it would have to be renewed every four years. The *Instituto Mexicano de Ejecutivos de Finanzas y de Contadores Publicos* is promoting the certification process.

Meanwhile, Mexico's top attorney general, Arturo Chavez Chavez, said that 400 functionaries with the Mexican Federal Attorney General's office have been charged with, or are undergoing judicial processes for a range of crimes ranging from abuse of authority to complicity with criminal groups during the administration of President Felipe Calderón.

SOURCES:

- Fierro Mendoza. "Caen 400 funcionarios de PGR cometer delitos." *Noticias MVS*. July 16, 2010.
Miranda, Juan Carlos. "SFP: este año, cifra record en denuncias por corrupcion." *La Jornada*. July 7, 2010.
"Avanza combate a la corrupcion, asegura Funcion Publica." *Terra Mexico*. July 6, 2010.
"PGR detiene a funcionario acusado de corrupcion en Toluca." *Notimex in Milenio*. July 7, 2010.
"Cero tolerancia a la corrupcion en Profedet: STPS." *El Financiero*. July 7, 2010.

TRANSPARENCY

PEMEX criticized for lack of transparency

PEMEX, Mexico's state-run petroleum company, has been creating subsidiary businesses that operate outside of the fiscal and taxation reach of the Mexican government, according to a report in *La Jornada*. The newspaper reported that 16 of these subsidiaries exist in nine countries in Europe, North America and the Caribbean. The newspaper detailed the creation of these subsidiaries since 1985, when the first one was established in London. The newspaper quoted a consultant, Fluvio Ruiz Alarcon, who said that fixing the loophole would require the involvement of the legislature which has the power to demand greater control and transparency of public funds.

In a separate case this month, the Federal Institute for Access to Information also ordered PEMEX to provide certified copies of the documents related to the amount of money doled out to petroleum workers between 2000 and 2007. In response to the request, PEMEX provided data related to 2000, 2005, 2006 and 2007 but claimed the other years were not available to the public due to an ongoing legal case. The Institute rejected the agency's claim that making the information public would negatively impact the judicial case. Meanwhile, Salvador Vega Casillas, who oversees the Secretary of the Public Function, said that PEMEX is the public administration with the most amount of "lost money" due to corruption and has the highest number of complaints in regards to corruption.

SOURCES:

- Roldan, Nayeli. "PEMEX, la entidad mas corrupta del gobierno federal, senala SFP." *Milenio*. July 15, 2010.
Rodriguez, Israel. "Lleva 25 años la opacidad en el manejo de subsidiarias de Pemex." *La Jornada*. July 13, 2010.
"IFAI ordena a Pemex informar sobre recursos que dio al sindicato petrolero de 2000 a 2007." *Proceso*. July 7, 2010.

Eleven financial institutions identified for failing to provide transparency for home loan information

Eleven financial and banking institutions were identified by a Mexican federal consumer agency for failing to provide sufficient information and transparency to their clients in regards to home mortgage terms. Mexico's National Commission for the Protection and Defense of Financial Customers conducted an evaluation of the contracts and other documents provided to clients seeking a home loan with financial and banking institutions. Those that scored poorly did not provide detailed information about the loan conditions, the number of remaining payments and other background about the risks that arise from taking out a loan. The evaluation was based on a score of 0 to 10. In a separate evaluation, the agency found that automobile insurance companies had an average transparency level of 8.6 on a scale of 1-10.

The financial institutions that scored poorly were: *Banco Amigo* (5); *Banco del Bajío* (3) and a number of financial institutions called *Sociedades Financieras de Objeto Limitado* (Sofoles), which are "niche" mortgage lenders. The financial institutes that scored highest were: *Banorte* (9.9); *IXE Banco* (9.9); *Banamex* (9.9); *Banco Santander* (9.8); *Banco Afirme* (9.7); *Banco Inbursa* (9.3); and *ING Hipotecaria* (9.1).

Some of the Sofoles and other institutions have been accused of charging clients for life and property insurance benefits that were intended to allow homeowners to continue making their mortgage payments in the event of a catastrophe. Some 100 members of a civil association group - Mexican Front in Defense of Dignified Housing - alleged that the institutions charged clients for this service for seven years without actually contracting with the appropriate insurance agencies. In regards to the home loan ratings, Commission President Luis Pazos de la Torre said that they would seek to work with the poor-performing financial institutions to improve their transparency before considering heavy penalties that can range from 115,000 pesos to 280,000 pesos for a first warning to 230,000-1.2 million pesos for a second warning. According to Pazos, last year 12,600 people submitted complaints to the Commission regarding credit lines and mortgages and of that number 4,500 prompted a deeper investigation by the Commission.

