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MONTHLY SUMMARY

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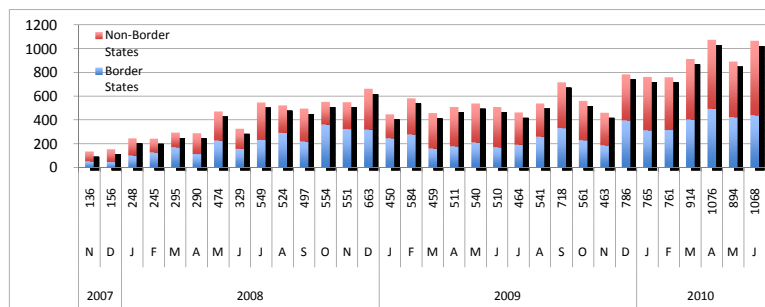
LAW AND ORDER

CARTEL-RELATED VIOLENCE

Ejecuciones rate lower as compared to rest of year, but on track to surpass 2009 by 76%

With two weeks remaining in 2010, the nationwide total of *ejecuciones*, or cartel-related killings, reached 11,244 according to a running tally by the newspaper *Reforma*. During the current reporting period, the rate of *ejecuciones* has slowed by about 13% as compared to the rest of 2010 to about 182 per week.

Despite this slowdown, the total for 2010 will surpass 11,600, a 76% increase over 2009. Just five states – Chihuahua, Sinaloa, Guerrero, Durango, and Tamaulipas – account for over 66% of the national total. All of those states have seen a notable increase over 2009 – most notably Sinaloa with 1,959 *ejecuciones*, a 155% increase; and Tamaulipas with 714 *ejecuciones*, more than a 13-fold increase.



The border states of Baja California, Sonora, Chihuahua, Coahuila, Nuevo León and Tamaulipas account for just over 45% of the total. Three states – Chihuahua, Nuevo León and Tamaulipas – alone account for 39% of the nationwide total. Tamaulipas and Nuevo León, with 714 and 570 *ejecuciones* respectively, have seen the most dramatic rise among border-states, up 49 and 99 respectively in

2009. The violence there has been attributed to disputes between the Gulf cartel and its former enforcement wing, the Zetas. Tamaulipas has become a substantial liability for the Mexican government, amidst increasing public concern that the state is incapable of protecting its citizens. A state that in 2009 recorded just 49 *ejecuciones* has this year seen a virtual evacuation of the remote town of Ciudad Mier last month, the assassination of a gubernatorial candidate, and the refusal of census workers to enter a total of 354 city blocks due to suspected cartel presence. According to George Grayson of the College of William and Mary, incursions by the Zetas have interrupted a long-standing coexistence between the Gulf cartel and state and local governments in Tamaulipas. Carlos Flores of the University of Connecticut, who studies criminal groups in Tamaulipas, was quoted in a *Wall Street Journal* article estimating that more than 90% of Tamaulipas is under the control of organized crime.

Nuevo León has also been the site of brazen displays by drug cartels vying for territory. The city of Monterrey, one of Mexico’s financial centers, has on many occasions been crippled by cartel roadblocks. More recently, a car bomb exploded in the Zuazua municipality of the state on December 17, injuring three. The explosion occurred outside the municipal police department, and cut off electricity to much of the town. Following the bombing, a letter emerged, presumably signed by the Gulf and Sinaloa cartels saying that the bomb was meant for “Zeta police kidnapers,” referring to the criminal organization embroiled in a turf war over lucrative northeastern trafficking routes. The note also said that “eleven more car bombs are waiting to be detonated.”

The Pacific states of Sinaloa, Nayarit, Jalisco, Colima, Michoacán, and Guerrero account for 35% of the national total, a 5% increase over 2009. Of those states, Michoacán has been the only one to experience a downturn in cartel-related killings as compared to last year. Nayarit, with 211 *ejecuciones* in 2010 and Jalisco, with 530, have seen the most drastic increase over 2009, when they recorded 22 and 212, respectively. The small central state of Morelos, which borders Guerrero to the northeast, has also experienced a drastic increase in cartel-related killings, with 242 during 2010, as compared to just 77 in 2009. Violence in the central region of the country is largely attributed to infighting and inter-cartel disputes and realignment resulting from the December, 2009 killing by Mexican marines of Arturo Beltrán Leyva, leader of the Beltrán Leyva cartel.

According to data recently made public by Mexico’s Attorney General’s Office (Procuraduría General de la República, PGR), 30,196 people have been killed in cartel-related violence since President Calderón took office in December 2006, with 12,456 killed this year, as of December 16. The numbers are substantially higher than those of *Reforma*, which total 25,264 for 2006 through Dec. 17 of 2010. In presenting the data, Attorney General Arturo Chávez Chávez said that the most violent states are those along the border with the United States, and those housing major ports, and that the violence is a result of cartel infighting stemming from government efforts to capture and kill cartel leaders. According to the Mexican governmental report titled “Information about the criminal phenomenon in Mexico,” released earlier this year, as of last July 84% of *ejecuciones* committed in the country were attributable to the Sinaloa cartel and its expansion into rival territories. Whereas the federal government has consistently insisted that the

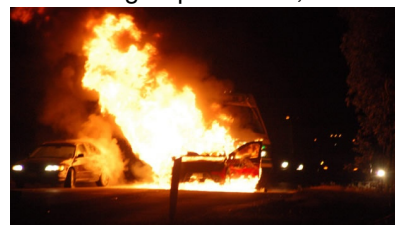
vast majority of the victims of *ejecuciones* were involved in organized crime, it has yet to publicize data supporting that claim. This month, the Federal Institute for Access to Information (IFAI) demanded that the Center for Investigation and National Security (Cisen) make public the number of civilians killed as a result of Mexico's drug war between January 1, 2000 and August 31, 2010. Cisen has responded that it does not have that information.

SOURCES:

Cantú, Jesús. "Análisis: Tamaulipas, un estado controlado por los cárteles." *Noroeste* Nov. 30, 2010.
Mosso, Rubén. "PGR: 30 mil 196 muertos en lo que va del sexenio." *Milenio* Dec. 17, 2010.
"Estalla auto bomba en NL; ayer, 39 ejecutados." *Milenio* Dec. 18, 2010.

Violence erupts in Michoacán between La Familia and federal agents

Confrontations between the La Familia Michoacana criminal organization and federal police on Dec. 10 in the Apatzingán municipality of Michoacán left 11 dead and around 20 injured, according to official reports. Among the dead was the man identified by U.S. and Mexican authorities as the group's leader, Nazario Moreno González, "El Chayo," according to the Mexican security spokesman, Alejandro Poiré. He added that the dead also included five federal police officers and three civilians. Presumed La Familia gunmen blocked various points of the Uruapán – Lázaro highway with burning vehicles, emulating a tactic that emerged in the northern states of Tamaulipas and Nuevo León earlier this year, as part of the turf battle between the Gulf cartel and the Zetas criminal organization that has erupted there. Soldiers and federal police were deployed to the area to regain control.



Michoacán, the home state of President Calderón, received the first deployment of troops and federal police in the president's campaign against the drug cartels in December 2006. Since then, federal police have maintained a strong presence in the state, and have found themselves the target of many of La Familia's attacks, as well as the group's public relations campaign. Last month, La Familia Michoacana proposed a pact with the federal government, distributing flyers and emails to local journalists, offering to disband and cease in its illegal activities if the local and federal governments, the Federal Police and other authorities "commit to [decisively] taking control of the state," and ensure the safety of its citizens. The notice said that if the government "accepts this public commitment and fulfills it," the cartel would dissolve, suggesting that the move would remove the pretext with which federal authorities violate the human rights of Michoacanos.

The group reportedly reiterated its offer following the December confrontations. The letter, distributed to reporters and editorial staffs around the state, also distanced itself from the recent killing of 13 civilians that occurred on December 11 in Tecalitlán, Jalisco, and said that the Zetas, which La Familia purports to protect the citizenry from, plans to attack "strategic points" in Michoacán, including kidnapping the rector of the Michoacán University of San Nicolás de Hidalgo, along with a dozen other functionaries and scholars from the institution. It was at least the third time that the La Familia criminal organization had attempted to enter into dialog with the federal government, all of which have been rejected. In July 2009, via a telephone conversation with the program "Voz y Solución de Michoacán," a man identifying himself as Servando Gómez Martínez, also known as "La Tuta," considered by the federal government to be one of the principal leaders of the organization, proposed a dialog with President Calderón to reach a "national pact." In that occasion, the presumed La Familia leader also identified the federal police and the PGR as its only sources of grievances. Shortly following the proposed truce last month, a presumed La Familia member in federal custody told investigators that the group was in decline, and that its leadership was indeed ready to disband.

In the days following the confrontations, roadblocks continued to emerge, blocking the main entries into Apatzingán, as well as the capital city of Morelia. On December 12, an estimated 150 demonstrators whose presence was bolstered by around 100 taxis and public transportation vehicles gathered in the Apatzingán streets bearing signs in support of La Familia and its fallen leader, and demanding the removal of federal police from the region. Apatzingán Mayor Genaro Guízar Valencia said that the march was originally planned simply to promote peace in the region, but took an unexpected turn. Nevertheless,

Guízar the following day in an interview with *W Radio* said that the federal police, not criminal groups, are responsible for violence in the region. Guízar, one of the mayors arrested in 2009 as part of the “Michoacanazo,” a roundup by federal police of state officials believed to have ties with organized crime. He was later acquitted and allowed to return to his position.

