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LAW AND ORDER

CARTEL-RELATED VIOLENCE

Ejecuciones on track to surpass 2010’s historic totals; internal cartel struggles take increasing toll
As of June 24, there had been a total of 6,439 cartel-related killings, or ejecuciones in Mexico, according to a running tally by Reforma. With a week remaining in the first half of 2011, Mexico is on track to surpass its 2010 total of 11,583 (a 75% increase over 2009) by 15.6%. Border-states account for a slightly smaller share of the total than in 2010, representing 42% of ejecuciones, as compared to 45% last year. This is
largely due to a continued downturn in violence in Baja California, which has just 70 ejecuciones this year compared to 162 at this point last year; and in Chihuahua, which is on track to reach 2,065 for 2011, which would be a 35% drop from 2010. Ejecuciones in the border-states overall, however, are up nearly 14% from the same point last year, due to violence shifting to Tamaulipas and, to a greater extent, Nuevo León. Those states have accumulated 543 and 814 ejecuciones respectively, as compared to 725 and 610 for all of 2010. The lower share represented by border states is also due in part to Pacific states like Guerrero, Jalisco and Nayarit and interior states including Durango and San Luis Potosí outpacing their 2010 figures. Ejecuciones from 2007 through June 24, 2011, total 32,042 according to Reforma’s data, substantially lower than the nearly 40,000 commonly cited in the press, as well as by poet Javier Sicilia’s peace movement. The Calderón administration has maintained that a vast majority of the deaths are of cartel members, but mass slayings of civilians in incidents such as the Villas de Salvacar birthday party massacre of 16 in February of last year have shaken the public’s confidence in this assertion. Mass graves found recently in Tamaulipas and Durango, which contained around 200 bodies, make it clear that there are casualties that all of the tallies are missing. A spokeswoman for Calderón’s office has said that analysts are working to update its figures on cartel-related killings, but a specific date for the release of that data has not been given.

Violence in the economic hub of Monterrey, Nuevo León continues to defy state and federal governments’ efforts to restore order to the city. On June 15, Monterrey had a record 33 cartel-related killings, which included two bodyguards of Governor Rodrigo Medina. 26 police officers have since been arrested, accused of having ties to the bodyguards’ killers. Violence in the city began to escalate in March of last year due to a turf battle between the Gulf, Sinaloa and La Familia drug trafficking organizations and the Zetas criminal organization. According to official data, there were 267 killings in 2009, which spiked to 828 in 2010. More than 770 had been recorded as of mid-June. Criminal organizations greatly value Mexico’s most important economic center in the north not only as a staging ground and transit point for drugs bound for the United States, but also because of the opportunities for extortion and vehicle theft the city’s relatively advanced economy yields. Monterrey, a city of 4 million residents representing 8% of Mexico’s GDP, has long been held up as an economic model for the rest of Latin America to follow. In a recent report by Reuters, the news agency made the claim that a failure to bring the security situation under control in Monterrey would be disastrous to Mexico’s ambitions to develop into a first-world economy.

The northern border state of Chihuahua and in particular Ciudad Juárez have received particular attention in recent years due to the bloody battle waged between the Juárez and Sinaloa cartels and their affiliated street gangs, which, according to Chihuahua’s Public Prosecutor’s Office (Fiscalía General) for the northern region, has claimed over 1,000 lives in Ciudad Juárez this year alone. However, according to a recent analysis by Reforma, the states where there is known intra-cartel fighting due to rifts often caused by the capture or killing of top bosses have, in recent months, accounted for roughly one-half of the total nationwide ejecuciones. Reforma specifically names the states of Coahuila, Nuevo León, San Luis Potosí, and Tamaulipas as states where the Gulf cartel is battling its former enforcement wing, the Zetas, who it says have moved into states neighboring Tamaulipas, where the Attorney General’s Office (Procuraduría General de la República, PGR) reports the Gulf cartel has gained majority control. In Guerrero, two factions of the Beltrán Leyva cartel— one controlled by the only Beltrán Leyva brother remaining outside of captivity, Edgar, and the other calling itself the Independent Acapulco Cartel – have turned the tourist town of Acapulco into a battleground, while the Sinaloa cartel has reportedly sent members to the area to try to capitalize on the instability there. In the western states of Colima, Jalisco, and Nayarit, a power vacuum was created when two factions of the Sinaloa cartel were leaderless after the death of Ignacio “Nacho” Coronel Villarreal in July of last year, to which the Sinaloa cartel and the Zetas have also reportedly responded.

The analysis by Reforma supports what Trans-Border Institute Director David Shirk has argued in the past – that the Mexican government’s strategy of targeting cartel bosses in the hopes of disrupting their operations does not lead to a decrease in the overall levels of violence that are of increasing concern to the Mexican populace. Data from Reforma suggest that cartel fracturing has led to a redistribution of ejecuciones from areas such as Chihuahua where, while still high, has seen a decrease in its levels of violence this year as compared to previous years, to zones where factions of disarticulated groups are vying for control.
Nevertheless, the Mexican government in June claimed two major victories against organized crime, most notably with the capture of the alleged leader of the La Familia criminal organization, José de Jesús Méndez Vargas, better known by his alias "El Chango (The Monkey) Méndez," was captured on June 21 in the state of Aguacalientes. The arrest of Méndez, one of Mexico’s most wanted men, has “destroyed what was left of the leadership of La Familia,” according to Mexican National Security spokesman Alejandro Poiré. The Mexican government had issued a reward of $2.5 million for his capture. Since the death of the cartel’s founder, Nazario Moreno González, in December, Méndez had reportedly tried to keep the organization’s structure from disintegrating. Sources suggest that more violence may occur as various cartel groups compete for drug routes formerly controlled by La Familia. Among these groups include the Knights Templar, created by former La Familia leaders who broke ties from the cartel earlier this year. There is also speculation that remnants of La Familia will join forces with allies that the cartel has made, including the Sinaloa Cartel. According to George Grayson of the College of William & Mary, “El Chango’s arrest can also mean that rival groups like Los Zetas are ‘rejoicing’ at the possibility of making greater inroads into the state, which usually means more fighting as various groups vie for control.”