In a separate international study released in July, Mexico ranks 46 in a global index that measures transparency in real estate transactions. The top countries in the list were Australia, Canada and the United Kingdom, according to the Global Index of Transparency in Real Estate, which assesses the rankings of 81 countries. Mexico's ranking was stable when compared to the previous year. In Latin America, Chile and Brazil obtained rankings of 34 and 38 respectively.

Meanwhile, Mexico's National Commission for the Protection and Defense of Financial Customers evaluated transparency and quality-of-information standards for car insurance companies over the past six months - and found just one company that scored below average. A total of 17 scored higher than 8 and at least seven scored between 6 and 7. The 25 companies represented 95 percent of the car insurance market in Mexico, according to Pazos. Pazos noted that just over 9 million car insurance policies exist in the country, which represents about 42.9 percent of the estimated 20 million cars in the country. Pazos also shared some car theft data. So far this year, according to Pazos, 24,000 cars have been reported as stolen and of that number 9,000 were recovered. In comparison, last year 67,000 cars were stolen and 27,000 were recovered. The low recovery rate, noted Pazos, could mean that insurance companies may end up increasing their policy costs.

SOURCES:

- Islas, Devir. "Condusef reprueba a 11 hipotecarias por transparencia." *El Seminario*. July 3, 2010.
Granados, Oscar. "Avanzan aseguradoras en transparencia y calidad de informacion." *Milenio*. July 14, 2010.
Torres, Yuridia. "Califican con 8 el nivel de transparencia de informacion de seguros." *El Economista*. July 15, 2010.
"Reprueba Condusef a 11 entidades financieras." *Proceso*. June 30, 2010.
Zuniga, Juan. "Acusan a sofoles de enganar a clients con seguros." *La Jornada*. July 1, 2010.
"Mexico, a media tabla en transparencia." *CNN Expansion*. July 8, 2010.

Federal Police decline to make public the number of civilians killed during operations

A total of 50 people were killed in 2009 during confrontations between federal police forces and suspected drug trafficking groups, according to the Federal Police. The information was provided after the Federal Institute of Public Information and Protection of Data determined that the agency should provide more

details on the number of people killed during their operations. However, the Federal Police declined to release records on the number of civilians who were killed during confrontations between law enforcement and members of organized crime, saying that it would not be possible to determine whether the “civilians” who died in these operations were linked or not linked to drug trafficking. The Federal Police did note that 50 people died last year during a total of 50 armed confrontations and that 13 of the victims were federal police.

The request was aimed at obtaining the number of civilians, or innocent victims, who are caught in the crossfire of gun battles between police and drug traffickers. The agency had earlier argued that conceding such information would be harmful to their investigations and future actions. The agency is apparently concerned about the political implications of making the numbers public since the results could play into the hands of organized crime to curtail their law enforcement efforts. “It could be taken advantage of by organized crime for their own benefit in their desire to complicate our strategies and actions against them,” according to a statement released by the agency and published in *Reforma*.

This is one of a number of public information cases regarding the Federal Police that has come before the IFAI, attempting to balance the public’s right to information with security issues that can put people’s lives at risk and impede investigations. Last year, the IFAI determined that the Federal Police did not have to release the names of public officials and other high-profile individuals who receive bodyguard services from the Federal Police. However, the commission members determined that the Federal Police should release the number of federal police who are assigned to these kinds of activities as well as the number of functionaries and other individuals who are protected by them.

SOURCES:

Barajas, Abel. “Rechaza PF dar cifra de civiles caidos.” *Reforma*. June 22, 2010.
“IFAI reserva nombres de funcionarios que cuentan con escolta.” *El Universal*. March 18, 2009.
“Reporta PF 50 enfrentamientos con el ‘narco’ en 2009.” *Notimex in La Jornada*. July 7, 2010.