With the death of Nazario Moreno González, it is believed that José de Jesús Méndez, “El Chango,” will assume leadership of the organization, with Servando Gómez Martínez “La Tuta”, coordinating the group’s plazas, and Dionisio Loya Plancarte, “El Tío,” managing its finances. There had been recent reports that these last two had assumed more power in the leadership of the organization.

SOURCES:

Gómez, Francisco. “SSP y Ejército refuerzan seguridad en Michoacán.” *El Universal* Dec. 9, 2010.
“México: muere capo, fuerzas federales recuperan control de Michoacán.” *Prensa Latina* Dec. 11, 2010.
Castillo, Elly. “Muestran apoyo a *La Familia* en Apatzingán.” *El Universal* Dec. 12, 2010.

Massive prison break in Tamaulipas caps a year of problems for state prison system

An estimated of 151 prisoners escaped from the state prison in Nuevo Laredo, Tamaulipas on December 17, the biggest prison break in Mexico during the past five years. Initial reports indicated that 141 had escaped, but the number was revised later the same day. The Attorney General’s Office (Procuraduría General de la República, PGR) is investigating prison personnel suspected in aiding in the escape. They have also detained Tamaulipas’ prison director Horacio Sepúlveda Acosta, who was later removed from his position. The director of the Nuevo Laredo prison was missing following the escape. Tamaulipas’ Public Security Secretary Antonio Garza García confirmed the escape, noting that Tamaulipas Governor Eugenio Hernández has made several requests that the federal government transfer federal prisoners to other prisons, arguing that the state prisons are not equipped to contain them. In all, Tamaulipas’ state prisons house more than 700 federal prisoners. Of the original tally of 141 prisoners, Garza said that 58 were federal. It’s not clear how many of the remaining 10 were federal prisoners. This was the third large prison break in the state this year. On March 25, 41 prisoners escaped from the state prison in Matamoros, including 38 federal prisoners. On September 10, 85 prisoners – 66 of whom were federal – escaped from the Reynosa prison. Governor Hernández implicated federal forces in that escape. During this year alone, 301 prisoners have escaped from Tamaulipas prisons, the majority of which were federal prisoners.

SOURCES:

Otero, Silvia. “PGR abre investigación por fuga en Tamaulipas.” *El Universal* Dec. 17, 2010.
“Confirma SSP de Tamaulipas fuga de 141 reos.” *Milenio* Dec. 17, 2010.
“Fugas masivas de reos en México.” *El Universal* Dec. 17, 2010.
“Escaparon 151 y no 141 reos de Nuevo Laredo, precisan.” *La Jornada* Dec. 18, 2010.

U.S. – MEXICO BI-NATIONAL COOPERATION

Tensions arise in Mexico over perceived imbalances in bi-national organized crime efforts

While the Mérida Initiative continues to move forward with U.S. materiel deliveries to Mexico and pledges for continued support in 2011, fallout in the Mexican Congress over the recent partial payment freeze by the State Department on human rights grounds and speculation in the Mexican press about a new Mérida Initiative implementation office in Mexico City have cast light on tensions surrounding the bi-national effort to fight trans-border organized crime and drug trafficking.

In November, the U.S. government delivered three Black Hawk UH-60M helicopters to Mexico’s Public Security Secretariat (Secretaría de Seguridad Pública, SSP) as part of the Mérida Initiative. Valued at \$64 million (US), the helicopters are the first aviation delivery to the SSP under the initiative. This year, the United States has provided Mexico with more than \$310 million in equipment and training as part of the Mérida Initiative, and plans to deliver another \$495 million in 2011. Meanwhile, however, the 3-year initiative in which the United States has pledged \$1.4 billion in equipment and training to Mexico has faced some recent criticism from federal lawmakers and the press.

Senators from all three major Mexican political parties asked President Calderón to renegotiate the terms of the initiative, particularly the human rights clause. The U.S. State Department recently withheld \$26 million, the release of which was conditional upon Mexico demonstrating meaningful advances in human rights, specifically ending torture at the hands of interrogators, and allowing military personnel charged

with human rights violations to be tried in civilian courts. Senators from the Institutional Revolutionary Party (PRI), the Party of the Democratic Revolution (PRD), and President Calderón's National Action Party (PAN) said that that condition, established by the U.S. Congress, "has converted the [U.S.] Department of State into a unilateral certification mechanism," which they say undermines the bilateral underpinnings of the measure meant to address the common national security threats posed by transnational organized crime.



In recent weeks speculation has arisen regarding the Mexico City office established for the implementation of the Merida Initiative. In her first visit to Mexico as secretary of state in March 2009, Hillary Clinton announced the planned creation of the office, which she referred to as a "new bilateral implementation office here in Mexico, where Mexican and U.S. officials will work together, side-by-side, to fight the drug traffickers and the violence which they spread." The U.S. State Department announced the opening August 31 of this year of the Merida Initiative Bilateral Implementation Office (BIO), to "allow for daily exchanges between technical staffers of agencies of both countries with the purpose of fully implementing equipment transfer and training initiatives under the Merida Initiative." The press release added that neither U.S. nor Mexican officials working in the BIO would engage in intelligence or operational activities. Nevertheless, in mid-November *Proceso* magazine reported on what it referred to as the Binational Intelligence Office (Oficina Binacional de Inteligencia, OBI), which it referred to as a "spy center," with little apparent presence of Mexican intelligence agencies, but overrun with agents from the U.S. Central Intelligence Agency (CIA), Federal Bureau of Investigation (FBI), Homeland Security, Treasury Department, the Drug Enforcement Agency (DEA), and the Bureau of Alcohol, Tobacco and Firearms (ATF); as well as the Pentagon's Defense Intelligence Agency (DIA), National Reconnaissance Office (NRO) and National Security Agency (NSA). *Proceso's* story also reported that the OBI had opened two "satellite" offices in Ciudad Juárez and Tijuana, where U.S. agents command "task forces" with the help of Mexican personnel. It's not clear where *Proceso* got the name "Binational Intelligence Office," which does not correspond to that given by the U.S. State Department. The article also did not explain its inclusion of some Justice Department agencies (FBI, ATF) and Homeland Security agencies (Coast Guard and Immigration and Customs Enforcement) in its list of "nine institutions of espionage."

SOURCES:

"Merida Initiative Bilateral Implementation Office Opens." Media Note. U.S. Department of State Aug. 31, 2010.
Carrasco A., Jorge and J. Jesús Esquivel. "El gran centro de espionaje de Washington." *Proceso* Nov. 14, 2010.
"Solicitan senadores revisar Iniciativa Mérida." *Notimex* Nov. 22, 2010.
Press Release. U.S. Department of State, Embassy of the USA-Mexico Nov. 24, 2010.

Washington Post investigation highlights extent of gun lobby's influence on U.S. Congress

Following a scathing report released by the U.S. Justice Department's Office of the Inspector General highlighting the inefficiencies of the Bureau of Alcohol, Tobacco and Firearm's (ATF) Project Gunrunner initiative, recent stories in *The New York Times* and *The Washington Post* have shone an unflattering light on the U.S. Congress's failure to take measures to stem the southbound flow of weapons into Mexico. A year long *Post* study portrays a legislative body beholden to the powerful gun lobby, and unwilling to close loopholes allowing gun shops to sell large quantities of high-powered rifles without scrutiny. The report tells how a fear of reprisals from the gun lobby has led to weak gun regulations that also promote a lack of transparency for records involving offending gun sellers, and weakened regulatory agencies.

As *The New York Times* reported in a recent editorial, federal authorities have tracked over 60,000 guns seized in Mexico back to U.S.-side gun dealers. The main focus of the editorial, though, is a legal loophole that allows gun dealers to make multiple sales of AK-47s and other assault rifles to a single purchaser without having to report the sales to federal authorities. The law requires that such purchases of handguns require reporting. The discrepancy stems from a lobbying effort on the part of gun rights proponents that convinced Congress that "long arms" such as AK-47s are not preferred by criminal groups, and thus do not warrant the same levels of scrutiny as handguns, a notion contradicted in Mexico, where the presence of AK-47 casings at crime scenes warrant federal organized crime investigations.

In a report resulting from a year-long investigation by the *Washington Post* that analyzed Bureau of Alcohol Tobacco and Firearms (ATF) data, all of the top 12 dealers of positively identified illegal firearms in

Mexico are located in just three states – Texas, Arizona, and California. The number 1 seller, Lone Wolf Trading Co., is located in Glendale, Arizona. Texas house eight of the top sellers, with four outlets within about 10 miles of the Mexican border and with quick access to the Los Indios Free Trade Bridge. California, with more stringent gun laws regulating the sales of assault rifles, contains only one of the top gun sellers. Two outlets appeared on the list belonging to Carter’s Country, a four-store chain based in Spring, Texas. The chain’s owner asked Congress to keep the crime-gun trace list secret.

According to the *Washington Post*, U.S. federal agents have moved forward a plan to help stem the trafficking of assault rifles south into Mexico, in the face of opposition of the National Rifle Association (NRA). The proposal from the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) would require gun dealers to report multiple sales of rifles and shotguns. Senior law enforcement officials told the *Post* that the controversial proposal was stalled for months at the U.S. Justice Department, but has made some progress despite an NRA “grassroots alert” to its members in November warning that the ATF might try to circumvent Congress and seek an executive order to enact the plan.