Earlier this month, Mexican authorities announced that they had detained Marco Antonio Guzmán Zúñiga, alias “El Brad Pitt,” identified as one of the leaders of the La Línea organization, which is an alleged branch of the Juárez Cartel. Gúzman Zúñiga, a former Juárez police officer, was arrested along with Octavio Rodríguez Lugo and José Dolores Ordaz Seañez in a police operation in Chihuahua City. “El Brad Pitt” is accused of orchestrating the car bombing in front of the Federal Police Station in Ciudad Juárez on July 15, 2010, that left 12 injured. He is also suspected of having connections to the murder of several police officers. Ramón Eduardo Pequeño García, the head of the Drug Enforcement Division of the Federal Police, indicated that Gúzman Zúñiga was also responsible for acquiring explosive material that federal authorities seized on April 25 of this year in Ciudad Juárez.

SOURCES

CITIZEN PROTESTS

Sicilia leads march from DF to El Paso as opportunities arise for increased bi-national cooperation
In the third mass demonstration organized by Javier Sicilia since the murder of his son in March of this year, civil organizations made their way to Ciudad Juárez on June 10 to sign a citizen’s pact to protest the violence in Mexico resulting from the government’s military-led war on drugs. The citizen’s pact stressed the creation of a human rights-based public security strategy and a need for social policies that offer the nation’s youth viable alternatives to the option of joining the ranks of drug cartels. Sicilia, a poet, essayist, novelist and journalist, has gained notoriety for leading the most recent mass protests throughout Mexico, following those led by prominent Mexican businessman Alejandro Martí after the murder of his son in 2008. Following the murder of Sicilia’s son, Juan Francisco, along with six others in March, friends and family members of victims along with those opposed to President Calderón’s militaristic drug control strategy joined together to create a peace caravan that traveled for a week around various Mexican states. When asked about this most recent demonstration, Sicilia stated, “We are asking the president if he believes that the price [of the fight against the traffickers] is worth so many deaths.”

The following day on June 11, the caravan crossed into El Paso, Texas and called upon the U.S. government to increase its role in combating drug trafficking. One of the caravan’s propositions called for the end of the Merida Initiative, the primary funding mechanism for U.S. aid to Mexico and Central
American countries for fighting drug trafficking. The aid was initially targeted to equip and train Mexican law enforcement officers, but the program’s objective in the last year has officially shifted to promoting institution building in Mexico to promote justice sector reforms passed in 2008 that seek to establish oral trials, increased transparency, and investigative capacities among Mexican police corporations. The protestors also called for an end of all arms sales from the United States to Mexico.

Following Sicilia’s appearance in El Paso, he made an appearance in Los Pinos to meet with President Calderón, accompanied by 22 people, all of whom had lost at least one family member to organized crime violence, and none of whose cases have been solved. For his part, President Calderón was flanked by his wife Margarita Zavala and his ministers of the interior and education. In the end, little seems to have resulted from the meeting in the way of change, with Sicilia expressing frustration in an interview with Proceso at Calderón’s inflexibility, and Calderón on his Twitter account defending his strategy, insisting that meeting the cartels head-on could not wait for the slow process of institutional reform.

While President Calderón’s military-led anti-cartel strategy comes under increasing attack from groups led by prominent activists such as Sicilia and Alejandro Martí, international pressure also grows for a new approach to the drug control strategy. A group of high-level international political figures has commemorated the 40th anniversary of the war on drugs by characterizing it as a failure in a recent report titled the “Global Commission on Drug Policy Report” (Informe de la Comisión Global de Políticas de Drogas). The report calls for significant change in global anti-narcotics strategy, away from a law and order approach towards one focusing on health care and economic and social development. The 19-member commission includes former United Nations Secretary General Kofi Annan, as well as former presidents Ernesto Zedillo of Mexico, Fernando Henrique Cardosos of Brazil, and Cesar Gaviria of Colombia. It also includes former U.S. Secretary of State George Shultz and former Chairman of the Federal Reserve Paul Volcker, along with renowned Latin American authors Carlos Fuentes and Mario Vargas Llosa. In an interview, Gaviria said that one of the goals of the report was to get the United States to enter into a meaningful dialogue with Mexico and Colombia as to a viable path forward. In response to the report, a spokesman for the White House’s Office of National Drug Control Policy said that the administration’s “balanced drug control efforts” have led to recent reductions in drug consumption. The Obama administration has directed more drug control funds toward treatment and prevention than his predecessors, though critics say that too many resources are still channeled into law and order efforts. Perhaps partly in response to the report and in the week preceding the Bi-national Conference on the Reduction in the Demand for Drugs, U.S. drug czar Gil Kerlikowske commended the efforts of First Lady Zavala in reducing the demand for drugs in Mexico, saying that the U.S. government has replicated some of Mexico’s programs. He mentioned specifically the Nueva Vida (“New Life”) treatment centers, as well as a youth drug prevention program developed by the National Council against Addictions (Consejo Cacional contra las Adicciones). He added that he hopes that the conference will renew the bi-national coordination in drug control efforts, as well as the U.S. government’s support of Mexico’s efforts in the area, particularly within the context of the Merida Initiative.

Bilateral cooperation between Mexico and the United States is also being addressed with regards to border security and immigration after an incident occurred on the U.S.-Mexican border on the night of June 21. José Alfredo Yáñez Reyes, a 40-year old Mexican migrant, was shot in the head by a Border Patrol agent after he and two other immigrants were caught trying to cross the border illegally near the San Diego-Tijuana port of entry. Following Reyes’ death, President Felipe Calderón has called on Secretary of State Hillary Clinton to hold those responsible accountable. Both Mexican and U.S. authorities are investigating the incident. The Attorney General of the Republic (Procuraduría General de la República, PGR) and the Attorney General of Baja California (Procuraduría General de Justicia del Estado de Baja California) are focusing on compiling evidence on the death, while the Unit of Homicides of the Department of the Police of San Diego is looking into the role of the Border Patrol agent in Yáñez Reyes’ killing.
REGIONAL VIOLENCE

**Mexican cartels strengthen presence in Central America**

Thomas M. Hernández of the U.S. Drug Enforcement Agency (DEA) recently presented a report to the U.S. Senate that explained how the notorious Los Zetas and Sinaloa Cartel are making their presence known in Central American countries like El Salvador, Guatemala, and Honduras. Their struggle for control over drug routes in these countries has resulted in an increase of violence and homicide rates throughout Central America. Cocaine, heroin, and precursors for methamphetamine are the main drugs found in Central American en route to the United States. It is estimated that 95% of cocaine that enters the U.S. is transported through Central America.