Salary information sought for Presidents’ Cooks

The Federal Institute for Access to Information and Data Protection has ordered Mexico’s President to make public the salary earned by his personal chefs. The presidential office initially responded that in 2009 two cooks work for the President and that their official ranks, or salary ranges, could be found through the web page of the *Secretaria de Marina*. However, the person seeking the information said that more current information was needed because the numbers of cooks may have changed since then, as well as their ranks. In addition, the person seeking the information said that the salary ranges provided through the web site were not clear. The IFAI has asked the Presidents’ office to provide the information with greater clarity.

In a separate development, the IFAI is seeking additional funding in order to keep up with the further attributes and responsibilities that have been outlined through the Federal Law of Protection for Personal Data of Individuals. With these new duties, the IFAI will initially be involved in educating and working with agencies to respect the privacy rights of individuals and guard personal data. As of 2010 they will have the power to sanction government groups that fail to live up these standards.

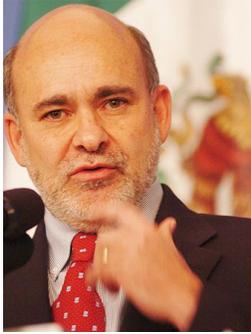
SOURCES:

“Busca IFAI mas presupuesto ante nuevas atribuciones.” *El Heraldo de Chihuahua*. July 10, 2010.
“Exigen saber salario del chef de Calderon.” *La Jornada*. July 10, 2010.
“Ordena IFAI a Presidencia hacer publico salario del chef de Calderon.” *Notimex in Milenio*. July 9, 2010.

ACCOUNTABILITY

INEGI reports difficulties in carrying out census due to insecurity

Mexico’s National Institute of Statistics and Geography (Instituto Nacional de Estadística y Geografía, INEGI) reported that insecurity, and perceived insecurity were the greatest obstacles in the 2010 census, carried out in June of this year. INEGI said that the problem manifested itself in two ways: difficulty in accessing “difficult” areas known to have high levels of criminal activity, and inhabitants’ mistrust of census workers, particularly in those troubled areas.



INEGI director Eduardo Sojo Garza-Aldape (pictured left) said that the most difficult areas were in the north of the country, particularly the state of Tamaulipas and Ciudad Juárez, Chihuahua. According to census coordinators for the Federal District, and the violence-troubled states of Sinaloa, Tamaulipas and Chihuahua, only 35% of those interviewed provided all of the information requested by the survey. INEGI has said that it will send workers from other areas to attempt to collect the missing data. The main obstacle in the Federal District was presented in high-income areas where home security measures prevented interviewers from reaching the front door. Many residents also fear that their information will be sold to a third party.

At the start of the survey process, the Chihuahua INEGI office instructed its interviewers not to approach households they suspected of being involved with drug trafficking. Tomasa Badillo, the office's director said that the policy was to conduct "quick sweeps" of neighborhoods the office had deemed to be high-risk. Similar measures have been taken in other states as well. Other new measures were also reported, including interviewers working in groups of up to 50, and waiting for police and Army officials to give them permission to enter conflict zones. INEGI director Eduardo Sojo projected that 2% of households would be left out of the survey as a result of the new policies.

SOURCES:

"Recomiendan no encuestar casas de narcos." *El Universal* June 1, 2010.

Sosa, Miguel Ángel. "Inseguridad obstaculizó censo: INEGI." *El Universal* July 1, 2010.

Gómez Mena, Carolina. "Encuestadores del Inegi protestan por la falta de recursos para gastos de traslado." *La Jornada* July 7, 2010.

"Bienvenido Paisano" meant to prevent summertime extortion of conationals

Mexico launched its "Bienvenido Paisano" (Citizen Welcome) program June 28 to encourage the proper treatment of conationals returning to Mexico during the summer months. The program aims at using educational and proactive measures to reduce the number of extortion claims that typically occur along customs and immigration checkpoints and other points of transit as travelers of Mexican descent head south to spend time with their families.

The program is run by the National Institute of Migration, but it also involves a large number of non-governmental observers to serve as extra eyes for the estimated 600,000 conationals expected to visit Mexico this summer. A total of 1,210 of these observers will operate out of 130 special modules and 405 special observation points. These observation points will include airports, autobus centers, highway checkpoints and other places where conationals might regularly pass through, such as centers where people obtain temporary permits to drive cars with non-Mexican plates. The effort is meant to avoid the use of fake checkpoints and other underhand methods used to extort money from the visitors.