The NRA holds strong sway in the capital, where even Democratic lawmakers who favor stronger gun control laws fear the repercussions of contradicting the group’s agenda. Over the past two decades, the NRA has spent over \$100 million on political activities, which includes \$22 million on lobbying and nearly \$75 million on political campaigns. *Post* analysis shows that in the recent midterm elections, 80% of the 307 NRA-backed House and Senate candidates won their races. Congressional efforts have weakened the ATF over the past few decades. The group has been without a permanent director since 2006 when the Congress ruled that the appointment must be confirmed by the Senate. As with other presidential appointments, a single senator can block an up or down vote on a nomination, with 60 votes needed to overcome the opposition. Last month President Obama nominated the Chicago ATF field division director Andrew Traver, who the NRA strongly opposes, saying he is firmly aligned with gun control advocates and anti-gun activities. The group cited his involvement in the Gun Violence Reduction Project and the Joyce Foundation. After campaigning on promises for “common sense” gun control legislation, President Obama has left existing gun laws virtually intact. Attorney General Eric Holder backed down on a proposal to reinstate the Clinton-era assault weapons ban last year after 65 congressional Democrats signed a letter saying that they would strongly oppose such an action. Obama himself backed changed course on a promise to undo the Tiahrt amendment, which exempted ATF’s gun-trace database from the Freedom of Information Act, making it unavailable to lawyers, researchers, and journalists. In the president’s budget passed last year, it expanded access of gun trace data to police officers, but clamped down on public disclosure.

Under the Tiahrt amendment, details of ATF inspections of gun stores are redacted from public records, even when violations are detected. In the rare cases where gun shops’ licenses are revoked because the ATF has deemed that repeated infractions pose a threat to public safety, storeowners often find a way to keep their shops operating. *The Washington Post* investigation uncovered about 60 cases since 2003 in which gun dealers whose licenses were revoked by the ATF were able to keep their shops open, often by re-licensing through relatives, employees, associates, or newly formed companies. The number amounts to about 7% of gun merchants whose licenses were revoked during that time. Revocation of licenses by the ATF is extremely rare, occurring in less than one-quarter of 1% of dealers annually. A former ATF official said that the practice of re-licensing is completely legal, citing federal legislation requiring the ATF to issue licenses to anybody not expressly prohibited, without discretion. Under current law, a gun shop owner facing the possible revocation of his license – which can take years of legal proceedings – can transfer his inventory to a friend, family member, or associate who can continue the business in the same building, under the same business name.

SOURCES:

- Andrews, Wilson, et. al. “Arming Mexico’s drug cartels.” *The Washington Post* Dec. 13, 2010.
Fallis, David S. “Gun dealers often stay in business with new licenses after ATF shuts them down.” *The Washington Post* Dec. 14, 2010.
Horowitz, Sari and James V. Grimaldi. “NRA-led gun lobby wields powerful influence over ATF, U.S. politics.” *The Washington Post* Dec. 15, 2010.
“Cartel Gunmen Buy American.” *The New York Times* Dec. 15, 2010.

Wikileaks reveals U.S. officials' frustrations with Mexican drug war



Among the thousands leaked diplomatic cables published by anti-government secrecy group Wikileaks, U.S. diplomats express frustration with the level of involvement by the Mexican military in the government's campaign against the drug cartels, a lack of cooperation between Mexican security forces, and a concern that the Mexican government is losing control to drug gangs over some parts of its territory, while still expressing general admiration for the Calderón administration's stance against the drug cartels. The leaked cables and subsequent statements by U.S. officials suggest a high level of dependence on U.S. intelligence for carrying out the high-profile operations against cartel bosses that the Mexican government has claimed as victories in its campaign against organized crime.

Diplomatic cables released by Wikileaks Dec. 2 and reported on in the *Washington Post* on Dec. 4 reveal that the U.S. government over the past year has placed increasing stock in elite units of the Mexican Navy to carry out targeted "capture or kill" missions against high-value targets in Mexico. The cables show that the U.S. government has provided the Mexican Navy with valuable intelligence and training, favoring them over the Mexican police, long considered compromised by corruption, and the Army, which is less nimble than the Navy, and thus slower to react to "intelligence packages" originating from U.S. Embassy and consulate offices in trouble zones along the border. Cables also portray a Mexican Army that is "risk-averse," and insular, hesitant to cooperate with its U.S. counterparts. According to the leaked wires, Navy units equipped with U.S. intelligence sometimes carry out operations within hours. The cables also reveal that the U.S. military is instructing Mexican marines in urban combat and counterinsurgency in Mexico and across the border, something that the Mexican government has denied. In a January 29 cable, John Feeley, the deputy chief of mission for the U.S. Embassy in Mexico City, wrote that the Mexican Army was "following the Navy's lead," and had asked for Special Operations Force training.

U.S. Ambassador Carlos Pascual has also written favorably about the Mexican Navy. In a cable following the December 2009 operation in which Mexican marines killed Arturo Beltrán Leyva, he said that the Navy as having an "emerging role as the key player in the counter-narcotics fight," adding that the unit leading the operation had been "extensively trained" by the U.S. Northern Command. The unit's professionalism was brought into question shortly afterward, however, when photos appeared in the Mexican press showing Beltrán Leyva's naked, mutilated corpse covered in money. In the leaked cables Pascual also expressed frustration with the Mexican Army, which he said has been put "in the difficult position of explaining why it has been reluctant to act on good intelligence and conduct operations against high-level targets." He wrote that intelligence on the whereabouts of Arturo Beltrán Leyva, killed by Mexican marines in December of last year, was first provided to the Army, which refused to act promptly. Pascual's language suggests division and competition among Mexican security forces resulting in a zero-sum game between institutions, saying that the Army's inaction "cost the institution a major counter-narcotics victory," and characterizing Public Security Secretary Genaro García Luna as a "net loser" for failing to play a major role in the operation. Pascual in a cable dated July 2009 also points to a power struggle between then-Attorney General Eduardo Medina Mora and Public Security Secretary Genaro García Luna as impeding the formation of an "effective" intelligence apparatus in Mexico. Medina Mora resigned a month and a half later.

The cables depict the Calderón administration, while showing the will to try to stamp out the drug cartels' presence, as facing institutional hurdles that keep him from doing so, particularly since the July 2009 election, in which the president's National Action Party suffered serious blows. Since then, a 10-point reform plan Calderón presented to Congress has failed to produce viable initiatives, which one leaked diplomatic cable attributed to a lack of political will to back a president with falling approval ratings facing a daunting economic crisis. The cable continued to say that Calderón's inability to end the growing numbers of cartel-related killings has become a political vulnerability for Calderón, as the public becomes increasingly concerned about the public security situation. In October 2009, a cable written by Ambassador Pascual cites Interior Ministry deputy secretary Gerónimo Gutiérrez as expressing concern over losing control of certain regions of the country, which was "damaging Mexico's reputation abroad, hurting foreign investment, and leading to a sense of government impotence." The magazine *Proceso*

reported that “as a consequence of the incapacities and limitations of the Calderón strategy against narco-trafficking, the door was opened to U.S. espionage (above all the Pentagon), which now operates with complete freedom from the Mexican capital,” referring to the bi-national Merida Initiative implementation office, discussed earlier in this section.

SOURCES:

- Malkin, Elisabeth. “U.S. Aided Mexican Drug War, With Frustration.” *The Washington Post* Dec. 3, 2010.
Tejeda, Armando G. “Las fuerzas armadas eluden el riesgo en la lucha anticrimen: EU.” *La Jornada* Dec. 3, 2010.
Miroff, Nick and William Booth. “Mexico’s marines team with U.S. DEA.” *The Washington Post* Dec. 4, 2010.
Esquivel, J. Jesús. “WikiLeaks sobre México: Duras confirmaciones.” *Proceso* Dec. 5, 2010.
Tejeda, Armando G. “Pugna entre Medina Mora y García Luna frenó combate al narco.” *La Jornada* Dec. 5, 2010.

POLICE REFORM

Unified police model among several Calderón initiatives held up in Congress

At an event to commemorate his completion of four years in office, President Calderón called on lawmakers to reach an up or down vote on several of his legislative initiatives presented earlier this year, mentioning specifically the proposal for establishing state level unified police commands. The Senate leader for the Party of the Democratic Revolution (Partido de la Revolución Democrática, PRD), Carlos Navarrete, said that the Senate would discuss the initiative in its next beginning in February of 2011, along with a Federal District political reform initiative. The Guanajuato senator added that the results of the July 4 elections have made it difficult to build accords between political parties in the Senate. Also included in the President’s package of proposals is a money laundering initiative, which aims to undermine the financial structures of the drug cartels. It is likely that the president’s initiatives will continue to face obstacles in the Congress in February, however, as legislators will be involved in state elections, and beginning to look forward to the 2012 presidential election.

If legislation allowing for a unified police model does manage to pass Congress, it will likely be a substantially altered version of the president’s proposal. Recently, senators from the PRD and the Institutional Revolutionary Party (Partido Revolucionario Institucional, PRI) have come out in support of a unified police model, but at the federal level, rejecting the notion of governors coordinating the handling of federal crimes, arguing that that responsibility falls exclusively upon the federal government. They also rejected dissolving the municipal police forces. Both measures are key points in President Calderón’s unified police initiative, presented to the Senate in October.