Hernández stated that the cartels’ activities “undermine political and judicial stability” in Central America, which increases the likelihood of corruption at various levels of the penal system. He also reported that, “criminal organizations are more likely to prosper in areas where governance is already fragile.” According to *El Universal*, Hernández cited a 2010 study conducted by the United Nations Office on Drugs and Crime that revealed that El Salvador, Guatemala, and Honduras experience some of the highest homicide rates in the western hemisphere, with 1 homicide occurring for every 1,000 inhabitants. While the recent focus of transnational narcotics trafficking in the Americas has focused on Mexico and the deteriorating state of public security there, many have expressed concern about Central American governments’ ability to withstand the presence of Mexico’s powerful drug cartels in their countries, where institutions are generally weaker and resources are scarcer. There have also been reports that groups such as the Zetas have been working to recruit members of Central American street gangs like the Mara Salvatrucha and the M-18 criminal organizations, both of which also have a presence in Mexico.

Drug trafficking cartels based in Mexico and Colombia are now fighting for control of routes in Costa Rica as a means of transporting drugs into the United States and Europe. Mario Zamora, Costa Rican Minister of Security, explained that authorities have detected the activity of numerous groups within the area and that it is clear from the increase of homicides that there is a dispute over transit routes between such organizations. While stating that there are numerous organizations involved, the Ministry of Security refused to reveal just how many groups exist, but noted that Colombian cartels have traditionally dominated in the country. However, Mexican organized crime groups, like the Sinaloa cartel, have recently grown in influence in Costa Rica.

The increase in the amount of violence in Central America is pushing the region to ask for international support to target drug trafficking and related violence, stated Zamora. He also noted that the biggest problem facing Costa Rican authorities is the ever-changing routes and methods of operation that the cartels utilize. One step Costa Rican authorities plan to take to crack down on drug trafficking is to use more sophisticated technology, like the upcoming installation of more high powered scanning systems to monitor exports, especially those to Europe.

In Guatemala, where in May police found the dismembered and decapitated bodies of 27 farm workers in the northern border province of Petén, Guatemalan president Álvaro Colom declared a “state of siege” curtailing some civil liberties and allowing for the detention of anyone suspected of plotting against the government to be detained without warrant, and which was extended another month in mid-June. Attorney generals from Guatemala and Mexico met a day later and pledged to combine resources and intelligence...
to combat the Zetas – believed to have been behind the May Petén massacre – along with other criminal organizations operating across the Mexico-Guatemala border. At a meeting in Guatemala City from June 22 to June 23 between the presidents of Colombia, the Dominican Republic, Mexico, and all of the Central American presidents as well as U.S. Secretary of State Hillary Clinton, Spanish Exterior Minister Trinidad Jiménez, and Director General of the European Commission for America Christian Leffler, the international community pledged $2 billion in aid, roughly one-third the amount that Guatemalan Finance Minister Rolando Del Cid estimates will be needed for a comprehensive regional strategy. Guatemalan Exterior Minister Haroldo Rodas said in a press conference, though, that the primary goal of the conference was not to gain financial support from attending governments, but rather political support, which he said was “achieved completely.” Of the total amount pledged, $1.5 billion came from the World Bank and the International Monetary Fund, while the U.S. government pledged $300 million.

**SOURCES**


“Los narcotríficos de México y Colombia se pelean rutas en Costa Rica.” *CNN México*. June 1, 2011.

“Narcos de Colombia y México se disputan rutas a través de Costa Rica.” *El Tiempo*. June 1, 2011.

“Narcos de Colombia y México se disputan rutas narco a través de Costa Rica.” *Univision*. June 1, 2011.


**ANTI-CRIME STRATEGY**

**Governors’ association organizes nationwide coordinated crime sweeps**

At its 41st reunion on May 28, the National Conference of Governors (Conferencia Nacional de Gobernadores, Conago) approved a coordinated effort against organized crime to be implemented in all 32 Mexican states that would involve more than 300,000 law enforcement officers. Marcelo Ebrard, president of Conago and governor of the State of Mexico, announced the plan at the conclusion of the May 28 meeting, characterizing the planned operation as the first ever of its kind in its scope and level of coordination between the state police forces, that of the Federal District, along with the Federal Police, the Navy (Marina Armada de México). The Conago members also agreed to the creation of a border police and new immigration laws to curb the flow of migrants as well as drugs and weapons across Mexico’s southern border with Guatemala.

The National Specific Operation Against Crime (Operativo Nacional Específico en Contra de la Delincuencia) began on June 13 in Mexico as a nation-wide effort to fight crimes like kidnapping, car theft, and robbery, amongst other common offenses. Also known as Operation Conago-1, the plan employed federal, state, and municipal authorities in those agencies’ first major coordinated attempt to work together against crime. A week after the operation was initiated, Ebrard characterized it as a success that resulted in 3,705 arrests, 1,258 stolen vehicles recovered nationwide, 892 judicial arrest warrants fulfilled, and 170 weapons seized. Federal District Attorney General Miguel Ángel Mancera added that the week-long operation managed to dismantle 37 groups engaged in illicit activities including drug trafficking and sales, kidnapping, credit card cloning, theft, and robbery. Ebrard emphasized that the operation achieved all of this without a single complaint registered with Mexico’s Human Rights Commission or any of its state-level counterparts.

Conago Security Committee President César Horacio Duarte announced on June 20 that due to Conago-1’s success, the members of Conago have unanimously voted to make the program a permanent fixture. He added that the organization is encouraging the continued participation of federal agencies in the operation. Duarte said that the extended operation will be expanded to include surprise raids in areas particularly affected by organized crime and will focus on crimes that the public deems more disruptive, such as homicide, extortion, vehicle theft, muggings, violent robbery, kidnapping, and human trafficking. Duarte said that the main goal of the surprise raids would be to dismantle criminal organizations operating
in two or more states. Conago members will reunite on July 11 to discuss and analyze the results of the mission and to decide what steps should be taken to make this an effective permanent program. *El Universal* reported that the agenda moving forward includes the creation of control centers for confidence, improving education for police officers, combating addiction, and getting more youth involved and enrolled in the education system.

**SOURCES**


Ramirez, Bertha Teresa “Operativo Conago-1 será permanente, determinan gobernadores.” *La Jornada.* June 20, 2011.