This year, the operation was launched in Torreón, Coahuila, which has seen a dramatic decline of extortion complaints leveled against authorities who interact with conationals. In 2009, Coahuila had the second-highest number of complaints in the country, according to the national coordinator of the Paisano program, Itzel Ortiz Zaragoza. This year, however, only four complaints have been filed in Coahuila, two of them for extortion. Ortiz noted that last year the state of Tamaulipas registered the highest number of complaints, with a total of 68. Coahuila had 33, followed by Nuevo León with 28. The program, which started in 1989, involves 235 cities and municipalities throughout Mexico. The program will last through August 31, though a winter program is also traditionally held for the end-of-year travelling season.

In Guadalajara, program representative Eugenia Vignon Castrejon, said that as many as 80,000 people of Mexican ancestry who now live in the United States are expected to visit the Jalisco area during the summer season. The Guadalajara airport, which is also participating in the program, serves as a first-stop for visitors heading to Michoacán, Guanajuato and other nearby states. In Morelos, 3,000 conationals are expected to return to the state.

SOURCES:

"Bienvenido Paisano recibe en Jalisco a 80 mil emigrantes." *Informador*. June 28, 2010.

Preciado, Rocio. "Aumentan casos de extorsion a familiares de migrantes." *La Union de Morelos*. July 7, 2010.
Rodriguez, Cristal. "Operativo Paisano arranca en Toraon." *Milenio*. June 29, 2010.
Rodriguez, Francisco. "Es Coahuila Segundo lugar en extorsiones." *Vanguardia*. June 30, 2010.

Allegations of election corruption in Oaxaca and Veracruz

The governors of Oaxaca and Veracruz faced accusations of electoral corruption as a result of the release of leaked tapes that appeared to implicate the officials with providing favors to certain political candidates aligned with their own party, the Institutional Revolutionary Party (PRI). The case has also raised questions as to possible government involvement in the tape scandal. The transcripts of the tapes, apparently from recorded telephone conversations, were published in Mexican media prior to the July 4 elections.

The Institutional Revolutionary Party presented a defamatory complaint with the Federal Electoral Institute against Cesar Nava, representative of the National Action Party who accused Nava of spreading recordings of the telephone conversations. Nava was accused of federal crimes for allegedly intervening in private communications in a way that defamed and denigrated the PRI, according to the complaint.

In one recording that is referred to in the complaint, a voice that is presumably that of the PRI Governor of Veracruz – Fidel Herrera - seems to be providing special favors for candidates of his political party, according to the *Associated Press*. Another recording was released that supposedly implicates the governor of Oaxaca, Ulises Ruiz, in a similar conversation. In one of the examples according to the *Latin American Herald Tribune*, Herrera appears to promise to give food products to a PRI candidate in the municipality of Alvarado to distribute among residents, presumably to encourage votes for the PRI candidate.

The Governor of the State of Mexico, Enrique Peña Nieto, was quoted as saying that the recordings appear to stem from espionage activities that could implicate the Mexican federal government. Some suspect the involvement of the government's Center for Investigation and National Security, the equivalent of the CIA. In addition, Veracruz Governor Herrera's office has filed a complaint with the Federal Attorney General's Office against PAN leaders for allegedly creating a "dirty campaign" against him. The Mexican government denied that it had eavesdropped on the two governors, according to the *Latin American Herald Tribune*. Nava in turn has filed complaints against Herrera based on the conversations in the tapes which are being used to allege that Herrera used of public funds in a political campaign, which would be a violation of federal laws.

SOURCES:

"Denunciaron a lider oficialista." *Univision via Associated Press*. June 23, 2010.
Garcia, Carlos. "Presenta el PRI queja contra Nava por grabaciones de Fidel Herrera." *La Jornada*. June 22, 2010.
"Mexican Government denies it spied on governors." *Latin American Herald Tribune*. June 23, 2010.

ACCESS TO JUSTICE

HIGH-PROFILE ARRESTS

Arrests made in connection with several high-profile attacks in Chihuahua and Michoacán

In Ciudad Juárez a second subject was arrested and is being held in connection with the March 13 killings of three individuals – two U.S. citizens and one Mexican – with ties to the U.S. consulate in that city. Mexican authorities said that the suspect, Jesús Ernesto Chavez, a ranking member of the Barrio Azteca street gang, has admitted to killing Lesley Enriquez and her husband, Arthur H. Redelfs, because Enriquez was allegedly providing visas to the group's rivals. U.S. authorities, who have held that the three were not killed in connection with their work and that the killings were a case of mistaken identity, have rejected the claims.