In related news, following the assassination in November of ex-governor of Colima Jesús Silverio Cavazos Ceballos, the current governor, Mario Anguiano Moreno accepted the possibility of applying a unified police command in the state, after having firmly opposed the proposal. He denied that his change of opinion was tied to the assassination, although it did draw attention to the fact that the state’s capital lacks a municipal police force, prompting the governor to invite soldiers and federal police into the city to provide security. Furthermore, following the assassination a doctor was shot and killed by state police in his home, an incident that the governor also denies played a part in his change in attitude. Governor Moreno has given seemingly contradictory assessments of the security situation in his small state, which includes the port of Manzanillo, which federal authorities say is disputed by the Sinaloa, Milenio, Beltran Leyva, La Familia and Zetas criminal organizations. Before the assassination of former governor Cavazos, Moreno had insisted that Colima did not have the same levels of violence as other parts of the country, and did not have municipal police forces corrupted by organized crime. However, Moreno was quoted as saying in July of this year that a war between criminal organizations had begun over control of Colima.

SOURCES:

- Quiles, Alfredo. “Ante violencia, Colima acepta el mando único.” *El Universal* Nov. 28, 2010.
Ramos, Jorge. “FCH urge a partidos: sí o no a las reformas.” *El Universal* Dec. 2, 2010.
Robles de la Rosa, Leticia. “PRI y PRD aceptan mando único, pero con tutela federal.” *Excelsior* Dec. 16, 2010.
“Congreso ‘congela’ iniciativas de Calderón.” *El Universal* Dec. 16, 2010.
“El Senado discutirá en febrero de 2011 el mando único policial.” *El Informador* Dec. 17, 2010.

ENERGY INFRASTRUCTURE

Oil thieves believed responsible for massive pipeline explosion in central Mexico

A massive pipeline explosion on Dec. 19 in the central Mexican town of San Martín Texmelucan, about 55 miles from Mexico City, killed 28 people, injured 52 more, and damaged 80 homes. The federal Attorney General's Office (Procuraduría General de la República, PGR) has opened an investigation into the explosion, which officials from Pemex, the state-run petroleum company, was caused by oil thieves.



According to *El Universal*, Pemex had previously detected 60 previous oil thefts in the same area this year. Pemex has said in the past that it loses as much of 10% of its entire product to theft by criminals who take advantage of the remote locations of many of the company's pipelines. Juan José Suárez, Pemex director general, said that there have been 580 illegal taps nationwide this year. While officials say that there is no evidence to implicate organized crime in this specific case, criminal groups – particularly the Zetas – have been responsible in past thefts. In 2009, the U.S. Justice Department found that U.S. refineries had purchased millions of dollars' worth of stolen Mexican oil smuggled across the border by Mexican drug cartels. In September, two Texas oil company officials were sentenced to probation for selling stolen Mexican petroleum products. In June of this year, Pemex sued five U.S. companies it said had purchased petroleum products stolen from Pemex.

SOURCES:

"Mexico investigates pipeline blast that killed 28." *Associated Press* Dec. 19, 2010.
Montes, Rodolfo, et. al. "Explota ducto y deja 28 muertos en Texmelucan." *Milenio* Dec. 20, 2010.
"Pemex detectó 60 tomas en San Martín: Gurza." *El Universal* Dec. 20, 2010.

TRANSPARENCY & ACCOUNTABILITY

CORRUPTION

Michoacán governor faces questions over drug trafficker on education payroll

Michoacán Governor Leonel Godoy Rangel recently said education officials removed a suspected leader of the La Familia drug group from their payroll once they learned he was still receiving compensation as a teacher. However, the case continues to raise questions as to how one of the country's most-wanted drug traffickers, Servando Gómez Martínez "La Tuta", was able to collect a salary as a teacher for many years.

Godoy said La Tuta's teacher salary was suspended once his government was made aware by law enforcement officials that he was a suspected drug trafficker. However, Mexican media reported that Gómez Martínez likely received paychecks for 15 years before the government stopped paying his teacher salary. *El Universal* recently reported that La Tuta, who had apparently started out his career as a teacher, was listed on the web site of the Secretary of Public Education as having a position as an elementary school teacher. According to salary rates, he would have been receiving a salary of 51,811 pesos (\$4,174 USD) during the first trimester of 2010. Since 2009, checks made out to Gómez Martínez have been cancelled and returned to the Secretary of Finance.



'La Tuta'

According to *El Universal*, La Tuta apparently had been receiving payments for almost ten years, despite having an arrest warrant issued against him during that same time period. Godoy said that the proper state agency was not informed immediately about the arrest warrant, which was issued in 2003 for drug related crimes and thus actions to stop payments were slow. Graciela Andrade García Peláez, who oversees the Secretary of Public Education in Michoacán, said that Gómez Martínez started out teaching in the education system in Michoacán in 1985, and he was assigned to the Melchor Ocampo primary school in the municipality of Arteaga.

The La Familia drug trafficking group has also been suspected of ties with a Michoacán federal congressman, Julio César Godoy Toscano. He had been facing drug-trafficking charges since 2009 but managed to be elected to the Chamber of Deputies and eluded arrest when he was sworn into office in late September. His new position provides him with immunity from prosecution. Mexican federal officials suspect Julio César Godoy received \$2 million in bank deposits from the drug group. Godoy is the half brother of the Michoacán Governor, Leonel Godoy Rangel. Julio César Godoy has alleged that the federal

government and Mexican President Felipe Calderon's National Action Party fanned the allegations in an attempt to smear his name and that of his own state's party, the Democratic Revolution Party. Godoy Toscano has been recently deprived of its immunity as legislator, and a red notice for his capture has been issued by Interpol.

SOURCES:

- Casy, Nicholas. "School paid alleged Mexican drug lord." *Wall Street Journal*. December 9, 2010.
Martinez, Nurit. "Lujambio: no fue filtracion." *El Universal*. December 11, 2010.
Martinez, Nurit. "'La Tuta' conserva su plaza de maestro: SEE." *El Universal*. December 9, 2010.
De la Luz González, Maria. "Recurren a Interpol para detener a Godoy." *El Universal*. December 17, 2010.
"Emite Interpol ficha roja para localizar a Godoy Toscano." *Notimex in Milenio*. December 17, 2010.

Allegations published of Calderon administration trying to broker peace talks with drug groups

Allegations have surfaced that in 2008, Mexico's president opened channels of communication with drug trafficker Joaquín Guzmán Loera "El Chapo" through a liaison in an attempt to broker peace among the country's feuding drug groups. The details, which include allegations of complicity between Sinaloa Cartel, El Chapo's group, and officials within the administration of President Felipe Calderón, appear in a book by journalist Anabel Hernández, portions of which have been republished in *Proceso*.



In the aftermath of the published allegations, *Proceso* has in turn been accused of receiving money from drug trafficker Sergio Villareal Barragán "El Grande". El Grande was recently detained and is believed to work for the Beltrán Leyva cartel, former allied and now enemy of Sinaloa Cartel. *Proceso* has denied the allegations, claiming that they have been orchestrated by the Mexican government in retaliation for a series of controversial reports in the magazine. According to the book excerpt published in *Proceso*, a military General made direct contact with Guzmán Loera through Calderon's advisor, Juan Camilo Mouriño. Mouriño was later appointed Mexico's Secretary of the Interior until 2008 when he died in a plane crash in Mexico City while

travelling with other administration officials. At the time, Calderón was quoted as calling Mouriño "one of my closest collaborators and one of my best and closest friends."

El Chapo supposedly used the opportunity to speak with the contact to share the names of people who he claims helped him when he escaped from prison in 2001. He also accused Mouriño of "selling" the right for drug traffickers to operate in certain parts of the country. According to the accusations, Guzmán Loera also implicated former Quintana Roo governor Ernesto Hendricks Díaz, as well as the former Federal Attorney General, Rafael Macedo de la Concha, and Jorge Enrique Tello Peon, who was under secretary of the Secretariat of Public Security (SSP). The accusations include:

a) Guzmán told the general that all of the areas where drug groups operate have been "sold" by government officials, but that some of the rights to operate in their region have been "sold" to more than one group, which has created confusion and violence between drug groups.

b) El Chapo told the above mentioned General that Mourino and another government official supposedly "sold" to the Beltrán Leyva drug group the right to operate in the State of Mexico for 10 million dollars.

These allegations fuel the belief that Calderón's strategy has been to target certain traffickers while overlooking others. Under this theory, the drug group headed by Guzmán Loera and his associates, which include Ismael "El Mayo" Zambada, Ignacio "Nacho" Coronel Villarreal and Juan José Esparragoza Moreno "El Azúl", have been viewed as a "secondary strategy" while the government's priorities have focused more on the Beltrán Leyva association and other groups presumed to be rivals of Sinaloa. Shortly after the publication of these allegations, *El Noticiero* of *Televisa*, the largest television company in Mexico, published a report accusing the magazine's own complicity with drug traffickers. According to that allegation, reporter Ricardo Ravelo obtained money from El Grande in exchange for not writing about him in his reports. *Proceso* denied the accusations, and called *Televisa* a government instrument.

SOURCES:

- "Acusan a la revista 'Proceso' de recibir 50 mil dolares del narcotrafico para no difundir informacion sobre algunos grupos." *Reforma*. December 2, 2010.
"Senala el semanario que el montaje de la acusacion se comprueba con la fecha de la presunta declaracion de 'El Grande.'" *Reforma*. December 2, 2010.

CFE Commissioner speaks before Senate Commission on corruption accusations

Alfredo Elías Ayub, who oversees the Federal Commission of Electricity (Comisión Federal de Electricidad, CFE), was called to speak before the Mexican Senate's Energy Commission to address how the agency is confronting corruption in light of recent findings that members of the Commission accepted bribes from an outside firm that was seeking lucrative contracts.

Elías Ayub acknowledged the allegations of corruption raised against the former director of operations at CFE, Nestor Moreno Diaz, and said that he was forced out of his position because he couldn't clarify his participation in the alleged acts of corruption in a case involving the company ABB. ABB Ltd, a Swiss corporation with U.S. offices, pled guilty to bribery charges this year in the United States. As part of the agreement, the company admitted that a Texas business unit paid bribes of about \$1.9 million that were destined to officials at CFE.