**U.S. Congress continues to pressure ATF over Fast and Furious program**

Kenneth E. Melson, the acting director of the Federal Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF), is reportedly resisting pressure to step down from his position resulting from his oversight and involvement in the Fast and Furious program, a Phoenix-based gun running investigation that allowed straw buyers to purchase more than 1,700 high-powered rifles to sell to suspected Mexican drug cartel members with the intention of tracking the weapons to cartel leaders. The program gained much attention last month when it was revealed that one of the weapons had turned up at the scene in Arizona where a Border Patrol agent was killed in December. In a House hearing last week, Republican lawmakers claimed internal government documents showed that “Melson was closely involved in overseeing the operation and received weekly briefings.” Congress also revealed information that Melson had previously asked for login information and a link to view the transaction of the guns being bought in a store in Arizona.

*CNN* reported that Attorney General Eric Holder was set to meet with Andrew Taver, the head of the ATF field office in Chicago, about the possibility of making him the next acting director of the ATF. The Justice Department has refused to comment on anything concerning Melson’s possible resignation. The National Rifle Association has voiced its opinion that Taver would be a poor choice for the position due to the fact that he has close ties with gun control advocates and anti-gun activities. The agency has been without a true director since 2009, as Republicans in Congress have blocked President Obama’s nominations for the position.

In the report entitled, “Halting U.S. Firearms Trafficking to Mexico,” written by senators Dianne Feinstein, Charles Schumer, and Sheldon Whitehouse for the U.S. Senate Caucus on International Narcotics Control, it is revealed that of the 29,284 firearms seized in Mexico between 2009 and 2010 and traced by the ATF, 20,504 were sourced back to the United States. The remaining firearms could not be traced. Likewise, the ATF reports that of the 7,971 firearms recovered in Mexico as of April 28, 2011, 4,186 were manufactured in the United States, 3,268 had been imported to the United States, and the remaining weapons lacked sufficient information for tracing. The Government Accountability Office has determined that the majority of those weapons traced back to the United States originated in the border states of Arizona, California, and Texas. The Feinstein report also mentions the shooting death of Immigration and Customs Enforcement Agent Jaime Zapata, who died when he and his partner Victor Avila were ambushed as they traveled on a highway in San Luis Potosí in February of this year. One of the firearms used in the attack was traced back to a Lancaster, Texas man. Senator Feinstein states in the report that the U.S. Congress has basically stood by while powerful drug-trafficking organizations have gained access to military firearms from the U.S. without restriction.

The report goes on to make suggestions for curbing the southbound flow of weapons from the United States, and for strengthening U.S. laws and regulations regarding the sales of firearms. It concludes that the U.S. must bolster current firearm laws and regulations through five specific steps: “Enactment of legislation to close the gun show loophole; better enforcement of banned imported military-style arms; reinstatement of the Assault Weapons Ban; reporting of all Federal Firearms Licenses sales; and Senate
ratification of CIFTA (Inter-American Convention Against the Illicit Manufacturing of and Trafficking of Firearms, Ammunition, Explosives and Other Related Materials)."

**SOURCES**


**ECONOMIC IMPACTS**

**Debate continues on the effects of narco-violence on economic activity in Mexico**

As Mexico’s war with its drug cartels enters the second half of its fifth year and draws near 40,000 dead as a result, analysts are trying to assess its impacts on Mexico’s developing economy. As mentioned above, Mexico’s northern financial hub of Monterrey has been hit hard by violence during the past year, worrying some that a breakdown of public security there could be disastrous for the Mexican economy. Meanwhile, the mayor of Tijuana has worked hard in recent months to tout his city’s improved public security situation in the hopes of attracting tourism and investors. Conversely, the drastically worsened situation in Acapulco has led to a downturn in tourism there. Tourism nationwide, though, was up in 2010 as compared to the previous year, as was Mexico’s GDP. These conflicting numbers, along with other factors such as the difficulty in measuring violence and taking into consideration the global economic slowdown, have made determining causality in the relationship between violence and economic activity problematic.

Eduardo Cepeda, president and general director of JP Morgan, has estimated that “violence as a product of drug trafficking and insecurity in Mexico is costing the country as much as 1 to 1.5% of its GDP,” which adds up to 210 billion pesos annually. He added that violence and insecurity have come to be one of the principal strains on economic growth for the country. Another factor affecting the Mexican economy is the opportunity cost that both foreign and domestic investors take into account, which is often trumped by perceptions of insecurity that exists in the country. Cepeda noted that the Mexican economy has taken such a large hit from the violence and insecurity because of the rapid deterioration in public security. He pointed out that Mexico "used to be very secure, but now the issue is the abruptness of the change [in the level of violence]." According to Milenio, Luis Olivé, the head of the Investment Promotion Unit of International Business Proméxico, also stated that there are high levels of criminal activity in Mexico, but that perhaps the biggest problem is one of perception, suggesting that public perception often exaggerates the levels of insecurity. He noted that Mexico is "no more violent than other countries," and pointed out that levels of violence in Mexico City are less than those of São Paolo, Brazil. A U.S. State Department survey released in October 2010 reporting on 220 U.S. businesses operating in Mexico seems to support Olivé and Cepeda’s claims about perception of violence. More than 75% of the businesses surveyed said that violence threatens long-term stability in Mexico, while 15% said that they had postponed near-term investment in the country.

In March of this year, the group UBS Investment Research released an analysis entitled “Crime and Regional Economic Activity In Mexico” in which it concluded that while there was only a weak correlation between cartel-related violence and state level economic activity in Mexico during the sample years of 2007-2010, states such as Baja California and Chihuahua that have seen a rapid increase in cartel-related violence have indeed been negatively impacted. The authors further postulate that manufacturing operations have moved from troubled areas of border-states like Baja California, Chihuahua, Coahuila and Nuevo León into central and southern Mexican states with manufacturing infrastructure, such as Aguascalientes, Guanajuato, Puebla, Querétaro, and San Luis Potosí. The authors, however, caution that some of the metrics used to reach their conclusions could be flawed. For one, they point out the potential shortcomings of using homicides to represent all cartel-related violence, as that ignores other prevalent crimes such as extortion and kidnapping. They also point out volatility and discrepancies that exist in homicides data. The authors also chose manufacturing data as a proxy for all economic activity, which they warn ignores other activity, such as tourism, which could be more susceptible to increases in violence. Additional concerns about the UBS report that have been raised include the limited two-year (2007 and 2010) data sample used in the state-level analysis; the reliance on employment as an indicator,
which may be dependent on the economic recovery, instead of looking at foreign direct investment; and the failure to account for both the effects of the global economic downturn from which Mexican manufacturing did not begin to recover until the second half of last year, and the regional variances in the manufacturing sector, including the growth of the automotive industry in central Mexico.