Chavez' claims to Mexican authorities contradict statements made by the first suspect detained by Mexican soldiers shortly following the killings, who said that the intended target of the attack was Redelfs,

who was a corrections officer in El Paso. The Azteca gang reportedly got its start in El Paso jailhouses, and now operates on both sides of the border. The gang is allied with the Juárez drug cartel, which since early 2008 has been engaged in a bloody battle with the Sinaloa cartel for trafficking routes, by some estimates claiming over 5,000 lives in Ciudad Juárez alone. FBI spokeswoman Andrea Simmons told the press that there is still insufficient evidence to conclude that the three victims – attacked almost simultaneously in different parts of Ciudad Juárez as they were leaving the same children’s party in white SUVs – were targeted because of their consulate ties. Police in Mexico City said that Chavez, nicknamed “El Camello,” had also admitted involvement in the February mass killing of 15 youths at a birthday party in Juárez that increased international attention to the violence in that city.

Also in Ciudad Juárez, a member of “La Línea,” a street gang aligned with the Sinaloa cartel, was arrested by Federal Police agents on July 5 in connection with the murder of a Chihuahua Attorney General’s Office (Procuraduría General de Justicia del Estado, PGJE) official in Ciudad Juárez days earlier. Sandra Ivonne Salas, head of internal affairs for the Chihuahua Attorney General’s Office, was assassinated on July 1 when her vehicle was ambushed in Ciudad Juárez. Her driver was also killed. She is said to have been close to state Attorney General Patricia González Rodríguez, and had been in Juárez for several weeks investigating murders of state agents there. Salas was the third of Attorney General González’ inner circle to be assassinated in the past three years. The suspect, Cristian Rosado Mendoza, “El Cris,” has been connected to at least 15 murders in the state, and also has a criminal record in the United States for drug trafficking. He had recently been released from the state penitentiary in Juárez after being acquitted for attempted robbery charges. According to sources in the Federal Police, Rosado Mendoza said during questioning that Sandra Ivonne Salas had been targeted because of investigations she had been carrying out in that prison. Rosado Mendoza has also been implicated in the killing of five people at a burrito stand in the Río Bravo colonia on May 28.

Federal Police in Michoacán captured Miguel Ortiz Miranda, “El Tyson,” implicated in the April attack on the state Public Security Secretary, Minerva Bautista Gómez. Ramón Pequeño García, head of the Antinarcotics Division of the Federal Police, said that Bautista Gómez controlled the Morelia “plaza” for the cartel La Familia Michoacana. He was captured in Morelia on June 30. Ortiz Miranda was a member of the Michoacán state police between 1999 and 2008, and reportedly told police that he established ties to La Familia in 2005.

SOURCES:

- “Ejecutan a líder del PAN en Guerrero.” *El Economista* June 27, 2010.
Wilkinson, Tracy. “Suspect details U.S. Consulate-related shootings, officials say.” *Los Angeles Times* March 31, 2010.
Corchado, Alfredo. “U.S. doubts confession in Juárez killings.” *The Dallas Morning News* July 3, 2010.
Breach Velducea, Miroslava. “Acribillan en Ciudad Juárez a subprocuradora estatal.” *La Jornada* July 1, 2010.
de la Luz González, María. “Capturan a integrante de ‘La Línea’ en Juárez.” *El Universal* July 6, 2010.

MIGRANT RIGHTS

Allegations of abuse follow a federal raid on a Mexico State migrant center

The Diocese of Cuautitlán in Mexico State filed a complaint against the federal Attorney General’s Office (Procuraduría General de la República, PGR) for what it characterizes as an illegal search of its migrant center on July 2. The center provides shelter, food, water, and legal counsel primarily to Central American migrants en route to the United States. The Mexico State Human Rights Commission has also involved itself in the case, repeating the Diocese’s claims that agents of the PGR and the Federal Police mounted an illegal operation in the facility, in which they attempted to take away 30 Central American migrants. The region is a hub for railways connecting the southern state of Chiapas and the Gulf state of Veracruz, through which an estimated 20,000 Central American migrants pass annually.

After removing the migrants from the Casa del Migrante San Juan Diego, the federal agents reportedly clashed with around 50 nearby residents, who kept them from taking the migrants away. The raid apparently followed an anti-immigrant operation by federal agents, after which some of the undocumented migrants took shelter in the Casa del Migrante. While the Mexico State Human Rights Commission is involved, the case will likely be turned over to the National Human Rights Commission (Comisión Nacional de los Derechos Humanos, CNDH) because it involves federal agents.