Elías Ayub told Senate members that the Commission was continuing to assist investigators and was taking steps to ensure that these types of activities were not repeated. He told senators that once the agency learned of the problems, officials presented a formal complaint before the Federal Attorney General's office (PGR), and they continued to update the complaint as additional accusations emerged. Elías Ayub also said that the commission has remained in contact with the Secretariat of Public Function and the Superior Auditory of the Federation.

Some senators accused Elías Ayub of failing to take full responsibility for the alleged corruption within the agency and for turning a blind eye to clues that might have suggested something was amiss, such as failing to consider how Moreno might have had the financial means to obtain a yacht and Ferrari. Both items are believed to have been given to Moreno as gifts in exchange for his alleged cooperation with the firm. But Elías Ayub countered by saying: "These practices are totally inadmissible for the Federal Commission of Electricity (...) and our attitude has been to assist the investigators to obtain all the information they need and to complete their investigation and take corresponding actions," he said.

SOURCES:

Gómez, Ricardo. "Elías Ayub comparece ante senadores." *El Universal*. December 2, 2010.

Medina, Carlos. "Casos de corrupción en la CFE son inadmisibles."

"'Reprobables' presuntos casos de corrupción en CFE: Elías Ayub." *Notimex* in *Milenio*. December 2, 2010.

One in three Mexicans pays a bribe

At least one in three Mexicans paid a bribe to speed up paperwork or other administrative processes between June 2009 and June 2010, according to the Global Barometer of Corruption by Transparency International. According to this survey, the percentage of people who reported they had paid a bribe increased from 28 percent in 2006 to 31 percent in 2010.

Interestingly, the barometer found that people believe the government is more efficient in general terms than in previous years: in 2006, 90 percent of the population considered the government to be inefficient, this number has now been reduced to 52 percent. The study found other positive developments: more people currently hold a favorable opinion about the military and the education system. The institutions that are viewed as the most corrupt, according to the survey, are political parties, police, the justice system, religious institutions, and non governmental groups. According to the results, young people feel the most pressured to pay bribes: more than a third of people who said they have paid a bribe over the past year were 30 years of age or younger. In comparison, just 22 percent of those who were at least 65 years of age said they had paid a bribe over the past year.

On a global scale, a total of 25 percent of people paid bribes, according to the same study. In Mexico, 75 percent believe that corruption has increased and 18 percent believe it has remained the same. In regards to the government's attempts to combat corruption, 52 percent say it has not been effective and 22 percent say it has been effective. Mexico's Secretariat of Public Function said they have been stepping up efforts to combat government corruption. In 2010, the agency denounced 1,778 people for suspected acts of corruption and the total amount of cases handled during the current presidential administration is 1,948,

according to statements made to the media. The agency has also obtained suspensions and interim removals of more than 500 public functionaries, and imposed more than 4,000 sanctions against businesses in recent years. Despite these efforts, Mario Sánchez, president of the business group *Consejo Coordinador Empresarial*, said that Mexico dropped 9 places in its ranking when compared to other countries in the most recent corruption analysis, and it has dropped 43 places overall since 1998.

SOURCES:

Gerardo, José. "Creció pago de sobornos 3 puntos en cuatro años." *El Universal*. December 20, 2010.
Hernández, Lilian. "Uno de cada tres mexicanos paga soborno." *Excelsior*. December 10, 2010.
"Sistema político permite corrupción: CCE." *Notimex in El Universal*. December 9, 2010.

TRANSPARENCY

Business community calls for more fiscal transparency at state level

State government debt is putting public finances at risk, warned the president of the business group called the *Consejo Coordinador Empresarial*. The Consejo is working with the Mexican Institute for Competitiveness to design tools to help ensure that state governments are being accountable with their fiscal responsibilities.

The president of the committee, Mario Sánchez Ruíz, said that more transparency and accountability of fiscal affairs is needed among the government entities. A study by the Secretaria de Hacienda y Crédito Público (SHCP) found that debt has increased over the past year an average of 43 percent in 19 of the 32 states. The state that demonstrated the highest increase was Coahuila, followed by Morelos, Tamaulipas, Michoacán and Quintana Roo.

The discussions come on the heels of other studies that are stressing a greater need for transparency in regards to fiscal responsibility. Mexico's municipalities obtained an average score of 51.03 in regards to transparency of their budgets, according to a recent study by the consulting group Aregional. The Center of Economic Studies of the Private Sector also did a separate evaluation into the transparency and accountability of 19 federal agency budgets. The Center identified 17 agencies that receive large budget resources but that do not appear to justify or reveal their results.

SOURCES:

Arteaga, José. "Municipios mexicanos reprueban en transparencia." *El Universal*. August 31, 2010.
Ramos, Jorge. "La deuda estatal es un riesgo para las finanzas, advierte el CCE." *Excelsior*. December 3, 2010.

Sedesol calls for greater transparency of money destined for social services

A representative from a branch of Mexico's social development agency called for greater transparency among states and cities to ensure that federal funds destined for social service programs are properly accounted for. Marco Antonio Paz Lellat, under secretary of *Prospectiva, Planeacion y Evaluacion* at Secretariat of Social Development (Secretaria de Desarrollo Social, SEDESOL), said that it is unclear how the money from Sedesol is used on the state and city level because local agencies apply their own criteria in distributing the funds.

Paz, speaking during a November forum on "Social Programs and Elections in Mexico," said that Sedesol should take the lead in formulating a streamline approach to documenting the use of social development funds at the local, state and federal level. The Secretary of Social Development, Heriberto Félix Guerra, has previously said that 70 percent of the states do not provide sufficient transparency in how federal funds are being distributed. Sedesol officials say that providing greater transparency on these levels would ensure the more efficient use of funds that are intended to help people overcome poverty, as well as to prevent the duplication of efforts and allow for a more holistic approach to addressing these concerns on the national level. Sedesol officials note that during a recent assessment of transparency in regards to social programs, those that are managed by state government obtained 55.5 on a scale of 1 to 100 while the federal programs that Sedesol directly manages received a substantially higher ranking of 88.7.

SOURCES

Sosa, Miguel Angel. "Sedesol llama a transparentar recursos." *El Universal*. November 25, 2010.
Vega, Margarita. "Denuncia Sedesol opacidad de estados." *Agencia Reforma*. November 17, 2010.

ACCOUNTABILITY

Torreon tightens up regulations to prevent council members from abusing expense accounts

Torreon city council members were considering a change to the city code that would require them to detail more closely their use of public funds for stipends, as well as have them adhere to regular office hours in order to ensure public access. The changes would also include a series of sanctions that could be levied against council members if they do not comply with the requirements.

The proposal, which reportedly has been delayed by council members of the Institutional Revolutionary Party (PRI), comes following a report in *El Universal*. In the report, a reporter detailed how he was not able to meet with any city council members during a recent visit to the City Hall, and how this appeared to be a regular situation; the building was practically empty meaning that, should they want to, the public would not find council members to report their concerns to. Instead of holding regular office hours, a number of the elected officials were apparently frequenting restaurants and other businesses, according to one Torreon council member. Torreon is located in the state of Coahuila.

“The first ones who should serve as an example are the council members and after that the other public functionaries of the city government,” said Rodolfo Walss, the council member who was introducing the changes. The proposed changes are meant to encourage greater accountability and transparency among council members. The regular office hours requirement would ensure greater public access and accountability from council members from 8 a.m. to 3 p.m., according to Walss. Council members would also be required to document where they are outside of those hours and why. In regards to the accountability of stipends, each council member receives 15,000 pesos per month (\$1,203 USD). The council member would be required to report how they spend that money and additional spending that might occur during special situations, such as trips.

SOURCES:

Arredondo, Ethel. “A reglamentacion horarios y gastos de los regidores.” *Milenio*. November 11, 2010.
Mura, Yazmin. “Priistas detienen reglamento para desempeño de regidores, afirma Walss.” *Milenio*. December 15, 2010.
Proa, Enrique. “Regidores, austentes sus oficinas en Torreon.” *El Universal*. November 9, 2010.

Paisano Program gears up for holiday period

Mexican authorities were preparing for more than 850,000 co-nationals to return to Mexico for the holidays from the United States through the various border checkpoints and airports. The annual return of these visitors of Mexican descent has traditionally lead to allegations of shake-downs by migration and other law enforcement officers, and the Mexican government’s approach has been to conduct an annual outreach campaign called the Paisano Program.

The Paisano Program aims at educating and protecting these visitors. This year Mexican authorities are assigning more than 3,500 special observers to the border areas and airports to guide and assist the co-nationals during their travels through Mexico. Volunteer observers will be stationed at 400 modules in 132 various points located in 240 cities. In addition, the Federal Police has put on alert six helicopters, 19 ambulances and two planes in case of any urgent matters that occur along the country’s roads used by the visitors. The visitors have been the target of extortions, corruption, and attacks by criminal groups, and authorities are playing a role in organizing caravans as an extra security measure to protect the travelers along certain roads.

Tamaulipas is the state that has had the highest incidence of alleged bribery and extortion from travelers. Of all the complaints filed against immigration authorities nationwide, Tamaulipas received 33 percent, according to congresswoman Norma Leticia Salazar Vazquez during a recent visit to Nuevo Laredo. That data comes from the most recent analysis of complaints filed during the 2010 year with the National Institute of Migration. Tamaulipas was followed by Sonora, which had 10.43 percent of the complaints and Chihuahua with 7.58 percent.