While there is some discussion as to whether real and perceived violence in Mexico actually puts downward pressure on economic development either regionally or nationwide, recent statements by Mexican oil company Pemex reveal that crime groups are appropriating an increasing amount of its oil supply, with very real economic effects. Oil thieves have been tapping into Pemex pipelines for years, but such activity has grown recently as drug cartels seek to expand their revenue sources. According to Pemex Chief Executive Juan José Suárez Coppel, the amount of fuel diverted from pipelines so far in 2011 already exceeds the total amount taken in 2010. Suárez said that over the past six months, crime groups have stolen the equivalent of nearly a million barrels of fuel valued at $250 million at current market prices. A statement on Pemex’s website says that the increase in theft is “due to the fact that the pipeline system has been virtually taken over by groups associated with organized crime.” In response, Army patrols around Pemex wells have been stepped up in recent months. On June 26, five gunmen were killed in a firefight between Mexican soldiers charged with guarding a Pemex well near Ciudad Mier, Tamaulipas and presumed cartel members.

SOURCES
“Cuesta la inseguridad hasta 1.5% del PIB.” La Crónica de Hoy. June 10, 2011.

TRANSPARENCY & ACCOUNTABILITY

ARRESTS OF POLITICAL FIGURES

Former Tijuana mayor released after inconsistencies revealed surrounding his arrest

Former Tijuana Mayor Jorge Hank Rhon was detained on June 4 for suspected murder and firearms violations after Mexican soldiers seized 88 weapons and about 10,000 rounds of ammunition in the compound of his Agua Caliente racetrack residence. Following his arrest, Rhon was flown to Mexico City and eventually to Tijuana to face charges. In a statement, the federal prosecutor noted that only 10 of Rhon’s weapons had the required permits. The agency had also implicated Rhon in the murder of his daughter-in-law, who died in a Baja California hospital last August. The Baja California Attorney General’s Office (Procuraduría General de Justicia del Estado, PGJE) has said that a material witness had signaled that the former Tijuana mayor was responsible for the murder, and claimed that a spent cartridge had been linked to the murder and to one of Rhon’s firearms. The PGJE announced that he was formally charged with the illegal possession of weapons and ammunition and murder and later taken, along with ten other suspects, to the El Hongo State Penitentiary in Baja California.

Hank Rhon was mayor of Tijuana from 2004 to 2007. He resigned to pursue a candidacy for governor of Baja California, but lost to current governor José Guadalupe Osuna Millán, a member of President Calderón’s National Action Party (Partido Acción Nacional, PAN). It is believed that Rhon, a member of the Institutional Revolutionary Party (Partido Revolucionario Institucional, PRI), had planned to run again for governor in 2013, and has said that he still may, if his party wishes it. He is one of Mexico’s wealthiest men and is known for owning his own racetrack and for heading an off-track betting organization called Grupo Caliente, which has outlets throughout Latin America. He had faced suspicions in the past of having ties to...
criminal activities such as drug trafficking and money laundering, but had never before been arrested in connection with any criminal wrongdoing. In his defense, Rhon stated that the guns and ammunition found at his estate are for the use of his security team to protect his family and his holdings. Members of the PRI reacted angrily to the arrest, as many believe it to be “election season mischief” implemented by President Calderón’s PAN ruling party. PRI spokesman David Penchyna stated that the party would be watching very closely to see the evidence that is produced against the former mayor. Rhon’s defense lawyer, Fernando Benítez, also brought up the fact that the police came onto his property without a judicial order, saying that “if the search was illegal then everything that was obtained as evidence should be dismissed.” Many people rallied in Tijuana to protest his arrest and demand his release.

On June 14, Rhon was indeed released after a judge refused to grant the arraigo that the Attorney General’s Office had requested, lending weight to critics’ claims that the case had been mishandled from the outset. The Baja California 9th district judge ruled that there were too many inconsistencies between the prosecutor’s reports of Rhon’s apprehension by the Mexican Army and evidence presented by the defense attorney. Just days following his arrest, legal experts began questioning the application of the flagrancy “flagrancia” clause in the 2008 justice sector reforms, which allows for authorities to enter a private residence without a court order only when there is clear evidence that a crime is being committed. Óscar Corzo Sosa, a legal researcher at the National Autonomous University of Mexico said that in this case soldiers entered Rhon’s house based on information they said came from an anonymous source, making flagrancy difficult to establish in a court of law. José Luis Piñeyro, a researcher for the Azcapotzalco Metropolitan Autonomous University, expressed his doubts about the validity of the arrest, pointing out the rapidity with which soldiers responded to an anonymous claim, which normally does not happen. Xavier Olea Peláez, a criminal attorney, said that regardless of whether Rhon possessed the weapons allegedly owns, he was not in the process of using them when his house was raided, nor was he in the act of threatening the Mexican state or its citizens.

For her part, Ana Laura Magaloni, writing in the newspaper Reforma, asserted that the PGJE had simply lied to the court in presenting its version of the arrest, violating the universally accepted tenet of adherence to the truth in courts of law. Magaloni asserts that “lying and simulation” remain accepted practice for prosecutors around the country, despite the 2008 judicial reforms that seek to professionalize police forces and increase transparency at all levels of the judicial process, and that the Hank Rhon case is merely a symptom of the weakness that persists in the Mexican state’s ability to properly investigate and prosecute crimes.

**Former Chiapas governor arrested on embezzlement allegations**

Chiapas Attorney General Raciel López has filed charges against former Chiapas Governor Pablo Salazar and several members of his staff for alleged embezzlement and other abuses of power. The charges allege that Salazar embezzled 104 million pesos during his time as governor between 2000 and 2006. Salazar was detained as he arrived at the Cancún airport on June 7. On June 15, a judge indicted Salazar, and ordered him to be held without bail at the El Amate prison in Chiapas. In addition, the judge ordered the seizure of three properties belonging to Salazar. Attorney General López said he would seek a prison sentence of 20 years. Salazar’s attorneys have said that they will appeal the decision in the federal courts, citing irregularities in the proceedings against their client.