The CNDH has already issued a recommendation against the Public Security Secretariat (Secretaría de Seguridad Pública, SSP) for alleged abuses and thefts committed against Central American migrants. In a case central to the recommendation, federal agents stopped a train traveling from Chiapas to Oaxaca, forced 50 migrants to descend, and allegedly took their money, and left them to walk the train line. The CNDH has requested that the SSP cooperate in the complaint against it, as well as design a program to train federal police to ensure that they adhere to human rights standards in their dealings with migrants.

SOURCES:

Chávez González, Silvia. "Demanda la diócesis de Cuautitlán a la PGR y PF por allanamiento." *La Jornada* July 7, 2010.
Barrera, Juan Manuel. "Reprueban irrupción en albergue de migrantes." *El Universal* July 9, 2010.

FREEDOM OF SPEECH

Journalist killings in Guerrero and Michoacán increase international pressure on federal government

Police are investigating the killing of a reporter assassinated in Apatzingán, Michoacán on July 6. The body of Hugo Olivera Cartas, who covered the police beat in the local paper *La Voz de Michoacán*, was found in his truck outside his home, with three gunshot wounds and signs of having been handcuffed. Governor Leonel Godoy has said that the crime was likely perpetrated by organized crime, though no concrete evidence has been made public to substantiate that claim. Olivera had filed a complaint with the National Human Rights Commission (Comisión Nacional de Derechos Humanos, CNDH) on February 19 of this year claiming to have been assaulted by agents from the Federal Police as he carried out an investigation. A reporter from the newspaper *Cambio de Michoacán*, with whom Olivera had collaborated, was reportedly called along with Olivera to go to a meeting, but for some reason did not show up. It was then that Olivera disappeared. The reporter has since requested police protection and has been moved to Morelia.

According to the CNDH, six reporters have been killed so far this year nationwide, following 12 killed in 2009. The organization has documented a total of 63 reporters killed since 2000, and upon opening an investigation into Olivera's death said that "freedom of speech in Mexico is passing through one of the most critical stages in recent years." For its part, the Committee to Protect Journalists (CPJ) demanded that the Mexican government investigate Olivera's killing exhaustively. The CPJ has called Mexico one of the most dangerous countries in the world for practicing journalism. Journalists in Michoacán have also turned out in large numbers to decry the killing and the impunity with which crimes against journalists are committed. On July 9 over 100 journalists marched silently through Morelia bearing signs demanding justice and to stop aggressions against the freedom of speech. The march made stops in front of the state governmental building and the congress.

In Guerrero, the state congress urged the state's Attorney General's Office to attend to the climate of "terror" among journalists by investigating and bringing justice to the killing of a reporter for *El Sol de Acapulco* and his wife in late June. Juan Francisco Rodríguez Ríos and his wife were shot dead in a cybercafe in the Coyuca de Benítez municipality on June 28. The Special Rapporteur for Freedom of Speech for the Inter-American Human Rights Commission cautioned that Guerrero specifically is one of the most dangerous places to practice journalism, and demanded that the murders of Rodríguez and his wife be investigated by the Special Prosecutor for Attention to Crimes committed against Free Speech. That office is within the federal Attorney General's Office. Eight journalists have been killed in Guerrero since December 2006 when President Calderón initiated his "war" against drug trafficking organizations.

In an apparent response to increasing criticism in its handling of violence against journalists, the PGR announced that it will be replacing its special prosecutor, known as the Special Prosecutor for Crimes committed against Journalists, long criticized for being under-funded and ineffective, with a new office by the afore-mentioned name – replacing the word "Journalists" with "Free Speech." The PGR said that, aside from the tweaking of its name, the office would no longer operate within the PGR's human rights office, which it said was the cause of the special prosecutor's limited investigatory powers.

Crimes against journalists have gone virtually unpunished in Mexico, and reports of self-censorship have abounded in recent months, particularly in areas with strong cartel presence, namely Tamaulipas, Chihuahua, and Michoacán.