SOURCES:

“Da Blake Mora bienvenida a paisanos con programas de seguridad.” *Notimex* in *Milenio*. December 6, 2010.
Merlos, Andrea. “Pactan vigilar el arribo de paisanos.” *El Universal*. December 5, 2010.

Ex Governor of Zacatecas accused of fiscal misconduct

The former governor of the state of Zacatecas, Amalia García, is facing accusations of misuse of public funds. García, meanwhile, responded that the allegations are unfounded and being politically orchestrated by the current governor, Miguel Alonso Reyes.

García has presented a complaint for moral harm against Reyes before the Superior Tribunal of Justice in the Federal District. In the complaint, she accuses the state's internal auditor, Guillermo Huizar, and the local attorney general, Arturo Nahle, of making unfounded accusations that were spread irresponsibly through the media.

The current Zacatecas Governor, Alonso Reyes, who is with the Institutional Revolutionary Party (PRI), has blamed the misuse of state funds during his predecessor's administration for contributing to a "very delicate financial situation." He called the audit a technical, and not a political, exercise to determine the source of the state's economic problems. García is with the Democratic Revolutionary Party (PRD).

As part of the accusations of misuse of public funds, García's accusers have focused on the previous administration's decision to obtain a credit of 300 million pesos (\$24 million USD), and how that money was distributed. The debt by the state apparently was not repaid within the specified time period, according to Alonso Reyes. The information comes from an audit conducted by the current Zacatecas state administration in which the alleged irregularities include the approval of millions of pesos worth of contracts outside of the official contractual process, falsified signatures, the contracting of artists without justification, and the doling out of personal loans. Some of the people who allegedly received these off-the-books loans were journalists, ex government officials, and members of construction companies.

García has countered that her administration has been audited 70 times and that during those examinations no red flags emerged. In an interview through *Primero Noticias*, García said that the decision to tap into the credit of 300 million pesos through Banamex during the electoral season went towards legitimate needs, such as improving and strengthening government buildings, consolidating the infrastructure of the state police, and bolstering the aerospace industry. She also said that budget increases are established as part of the law and that they do not constitute irregularities.

The Zacatecas internal auditor Guillermo Huizar Carranza specified that just 4 of the 39 listed irregularities can be directly tied to the former governor. One of the findings, according to Huizar, was that the state DIF office bought bottles of alcohol with public money. Mexican media has reported the cases of bottles of mezcal were valued at 999,920 pesos (\$80,000 USD). García has said that this was done to help local producers and improve the state's economy. Another contract for singers that was valued at 100 million pesos (\$8 million) was meant to promote and improve employment in the state, according to García.

SOURCES

- Resdendiz, Francisco. "Amalia demanda al gobernador Alonso." *El Universal*. December 11, 2010.
"Amalia García denuncia a gobernador de Zacatecas." *Notimex via Azteca Noticias*. December 10, 2010.
Amalia García: Compra de mezcal fue para promover el empleo. *Noticieros Televisa*. November 29, 2010.
Espinosa, Verónica. "Miguel Alonso acusa a Amalia García de irregularidades financieras." *Proceso*. November 25, 2010.
Pérez, Vanessa. "Amalia merece cárcel; quería que trabajara gratis: de Alba." *El Economista*. November 25, 2010.
Reyes, Juan José. "Amalia García rechaza manejo ilícito de recursos." *El Economista*. November 24, 2010.

ACCESS TO JUSTICE

Arrest of 14-year-old assassin highlights holes in criminal justice system

The arrest in early December of a juvenile believed to be a cartel assassin has brought to the foreground the legal ramifications of the recruitment of minors by drug cartels. Soldiers from the Mexican Army on Dec. 3 detained 14-year-old Édgar "N," alias "El Ponchis" at the Cuernavaca, Morelos airport. El Ponchis is a presumed assassin for the South Pacific Cartel (Cártel del Pacífico Sur, CPS), a break-off faction of the fractured Beltrán Leyva cartel. Videos recently surfaced on the Internet showing El Ponchis torturing and beheading several



victims. He was detained as he attempted to board a plane to Tijuana, Baja California with his two sisters, 19 and 23 years old. The arresting officers reported finding two pistols in Édgar's luggage and that of one of his sisters.



Investigators said that following his arrest Édgar admitted to carrying out the decapitations of at least four CPS enemies, for which he was paid \$2,500 (US). He also told investigators that he entered the CPS when he was 12 years old, after being kidnapped by a lead assassin for the Beltrán Leyva Organization. Julio de Jesús Radilla Hernández, "El Negro," drugged him and forced him to carry out criminal acts, including the decapitation of 4 victims who were later hung from a bridge on the Mexico-Acapulco highway. Édgar was born in the United States and has family in San Diego. Just four days after Édgar's arrest, his mother, Yolanda Jiménez was apprehended in

the Barrio Logan neighborhood of San Diego, where she now faces a possible 2-year prison sentence for entering the United States illegally. She had lived in Barrio Logan with her husband – arrested at the same time – for eight years, but now faces federal charges since she had previously been deported. She was arrested in 1997 for possession of rock cocaine with the intent to sell, and was deported to Mexico. As his mother faced charges in California, U.S. consular employees visited Édgar in the Mexico City detention facility where he is being held for 60 days pending further action by Mexican authorities, in order to provide him with legal counsel and to verify his well-being, according to consular spokesman Alexander Featherstone. His two sisters are under a 30-day pre-trial detention while officials weigh possible kidnapping charges against them.

Following the arrest of El Ponchis, president of the Association of Penal Attorneys (Asociación de Abogados Penalistas) Cipriano Sotelo Salgado said that the boy will likely be freed, since he is believed to have committed his crimes before turning 14. Under Morelos and federal penal codes, youths under 14 years of age cannot be incarcerated. The Law of Adolescents (Ley de Adoloscetes) in Morelos classifies young offenders into three categories: those 12-14 years old, who cannot be subjected to criminal proceedings; those 14-16 years old, who cannot receive sentences of more than 3 years; and those 16-18 years old, who face a maximum of five years imprisonment.

On December 10, legislation to reform the Federal Law of Justice for Adolescents (Ley Federal de Justicia para Adoloscetes) was approved in the Senate, and will establish unified standards among Mexican states in their treatment of juvenile offenders convicted of federal crimes. The law will go into effect in two years, allowing time for the justice system to train judges, public prosecutors and psychologists, and to establish specialized internment centers for the processing and incarceration of offenders between 12 and 17 years old. Under the new legislation, all offenders within this age range, as well as adults found to have committed crimes while still minors, will be handled within the framework of the federal law. Currently some states allow the prosecution of minors as adults under the Federal Law against Organized Crime. Lawmakers assure that internment will only be applied as a last recourse, and for the shortest appropriate duration, only in the case of offenders over 14 years old, and only for severe crimes, such as terrorism, drug and weapons trafficking, rape, kidnapping, and murder. The law also establishes a framework for house arrest for juvenile offenders. Incarceration of minors will only occur at specialized federal detention centers; and sentences will range from 1-5 years for offenders between 14 and 15 years old, and 2-7 years for those between 16 and 17 years old. The law also stipulates that in cases where the suspect is indigenous, foreign, deaf, mute, or illiterate they must be provided with a defender who speaks the defendant's language, a translator, an interpreter, or a scribe, as appropriate.

The Mexican delegation of the United Nations Children's Fund (UNICEF), which had voiced strong support for the new juvenile justice law, had called on Mexico to change course in what it saw as a recent movement toward applying harsher sentences to minors, which reach 15-20 years in some states. The organization said that such measures go against the Convention on the Rights of the Child, which emphasizes social reintegration for juvenile offenders. In a message to the Mexican government, UNICEF said that it must avoid ad-hoc responses that "reinforce the stigmatization and criminalization of minors," and instead seek integral solutions that "promote the positive development of children and adolescents in

the country.” The organization also criticized Mexico for a lack of reliable nationwide statistics on the prevalence of minors’ involvement in federal crimes on which to base future action.

SOURCES:

- “Frustra ejército la huida de niño sicario ‘El ponchis.’” *El Diario de Morelos* Dec. 4, 2010.
Sosa, Miguel Ángel. “UNICEF pide a México frene aumento de penas a jóvenes.” *El Universal* Dec. 7, 2010.
“Funcionarios de EU se reúnen con *El Ponchis*.” *El Universal* Dec. 7, 2010.
“Urgen a aprobar ley para jóvenes.” *El Economista* Dec. 7, 2010.
Davis, Kristina. “Immigration charges for mom of accused teen hitman.” *San Diego Union Tribune* Dec. 8, 2010.
Botello, Blanca Estela. “Adolescentes criminales, a correccionales federales.” *La Crónica de Hoy* Dec. 10, 2010.

Doctors in Ciudad Juárez protest violence against their profession



Doctors in Ciudad Juárez are speaking out against the violence committed against people in their profession, and the inability of authorities to protect them against targeted violence. The Citizens’ Medical Council (Consejo Médico Ciudadano) says that in 2010 alone 20 doctors have been kidnapped and six assassinated, including Dr. Jorge Alberto Betancourt, who was a professor at the Autonomous University of Ciudad Juárez, and was killed on December 2 shortly after being kidnapped. Betancourt’s family requested that the state’s Office of the Public Prosecutor (Fiscalía General) stay out of the case, opting

instead for the intervention by an agent of the Chihuahua delegation of the federal Attorney General’s Office (Procuraduría General de la República, PGR) and patient of Betancourt’s, Roberto Oseguera, whose attempts at negotiations with the kidnappers failed. Following the assassination of Betancourt, Chihuahua’s Office of the Public Prosecutor explored the possibility of filing charges against Oseguera for obstructing an investigation, but it was later determined that he had acted “on good faith.”