In addition to the allegations of embezzlement, the judge ruled that there was sufficient evidence to indict Salazar on charges of criminal association, abuse of authority and of public functions, and conduct unbecfitting of public service. The Chiapas Attorney General’s Office (Procuraduría General de Justicia del Estado, PGJE) claims that financial records demonstrate that in 2005 Salazar purchased a life insurance...
policy valued at 104 million pesos using state funds, which was redeemed three months after Salazar left office. The PGJE also alleges that Salazar’s administration mishandled funds allocated for recovery efforts following Hurricane Stan in 2005. The former governor has also been accused of negligence in connection with the deaths of 30 newborns between December 2002 and the first weeks of 2003 at the Comitéán regional hospital. The year following the deaths, it was determined that the hospital did not have adequate infrastructure or human resources to meet the demands of neonatal care. The PGJE charges that Salazar willfully neglected to see that the infant deaths at the hospital were properly investigated.

While the Chiapas Attorney General’s Office says that Salazar’s arrest results from an investigation that began in 2009, some are claiming that political motivations are behind his detention. As pointed out in El Economista, allegations of politically motivated arrests are not new in Mexico. In May of last year, Quintana Roo gubernatorial candidate Gregorio Sánchez, a member of the Party of the Democratic Revolution (Partido de la Revolución Democrática, PRD), was also detained in the Cancún airport, and investigated by the federal Attorney General’s Office for allegedly offering information and protection to the Zetas and Beltrán Leyva criminal organizations. Sánchez had been an outspoken critic of President Calderón’s organized crime strategy. Salazar’s arrest has also drawn comparisons to the “Michoacanazo,” a massive federal police operation in which 35 Michoacán governors, state-level officials, former security directors and a judge were arrested and charged with offering protection to the La Familia Michoacana criminal organization. Governor Leonel Godoy Rangel’s half brother, Julio César Godoy Toscano, was also implicated, but has since remained in hiding. Since the arrests, all but one have been released due to a lack of evidence against them. The majority of those implicated belong to the Institutional Revolutionary Party (Partido Revolucionario Institucional, PRI).

There were rumors that Salazar, once from the PRI but elected governor of Chiapas under an alliance between the National Action Party (Partido de Acción Nacional, PAN) and the PRD, had plans to again run for office in Chiapas. El Universal reported on an unsigned letter sent to President Calderón titled “Pablo Salazar Mendiguchía is a danger for the governability of Chiapas,” which alleged that Salazar contributed 22 million pesos to Andrés Manuel López Obrador’s PRD movement in exchange for a Worker’s Party senate nomination. It also reportedly claimed that Salazar was pushing for the election of 2006 PRI gubernatorial candidate José Antonio Aguilar Bodegas to governor of Chiapas in 2012, that he supports subversive groups linked to the Zapatista movement (EZLN), and that he is guilty of money laundering, embezzlement, and criminal association. The alleged letter goes on to conclude that Salazar must either be arrested, or forced to leave the country for 18 months. El Universal reported that the letter was sent from the government of Juan Sabines who, since being elected governor of Chiapas under a PAN-PRD coalition, has made public allegations of financial irregularities committed by Salazar.

SOURCES

CORRUPTION

Supreme court justice accused of protecting bishop from prosecution
The attorney for the company Arthinia Internacional, Xavier Olea Peláez, announced on June 17 that he would issue a complaint to the Federal Judiciary Council (Consejo de la Judicatura Federal, CJF) claiming that the bishop of Ecatepec, Onésimo Cepeda, bribed two federal judges on a multi-judge panel to cancel an apprehension order for him. Olea Peláez claims that Supreme Court Judge Sergio Valls acted as an intermediary between Cepeda and the two judges, approaching them regarding the matter at his own birthday party in Tuxtla Gutiérrez, Chiapas last May at which all were in attendance. In an interview with journalist Carmen Aristegui on MVS Radio, Olea said that he had witnesses claiming to have overheard Cepeda say that he had “bought two judges,” adding that the case could carry charges of conspiracy and influence peddling. He said that he would also bring his complaints in front of the federal Attorney General’s Office.
Xavier Olea Peláez filed complaints on behalf of his company against Cepeda and former Arthinia administrator Jaime Matute Labrador in 2009 alleging that Cepeda had worked with Matute to award a fraudulent $130 million (USD) loan to Olga Azcárraga Madero, the founder of the company with the end goal of acquiring an art collection belonging to Arthinia Internacional including works by Rufino Tamayo, Frida Kahlo, Diego Rivera, Francisco Goya, and Chagall, among others. The court injunction issued this month in the eighth penal court put an end to the criminal proceedings against Cepeda taken up by the Federal District Attorney General’s Office in November of last year, after a district judge ruled in favor of proceeding with Arthinia Internacional’s claim. Ms. Azcárraga died in 2003, and in her will left the collection, valued at over 100 million dollars, to Acción Generosa en Regiones Especiales, a group dedicated to helping priests living in poverty, with instructions to auction them off. Shortly following her death, the paintings went missing, and Olga’s brother and Radio Fórmula president Rogerio Azcárraga Madero was implicated in their disappearance. Their whereabouts remain unknown, but Arthinia attorney Xavier Olea has suggested that Cepeda has them in his possession.

In his defense, Cepeda has insisted that he has no knowledge of the paintings’ whereabouts, or of any conspiracy to have the charges against him dropped. In an interview on Milenio Televisión, Cepeda said that Olga had entrusted him with seeing that her vision for a home for aging priests to live out their last years in dignity be realized. He added that all he has to show for the $130 million loan is a document acknowledging the debt in the name of Olga’s nephew. For its part, the Mexican Supreme Court (Suprema Corte de Justicia de la Nación, SCJN) issued a statement asserting that Olea’s claims lack substantiation, and that the impartiality of federal judges is guaranteed not only by the oaths to which they have sworn, but in the case of the multi-judge tribunals (Tribunales Colegiados), by their composition.

**SOURCES**


**Government oversight agency calculates huge losses for Pemex due to fraud**

According to a report by Mexico’s government accountability office (Secretaría de la Función Pública, SFP), companies contracting with Mexico’s state oil company Pemex Exploración y Producción (PEP) have defrauded the company of upwards of 6 billion pesos during the presidency of Felipe Calderón. The fraud that the report alleges includes the awarding of contracts with falsified documents, presenting fabricated receipts, fraudulent financial reporting, material theft, overcharging for services rendered, and simply not delivering on contracts.