SOURCES:

"México sustituye fiscalía para delitos contra periodistas." *Diario de Yucatán* July 5, 2010.
Martínez Elorriaga, Ernesto and Emir Olivares. "Asesinan a periodista en Michoacán; fue el crimen organizado: Leonel Godoy." *La Jornada* July 7, 2010.
Otero, Silvia. "CPJ exige investigar asesinato de periodista." *El Universal* July 7, 2010.
Giles, Cital. "Congreso ocal exhorta a PGJE esclarecer homicidio de Rodríguez." *La Jornada Guerrero* July 7 2010.
"Periodistas demandan justicia y abatir violencia." *El Universal* July 9, 2010.

SUPREME COURT RULINGS

Supreme Court orders release of Atenco prisoners held since 2006

After four years in prison, nine members of the Peoples' Front in Defense of the Earth (Frente de Pueblos en Defensa de la Tierra, FPDT) were released in accordance with a ruling by Mexico's Supreme Court. Nine were imprisoned in May of 2006 in the Molino de Flores prison in Texcoco, Mexico State, after a confrontation between state and federal police and flower vendors in the town of Atenco after which the nine defendants were charged with kidnapping 14 officers. In August 2008, after more than two years already served awaiting trial, they were sentenced to 31 years, 10 months and 15 days in prison. Three additional defendants who were interned in the Altiplano prison were still awaiting their release more than 24 hours after the June 30 ruling. Prison officials said they were waiting on possible new charges against the three defendants.

While satisfied that the Supreme Court had vindicated the nine individuals' claims of innocence, Inés Rodolfo Cuéllar, the first to be released from prison, said that justice still had to be done as the true authors of the repression have not been punished. FPDT attorney Juan de Dios Hernández Monje was more specific in his demands, calling for Mexico State Governor Enrique Peña Nieto, former President Vicente Fox, Wilfrido Robledo, Humberto Benítez Treviño, "among others" to be brought to justice for the deaths of Alexis Benhumea and Javier Cortés, who died during the May 2006 confrontation in Atenco. There were also claims of sexual abuse made by more than 20 women detained during the police operation.

The June 30 Supreme Court ruling follows two other high-profile rulings in which the Court ordered the release of prisoners due to lack of evidence or prosecutorial missteps. Earlier this year, three indigenous Otomí women were released following a Supreme Court order after 3 years served for charges similar to those of the Atenco defendants. Last year, the Supreme Court ordered the release of 20 prisoners after they spent 12 years in prison for alleged attacks on residents of Acteal, Chiapas in relation to long-standing political and territorial disputes in the region.

SOURCES:

Petrich, Blanche and Israel Dávila. "Prevé defensa del FPDT volver a la Corte; acusa desacato al fallo." *La Jornada* July 1, 2010.
Salinas Cesáreo, Javier. "Vencimos al gobierno de 'tanta pinche injusticia', afirma Inés Rodolfo Cuéllar." *La Jornada* July 1, 2010.

AROUND THE STATES

OAXACA

Downfall of the PRI in Oaxaca could result in investigations into 2006 uprisings



Oaxaca's governor-elect Gabino Cué Monteagudo promised to investigate the killings and other acts of violence resulting from the social conflicts in the state that occurred in 2006. The proposed investigations will specifically target the outgoing PRI mayor Ulises Ruiz and his political allies. The victory of the unlikely PAN-PRD coalition over the ruling PRI has been widely accepted as a referendum against the vastly unpopular Ruiz government, which was known for handling public dissent with a heavy hand.

In October 2009, the federal Supreme Court found Ulises Ruiz to be responsible for human rights violations committed during the 2006 uprising, validating claims by the Popular Assembly of the Peoples of Oaxaca (Asamblea Popular del Pueblo Oaxaca, APPO) and Section 22 of the national teacher's union that attacks were carried out on civilians by pro-government paramilitary organizations, and not by protesters, as the government had claimed. As always in such cases, the Supreme Court verdict carried no direct penalties. The federal Attorney General's Office has not yet moved to investigate the case, and until now, with Ruiz in firm control of the state government, Oaxacan justice officials have not either. The victorious oppositional coalition, nonetheless, seized on the Court's ruling, using it to fuel its political campaign and appears ready to follow through on its rhetoric.

Following the PRI's defeat in the July 4 elections, the Worker Party (Partido del Trabajo, PT) deputy-elect and APPO member Flavio Sosa Villavicencio said that the state congress would also hold hearings to determine responsibility in the "political disappearances, torture, and unjust imprisonment of hundreds of Oaxacans." The PT was also part of the anti-PRI winning coalition.