In response to violence committed against doctors in recent months in Juárez and perceived government inaction, the Medical Specialist Center (Centro Médico de Especialidades, CME) called a 24-hour strike ending on December 8 at 8:00 a.m. The Mexican Institute of Social Security (Instituto Mexicano del Seguro Social, IMSS) and the State Workers’ Institute of Security and Social Services (Instituto de Seguridad y Servicios Sociales de los Trabajadores del Estado, ISSSTE) announced a 24-hour strike on December 13, which was joined by the Association of Private Schools, as well as other educational institutions throughout the state. Doctors speaking anonymously at a press conference in fear of reprisals said that the strike would affect all of the clinics, hospitals, and medical centers in the city.

For his part, Rafael Maldonado, who represents a group of doctors that has carried out protests against violence against doctors in Juárez, warned that medical professionals are likely to seek refuge in El Paso as some prominent Juárez businessmen have done, if the violence continues. At the graduation ceremony for the Autonomous University of Ciudad Juárez’s medical school, occurring just a week after Professor Betancourt was assassinated, some graduates expressed plans to work in other parts of Mexico, as well as internationally. The graduates observed a moment of silence for Dr. Betancourt at the ceremony.

SOURCES:

- Coria Rivas, Carlos. “Se gradúan médicos en Cd. Juárez con temor a ejercer.” *Excelsior* Dec. 9, 2010.
Sosa, L. and Rodríguez, S. “Acusan a agente de PGR de obstruir el caso del ortopedista.” *El Diario* Dec. 9, 2010.
“Médicos de Juárez emigrarían por inseguridad.” *El Universal* Dec. 9, 2010.
“Médicos anuncian paro en Ciudad Juárez.” *Notimex* Dec. 11, 2010.

Mexican Congress passes anti-kidnapping legislation

The Mexican Senate approved new legislation setting guidelines for crimes of kidnapping, two months after it passed through the Chamber of Deputies. The law, originally proposed by President Calderón, creates a victims’ fund, increases prison sentences, and allows for electronic monitoring of offenders. Several high-profile cases have brought international attention to kidnappings in Mexico, a relatively new enterprise for drug cartels diversifying their activities in the face of increased competition for major drug trafficking routes, as well as smaller organizations capitalizing on the relative impunity with which such crimes are committed in Mexico.

The law, which will go into effect in March of 2011, establishes sentences of between 25-45 years for kidnappings employing physical violence, carried out by a group, or by members of public security agencies or the armed forces. In the event that the victim dies, conviction will carry a prison sentence of 40-70 years. Moreover, there will be no opportunity for a reduction or commutation of sentences. The legislation also seeks to expand the role of Anti-kidnapping Units (Unidades Antisecuestros), by integrating more public prosecutors, security experts, and other specialists. It will also create a fund to provide victims and families with medical and psychological treatment, as well as protections during investigations and judicial processes. At the onset of the law, crimes of kidnapping will fall under federal jurisdiction, and states will be required to repeal their individual efforts to legislate such crimes.

The new federal law will supercede wide-ranging state-level sentencing guidelines in cases of kidnapping that fall within the jurisdiction of federal organized crime legislation – most notably in the case of Chihuahua, whose local congress recently approved sentences of up to life in prison for some cases kidnapping and homicide –. According to statements made by Governor César Duarte Jáquez on the same day the federal kidnapping legislation passed the Senate, currently around 40 individuals in state custody potentially face a life sentence. He said that recent blows dealt to kidnapping rings around the state are attributable to a recent integration of several police corporations into the beginnings of a unified state-level police command. He added that the state's recently-passed kidnapping legislation remains largely intact in the wake of federal legislation, as a 70-year sentence essentially equates to a life sentence.

The federal kidnapping law has drawn strong vocal support from activists Alejandro Martí, prominent Mexico City businessman and father of Fernando Martí, who was kidnapped and murdered in 2008; and Isabel Miranda de Wallace, mother of Hugo Alberto Wallace, 36, kidnapped and murdered in 2005. The presumed killer of Alberto Wallace, Jacobo Tagle, was interred in the El Rincón federal prison in Tepic Nayarit this December 12. Agents from the Mexico State Attorney General's Office arrested Tagle on December 4, the sixth arrest made in the case. Investigators from the Federal Attorney General's Office's organized crime unit (Subprocuraduría de Investigación Especializada en Delincuencia Organizada, SIEDO) said that Tagle detailed the kidnapping and murder of Wallace in 2005, giving information that could lead to the discovery of his remains, which have yet to be positively identified. Thus far, five individuals charged with involvement in Wallace's kidnapping have been given sentences of between 5 and 47 years in prison. Isabel Miranda de Wallace, with the support of Mexico's Attorney General's Office, has challenged the sentences of the implicated kidnappers, all of whom she led police to with information gained from her own investigations, involving tracking down witnesses, getting names, and staking out suspects' homes, in the process receiving death threats and surviving an attempt on her life.

According to official reports, federal and local authorities have detained around 3,300 kidnappers and broken up 600 kidnapping gangs over the past four years. However, a study carried out by the Technological Institute of Monterrey shows that of the 7.48 million crimes committed nationwide in 2010 98.5 percent go unpunished. Data were based on President Calderón's annual governmental report in September, and were extrapolated for the remainder of the year. The study estimated a 22 percent rate of reporting of crimes, resulting in around 164,000 reports. Of those, only 15 percent were investigated, of which only 4 percent reach a judicial conclusion. The report also shows that the average duration of investigation has declined since 2006, but remains excessive, at 130 days. In relation to kidnappings, the study shows that half of kidnappings are "express kidnappings," 26.8 percent are "conventional" kidnappings, and 21.9 percent are carried out with the intent of killing the victim.

SOURCES:

"La impunidad en México alcanza al 98,5 por ciento de los delitos, según un estudio." *La Prensa* Nov. 7, 2010.

"México promulga ley contra el secuestro." *Prensa Latina* Nov. 30, 2010.

"En espera de cadena perpetua, 40 secuestradores: Duarte." *El Diario* Nov. 30, 2010.

"Vigente, ley estatal contra homicidas y secuestradores." *El Diario* Dec. 5, 2010.

"Jacobo Tagle declara ante la SIEDO." *El Universal* Dec. 6, 2010.

Mexican Congress extends investigative powers to the National Human Rights Commission

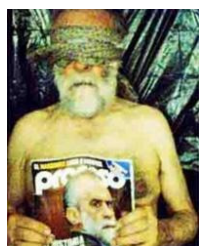
During its final session of 2010 in which several initiatives from President Calderón were held up due to political wrangling in both houses of Congress, the Chamber of Deputies voted unanimously to transfer investigative powers for cases of alleged human rights abuses by public servants to the National Human

Rights Commission (Comisión Nacional de los Derechos Humanos, CNDH). The reform had already been approved in the Senate. With the change, federal agencies such as the Attorney General's Office and the Federal Police will not be able to withhold any information related to investigations into human rights violations that are requested by the CNDH. The legislation also stipulates that any agency refusing to abide by a CNDH recommendation resulting from an investigation will be required to appear before the Senate to explain why. Until now, agencies could choose to ignore CNDH recommendations with no direct recommendations. The legislation also writes international human rights treaties into Mexico's constitution, and extends protections prohibiting discrimination based on ethnic or national origin, gender, age, disability, social class, health conditions, religion, personal views, sexual preference, or civil status. In order to enter into law, the legislation must now be approved in over 50% of state legislatures.

SOURCES:

- García Martínez, Anaeli. "Prohibida toda discriminación con reforma en materia de DH." *Cimac Noticias* Dec. 15, 2010.
"Aprueban diputados reforma sobre derechos humanos." *Proceso* Dec. 15, 2010.
Bravo, Elba Mónica and Damián, Fernando. "Facultan diputados a CNDH para hacer investigaciones." *Milenio* Dec. 16, 2010.
"Congreso 'congela' iniciativas de Calderón." *El Universal* Dec. 16, 2010.

'El Jefe Diego' released by captors



Following more than seven months in captivity, Mexican news outlets on December 20 announced that ex-Senator, former presidential candidate for the National Action Party (Partido Acción Nacional, PAN) and friend of President Calderón "Jefe" Diego Fernández de Cevallos had been released. The federal Attorney General's Office (Procuraduría General de la República, PGR) said that it was awaiting word from Fernández's family before confirming his release. The agency also pledged to pursue the case in order to bring those responsible to justice. The PGR opened an initial investigation immediately following the kidnapping in May, but suspended it shortly after at the request of Fernández's family.

Later this day, El Jefe appeared publicly, with a long and scruffy white beard, though quite serene. In his first remarks, Fernández de Cevallos appreciated all the solidarity and commended the media that "privileged life." Before reporters, El Jefe Diego mentioned that he had been released a few miles from a village and started walking and did not want to stop, which resulted good for him after all, he said. Also recognized that at all time he had been treated well and with respect by his captors, and even mentioned to have already forgiven them. The former presidential candidate on behalf of the PAN considered that his kidnapping had economic and political motivations.