The report cites a total of 153 companies that are responsible for defrauding Pemex, and that the number of cases in 2010 alone increased to 57 from 14 in 2009, according to Reforma. Those companies have been fined just over 75 million pesos, or just 1.25% of the total amount the SFP calculates Pemex has lost due to fraudulent transactions. The report names specific companies it alleges of abuse, including Mantenimiento y Control del Sureste, which it says did not deliver on a 173 million-peso contract for drilling equipment. It also names the company Marrob, which provided a false address in procuring its 911 million-peso contract for repairing and maintaining equipment and wells, services that it did not carry out.

Esthela Damián, president of the Chamber of Deputies’ government oversight committee (Comisión de Vigilancia de la Auditoría Superior), reacted strongly to the report, demanding due punishment for Pemex officials found to be complicit in defrauding the company. For his part, Jorge Fuentes, coordinator of the National Petroleum Alliance, echoed Damián’s calls for accountability, indicating that corruption in Pemex can be traced back to the union led by Carlos Romero Deschamps. Since 2006, PEP has accumulated 810 complaints of corruption and misconduct. In an investigation into alleged misconduct at the company, the SFP revealed acts of theft, falsification of documents, mistreatment of subordinates, as well as the...
misuse of company computers for exchanging pornography, costing a total of 5 million pesos. Fines imposed for such acts account for just 1 million pesos.

In response, Pemex General Director Juan José Suárez Coppel said that the company must change its purchasing procedures and establish stronger mechanisms for verifying the need for specific services, as well as for evaluating companies vying to provide them. He also said that for Pemex to properly function as a company, it must act as a company, by first separating itself from the political process.

SOURCES

TRANSPARENCY

Tijuana internal affairs officer under congressional investigation following police strip tease scandal

A Tijuana police chief and 15 other officers were suspended after a video surfaced that showed a female detainee performing a strip tease for the officers at the Presa Rural municipal jail. The incident occurred on March 2, but authorities did not act on the video until mid April. The video was then made public in May when Tijuana news source El Mexicano acquired a copy of the tape and released it. The 15 officers and their chief, who was identified as Víctor Manuel de la Cruz, were serving in the Presa Rural district.

Although nothing has been confirmed, it has been alleged that the police officers forced the young woman to perform a topless lap dance in exchange for her release. It is unclear why she was detained, but a man who was accompanying her had been arrested earlier that day for having 25 doses of crystal methamphetamine in his possession. Laughter and yelling can be heard in the background of the tape as officers pressure the woman to stand on top of a table and dance for them half naked. San Diego Red reported that still photos from the video show at least one officer groping a half-naked woman. It also revealed that the city’s public safety secretary, Gustavo Huerta, announced it was one of the officers being investigated who reported the incident.

In response to the seemingly slow government reaction to the incident, the Baja California legislature has opened an inquiry into the case, focusing on the head of the Tijuana office of internal affairs (Sindicatura Municipal), Yolanda Enríquez de la Fuente. A complaint was brought before the Baja California Congress by Tijuana Councilman Erwin Areizaga Uribe, who accused Enríquez de la Fuente of not acting in a timely manner in the case, despite having knowledge of the officers’ alleged misconduct. Tijuana Mayor Carlos Bustamante Anchondo, of the Party of the Democratic Revolution (Partido de la Revolución Democrática, PRD), has classified the inquiry as a politically motivated attack from members of the National Action Party (Partido de Acción Nacional, PAN) and the Institutional Revolutionary Party (Partido Revolucionario Institucional, PRI). Councilman Areizaga is from the PAN, while the majority of the Baja California Congress is from the PRI. Enríquez has maintained that her office acted appropriately in the matter.

SOURCES
ACCESS TO JUSTICE

CHILD LABOR

ILO and Mexican Labor Ministry draw attention to child labor in Mexico
The International Labor Organization (ILO) launched its newest campaign against child labor in Mexico this month. Various artists attended the event, many of whom were vocal about their stances against child labor as it interferes with important activities, such as education and recreation. ILO member Victoria Cruz reported that 59.2% of minors employed throughout the world work in agriculture, 30% in the services sector and 11% in industry. In Mexico, there are an estimated 3 million minors who are employed and about 700,000 of those minors engage in “high risk” labor, which includes mining, agriculture, and construction. Mexico is also one of the only countries to date that have not ratified the ILO’s Convention 182, the “Worst Forms of Child Labor Convention.”

The ILO addressed other negative effects of child labor, such as physical injuries and illness that in some cases cannot be cured. Particularly in Mexico, it is easy for minors to become involved in more dangerous work, such as narco-trafficking, due to high poverty levels in many areas and lack of better opportunities. In response, the ILO urged that the laws in Mexico be amended to include harsher punishments for those who employ minors. According to El Universal, the assistant ILO director of Mexico and Cuba, Thomas Wissing, stated that these laws should be changed with the purpose of reducing child labor and generating more, better-paying jobs for parents.

For its part, Mexico’s Ministry of Labor (Secretaría del Trabajo) reported that of the estimated 3 million children working in Mexico, nearly 67% are boys; 850,000 are between the ages of five and fourteen; and of those 72% receive no pay, while 40% are not in school. The agency attributes the prevalence of child labor in Mexico to unscrupulous business owners, poverty, ignorance, domestic violence, and cultural norms. On the National Day Against Child Labor, commemorated on June 12, Secretary of Labor Javier Lozano Alarcón said that it is not enough to administer administrative sanctions to those illegally employing minors or to enforce a minimum wage, but to ensure that children do not enter the labor market. He pointed out that his agency presented an initiative to reform the federal labor law 15 months ago. Included in the initiative’s proposals are measures to increase punishments for employers in violation of child labor laws to include harsher financial penalties and possible prison sentences between one and four years. The initiative also proposes prohibiting the hiring of children under 16 years of age who have not completed their primary education.