SOURCES:

Galo Samario, Agustín. "Se indagarán asesinatos cometidos en el conflicto de Oaxaca de 2006: Gabino Cué." *La Jornada* July 10, 2010.
 "Impulsarán desde Congreso local juicio político contra Ulises Ruiz." *Notimex* July 11, 2010.

Oaxaca mayor kills one, critically wounds another



Mayor Gerardo Jarquín Díaz of San Pedro Totolapan, Oaxaca, killed one man and wounded another after they mocked him for the defeat suffered by the Institutional Revolutionary Party (Partido Revolucionario Institucional—PRI), in the July 4 election in his state. The first man, Fructuoso Méndez Lucero, was shot three times and died at the scene, and the second, Cruz Rangel López, was taken to the hospital and listed in critical condition. A report by the state Attorney General's Office (Procuraduría General de Justicia del Estado, PGJE) noted that the incident

occurred in an area known as "El Llano," the night of July 6. According to the report, after committing the crime Jarquín Díaz took refuge in the town hall, where he was rescued by Army soldiers fearing he would be lynched by the townspeople who had gathered at the site with the purpose of detaining the mayor. He was then handed over to the PGJE. During the early hours of Wednesday gunmen shot at Jarquín's home causing his wife and children to be taken out of the municipality by relatives. Jarquín is currently under detention.

SOURCES:

"Mexican Mayor Kills Man Over Political Taunt." *Latin America Herald Tribune*. 8 July, 2010.
 La Jornada de Oriente. "Alcalde mata a un perredista y hiera a otro por burlarse de la caída electoral del PRI". *La Jornada*. 8 Julio, 2010.
 E-consulta. "Mata Edil de Totolapan a 1 perredista por burlarse de derrota del PRI." E-consulta. 8 Julio, 2010.
 Puente Libre. "Se burla perredista del PRI en Oaxaca, y edil municipal lo mata." *Puente Libre*. 8 Julio, 2010.

MEXICO STATE AND GUERRERO

Mexico State and Guerrero appoint new attorneys general



Amid sharp criticisms over his handling of the investigation into the kidnapping and murder of Paulette Gebara earlier this year, Alfredo Castillo Cervantes was named the new attorney general of Mexico State with the support of the ruling Institutional Revolutionary Party (Partido Revolucionario Institucional, PRI). Members of the PRI in the local congress led the efforts to confirm Castillo Cervantes, recommended by Governor Enrique Peña to serve for the remaining 15 months of his administration. Opponents of Castillo Cervantes' confirmation, principally from the National Action Party (Partido Acción Nacional, PAN), pointed to public statements by Governor Peña himself questioning the effectiveness of the state Attorney General's Office (Procuraduría General de Justicia del Estado, PGJE), for which Castillo Cervantes until his recent appointment acted Regional Attorney General (Subprocurador) of Cuautitlán Izcalli. PAN Congressman Jorge Isunza pointed out that in a state that leads the nation in kidnappings, auto theft and femicides, only 2% of crimes

reported result in a sentence. For their part, PRI congressmen defended Castillo Cervantes' experience in various positions within the federal Attorney General's Office, including the office of Investigation Specialized in Organized Crime (Subprocuraduría de Investigación Especializada en Delincuencia Organizada, SIEDO).

In Guerrero, David Augusto Sotelo Rosas replaced Albertico Guinto Sierra after the local congress confirmed him overwhelmingly. Members of all parties criticized the failure of the PGJE to investigate the high number of murders in the state. Particularly troubling to legislators is the lack of progress in investigating the murders of Worker Party (Partido del Trabajo, PT) leader Rey Hernández García, Party of the Democratic Revolution (Partido de la Revolución Democrática, PRD) leader Homero Lorenzo, and ex-president of the Government Commission for the local congress Armando Chavarría Barrera. Legislators from all parties expressed hope that Sotelo Rosas would lead the PGJE with more professionalism and transparency than his predecessor.

SOURCES:

Montaño, Teresa. "Ratifican a nuevo titular de la PGJEM." *El Universal* June 25, 2010.
"Designan a Sotelo Rosas como nuevo procurador de Guerrero." *Notimex* July 1, 2010.

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, Nicole Ramos, and Jesus Cisneros. All maps and tables generated by TBI; all photos obtained from Wikicommons. 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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