Following the release of Chief, a countless number of claims and speculation began to circulate through the media. There were voices affirming that the federal government had a perfect knowledge of the identity of the kidnappers, whom are a split cell of the Popular Revolutionary Army (Ejército Popular Revolucionario, EPR) and allegedly had been targeting certain individuals to obtain profit but mainly because they represent totally the opposite of their social and political beliefs. Those asseverations were later disqualified by President Calderón who considered such arguments as hypocritical, and stated that after all, depriving someone of its liberty is a crime. Parallel to that some circles began to speculate about a major montage to enable the PAN to build a presidential candidacy for 2012 over the figure Fernandez de Cevallos. Those rumors were later denied by El Jefe itself.

With the release of el Jefe Diego reignites the debate about kidnappings in Mexico. Senators of the PRI, PT and Convergencia demanded from the federal government a proper explanation, and criticized him for not having the ability to curb insecurity, whereas others, such as federal legislator Óscar Arce Paniagua considered the event as a milestone in the fight of President Calderón against crime.

SOURCES:

- "PGR espera confirmación de liberación de Diego." *El Universal* Dec. 20, 2010.
" 'Estoy fuerte': Diego y juzga al plagio político y económico." *La Jornada* Dec. 21, 2010.
No quería dejar de caminar: Diego" *El Universal* Dec. 20, 2010.
Jiménez, Horacio, et. al. "Diputados exigen explicación del secuestro de Diego" *El Universal* Dec. 21, 2010.
Cruz, Néstor. "Liberación del 'jefe Diego', logro contra delincuencia: Arce" *El Sol de Tijuana* Dec. 21, 2010
Critican legisladores a Ejecutivo por no frenar inseguridad, *Notimex at SDP Noticias*, Dec. 21, 2010

AROUND THE STATES

MORELOS

Adolescent justice in the spotlight in Morelos following arrest of 14-year-old assassin



In Morelos, the state where "El Ponchis" was arrested, and which has been a frontrunner among Mexican states in recent justice reform efforts, the number of juveniles processed by the Special Prosecutor for Adolescent Justice (Fiscalía Especializada en Justicia para Adolescentes) has increased markedly over the past several years. In 2008, the year the office was created, just 4 minors were processed for narcotics trafficking related offenses. In 2009 the number reached 15 in 2009, and 44 had been processed in 2010 as of December 4. In all, the system has processed 75 adolescents, 53 implicated in drug trafficking, drug dealing, and possession; and the rest for possession of illegal firearms, according to the Unitary Court of Adolescent Justice (Tribunal Unitario de Justicia para Adolescentes, TUJA).

Ana Virina Pérez, a TUJA judge, said that the youths' backgrounds are becoming increasingly uniform – dysfunctional families with scarce economic resources and low educational levels. TUJA psychologist Lizette Jasso Velázquez said that a resulting lack of direction and sense of abandonment make disadvantaged youths vulnerable to criminal organizations that promise them stability their families cannot provide. In response to the arrest of "El Ponchis," who can be seen in videos disseminated in the Internet torturing and beheading presumed enemies of the Beltrán Leyva cartel, Judge Virina Pérez argued that a reevaluation of existing legislation was needed to determine whether sanctions for serious crimes should be increased. Currently, the maximum sentence allowed for youths between 14 and 15 years old is three years, and for those between the ages of 16 and 17 sentences of up to five years are allowed. The new federal Adolescent Justice Law, passed just days after Virina Pérez's statements, allows for sentences of up to five years for adolescents between 14 and 15 years old, and up to seven years for those from 16 -17 years of age.

While state and federal sentencing guidelines for minors will have to be reconciled, Morelos has provided specific protections for juveniles who enter into the criminal justice system. For one, any statements a minor makes to police will not be considered admissible in the TUJA – only testimony made before the judge. Paradoxically, while the arrest of "El Ponchis" in Cuernavaca has reignited a discussion as to how to handle juveniles implicated in serious crimes, the majority will likely fall under federal jurisdiction with the recent passage of the federal Adolescent Justice Law.

SOURCES:

Miranda, Justino. "Arresto de 'El Ponchis' exhibe vacíos legales." *El Universal* Dec. 4, 2010.
"Dictan prisión preventiva contra 'El Ponchis.'" *Milenio* Dec. 12, 2010.

CHIHUAHUA

Chihuahua governor aims to strengthen state's justice sector



Chihuahua Governor César Duarte Jáquez presented an initiative to the state congress with the aim of keeping dangerous criminals off the streets. Calling the current penal system "porous," the governor proposed not allowing parole for repeat offenders. He urged the same measure for offenders between 14 and 18 years old. He also applauded municipalities' willingness to work together in improving the security situation in the state, as well as the congress's efforts in the recent creation of the new Public Prosecutor's Office (Fiscalía General del Estado) and the approval of a state level unified police command. Duarte also applauded the state congress for recently approving life sentences for some kidnappers, although new federal legislation limits sentences for kidnappers to 70

years, and requires states to repeal individual kidnapping legislation. In all, the governor's initiative, presented alongside the President of the State Supreme Court Javier Ramírez Benítez, includes reforms to four legal codes: the state penal code, the criminal procedure code, the adolescent justice law, and the law governing criminal sentences.

Presented at the same meeting between the three levels of government was a diagnostic of Chihuahua's justice system revealing several deficiencies, including: insufficient courtrooms, the application of contradictory legal criteria between prosecutors and judges, a scarcity of investigators from the Office of the Public Prosecutor-- who are overwhelmed with cases, and a need to restructure the judicial branch, among other challenges. The diagnostic was carried out by the Government Judicial Counsel (Consejería Jurídica de Gobierno del Estado). It points out that as a result of overworked agents of the Public Prosecutor's Office, for a given case there is not an individual agent assigned to see the investigation through from beginning to end, leading to communication failures. Similarly, the report found redundancies and inconsistencies in the application of trials, particularly in the initial stage, in which a special *Juez de Garantías* is assigned. The report thus calls for a restructuring of responsibilities in the judicial system. Investigators also found that the state's electronic monitoring system is being applied inconsistently, as are cases of preventive prison and *arraigo*, the process of detention of organized crime suspects pending charges.

In his appearance before the state congress, Governor Duarte has also declared hospitals as "high risk zones," for which he has instructed the Public Prosecutor's Office to reinforce security at the institutions. He also said that he would order a review of all of the drug rehabilitation centers in the state, and bolster security for those that are legitimately providing support to drug addicts. Drug rehab centers have become relatively common targets of attack by criminal organizations, particularly in Chihuahua. Officials believe that some such centers are funded by the drug cartels and used as recruitment centers, and thus become targets of attacks by rival organizations. Duarte vowed to shut down such operations.

In related news, Marisela Escobedo Ortiz, a Chihuahua human rights activist, was assassinated in front of the state governmental palace in Chihuahua City on the night of December 16. At the moment of her assassination she was protesting outside the government offices, demanding that authorities re-apprehend the man believed to have killed her 17-year-old daughter. Escobedo Ortiz had previously reported receiving death threats from the presumed killer's family. Governor Duarte in a radio interview said that he has asked the state Supreme Court to remove the three judges responsible for Escobedo Ortiz's daughter's killer, Sergio Rafael Barraza. Barraza was exonerated at his oral trial in April of this year, on the basis of insufficient evidence against him. In May of this year following another apprehension order in response to indignation expressed by then Governor José Reyes Baeza, a separate judge ruled to revoke Barraza's absolution and sentenced him to 50 years in prison. He has remained a fugitive since. Barraza's case is emblematic of what critics of Chihuahua's justice system refer to its "revolving door" practice, returning criminals to the streets on technicalities.

SOURCES:

- Barrientos, Heriberto. "Opera con numerosas fallas el Sistema de Justicia Penal." *El Diario* Dec. 16, 2010.
- "Gobernador declara a hospitales zonas de alto riesgo." *El Diario* Dec. 16, 2010.
- "Presenta Gobernador del Estado iniciativa para Endurecer las Penas contra Delinquentes." *El Digital* Dec. 16, 2010.
- "Asesinan a activista en Chihuahua." *Noticieros Televisa* Dec. 17, 2010.
- "Chihuahua: Duarte pide desaforar a jueces tras asesinato de activista." *La Jornada* Dec. 17, 2010.

TAMAULIPAS

Tamaulipas legislature approves new abortion guidelines



The Tamaulipas state legislature voted to amend laws governing abortion, allowing more flexibility for the sentencing of women who undergo the banned procedure, and imposing sentences on doctors and others assisting them in obtaining abortions. Under the new legislation, prison sentences for women undergoing abortions can be substituted with an integral medical treatment plan. At the same time, the law imposes sentences for doctors performing abortions, which can include prison time. The law maintains exceptions for cases of rape and/or when there is a risk to the life and

health of the woman. Tamaulipas is one of 18 Mexican states where abortion is illegal.

These points are according to statements made by the leader of the bipartisan commission in the state congress, Felipe Garza Narváez. Garza Narváez said that the reforms are meant to aid women who have aborted to be able to recover and continue with their lives, as well as to help to prevent the situation from arising again. He added that the option of medical treatment in lieu of a prison sentence will not be available to women who reoffend.

The reforms also contain guidelines for sanctioning others who directly or indirectly pressure or coerce a woman into obtaining an abortion, or who assist in the procedure. Penalties for such crimes would be increased in cases where they are committed against minors, against the woman's will, or when she is deemed incapable of arriving at the decision herself. The measure passed by a margin of 26-3. The three opposed favor the full legalization of abortion.

SOURCES:

Nakamura López, Ángel. "Suavizan penalización al aborto." *El Diario de Ciudad Victoria* Dec. 16, 2010.
"En Tamaulipas: Darán cárcel a médicos que practiquen abortos." *Hoy Tamaulipas* Dec. 16, 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>.*

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