SOURCES

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POLICE RAIDS

Federal police raid offices of Ciudad Juárez human rights organization
On Sunday June 5, Mexican federal police raided the office of the Paso del Norte Human Rights Center (Centro del Derechos Humanos Paso del Norte, CDHPN) in Ciudad Juárez and ransacked files in the middle of the night. CDHPN, which was formed ten years ago, was one of the organizations in charge of preparing for the protest for peace led by poet Javier Sicilia that passed through the city to the border of El Paso. Priest and director of the organization, Oscar Enríquez, said that the door, locks, and windows of the building were broken. According to El Paso Times, five patrol cars were stationed outside of the Paso del Norte Human Rights Center for about 20 minutes that Sunday night. There were no staff members in the office at the time of the break in, but employees were notified by their neighbors who also recorded...
identification numbers of the police vehicles. Reports indicate that the center’s interior office, drawers, and file cabinets appeared to be sifted through. It is not yet known if any files were taken from the center or what the motive for the raid may have been, but Enríquez believes that it is a form of intimidation against human rights defenders to discourage them from carrying out their work. Ruben L. Garcia, executive director of the organization, stated that they “[would] not be intimidated and that they [would] continue to ask for resolutions to the violence that has taken control of Mexico.”

In a report issued by Human Rights Watch, the group called for immediate action of Mexican federal prosecutors to investigate the police raid. Americas director of Human Rights Watch, José Miguel Vivanco, stated that “warrantless searches violate citizens’ basic right to privacy.” He also noted that by targeting human rights defenders it creates an environment of intimidation. In response to the criticism, the federal police issued a statement claiming, “they were chasing suspected drug dealers when they entered the Paso del Norte Human Rights Center.” They denied that there was a raid of the human rights organization’s offices, saying that the officers only searched the Human Rights Center for the suspects. The police did arrest two men that night, ages 16 and 23, who they said were in possession of marijuana and cocaine with the intent of selling.

Mexico’s Human Rights Commission has opened an investigation into the raid, and meanwhile human rights groups called on the Chihuahua government to protect Javier Sicilia’s peace caravan. Chihuahua’s Human Rights Commission is also looking into the incident, and has been openly critical of the actions of the Federal Police, calling them not only an assault on defenders of human rights, but also highly detrimental to the public’s already distrustful views toward public security and legal institutions. For his part, Sicilia denounced the incident, and his group, at the time en route to the border, briefly encircled a federal police patrol in protest. The Mexican Congress’s Permanent Committee (Comisión Permanente), the group of lawmakers responsible for handling congressional affairs while Congress is in recess, demanded that Public Security Secretary Genaro García Luna see to the investigation of the June 5 federal police raid. The Federal Attorney General’s Office has opened an investigation into the incident, and sent agents from Mexico City to the scene the day following the raid. There have been no reports as to the results of any of the ongoing investigations into the incident.

SOURCES


Human rights groups react to raids on youth parties in DF three years after News Divine incident

In response to criticism surrounding recent raids on clandestine youth parties in the Federal District (Distrito Federal, DF) where alcohol and drugs are made available to minors, the government of Marcelo Ebrard insisted that it is not criminalizing youths. The debate comes three years after the police raid at the nightclub News Divine, in which nine youths and three police officers died resulting from a crowd crush that followed the raid on the bar. Police targeted the bar because of its alleged complicity in underage drinking. It was established that police blocked the only exit in an attempt to keep people from fleeing the scene, which led to the suffocation of the twelve victims.

Speaking on behalf of Marcelo Ebrard, Undersecretary of Government Juan José García Ochoa said that the DF government had complied with 36 of the 40 recommendations handed down by the Federal District’s Human Rights Commission (Comisión de Derechos Humanos del Distrito Federal, CDHDF), and that victims continue to receive attention for harm caused by the incident. He added that changes have also been made to police protocols in operations where minors are involved, and that around 3,500 DF police and officers of the Attorney General’s Office have received training in handling incidents involving minors. García Ochoa went on to invite the CDHDF to participate in future operations targeting clandestine youth parties that he insisted were not directed against minors – whom he characterized as victims of those who harm Mexico’s youth – or their right to enjoy themselves.
In response to García Ochoa’s statements, CDHDF President Raúl Placencia maintained that the raids on youth parties is not an effective manner of addressing drug and alcohol abuse by minors in the Federal District. The CDHDF, along with other human rights advocacy groups, has argued that there has been impunity in the case of News Divine, pointing out that no public servants have yet faced conviction. To date, only the owner of News Divine, Alfredo Maya Ortiz, is serving a prison sentence in connection with the June 20, 2008 incident. The remaining 35 suspects remain free, awaiting legal settlements. Federal District Superior Court President Edgar Aliás Azar in a press conference said that sentencing would begin in July for those defendants. He stood behind the delay, saying that “this is a strong court, but constitutional processes must be respected.” He added that the reclassification of the crimes from aggravated homicide (homicidio doloso) to manslaughter (homicidio culposo) has also resulted in sentencing delays.

**SOURCES**


**HUMAN RIGHTS LEGISLATION**

**President Calderón signs historic human rights legislation**

Mexican President Felipe Calderón signed an amendment to enact human rights reforms that will modify 11 articles of the constitution in order to adhere to international commitments previously made by Mexico. Human rights reform has received increased attention since the beginning of the military-led anti-cartel campaign began in December of 2006 and resulting concerns over soldiers carrying out police functions. Legislation was finally passed in the Senate and the Chamber of Deputies in March 2011, and it has since been approved in 21 state congresses, thus passing its final legislative hurdle. The reforms grant power to the National Human Rights Commission (Comisión Nacional de Derechos Humanos, CNDH) to investigate serious violations of human rights and bring them before Mexico’s Supreme Court. It will also give the CNDH the power to challenge the constitutionality of federal and local laws that might violate the rights of any Mexican citizens as well as force authorities to answer summons by the legislative bodies to defend decisions to not comply with the new reforms. Article 33 was also reformed to guarantee hearings for all individuals seeking asylum.

Navi Pillay, United Nations High Commissioner, praised the reforms signed by President Calderón and said that they would “lay the groundwork for further promotion and protection of human rights.” A U.N. representative added that this is the first time that a reform in Mexico has recognized all of the human rights spelled out in international treaties ratified by the country and will ultimately help Mexico “cope with the challenges that it is facing today.” Domestic human rights groups have also lauded the reforms. José Rosario Marroquín Farrera, director of the Miguel Agustín Prodh Human Rights Center, said that the reforms “open the door” for developing tools for protecting human rights in the country. According to Mexico's foreign ministry (Secretaría de Relaciones Exteriores, SRE), since 1836 Mexico has signed on to 47 multilateral treaties addressing human rights on the issues of slavery, forced disappearance, asylum, political and civil rights, and the rights of children, migrants, and people with disabilities. Antonio Ibañez, coordinator of the human rights program at the Ibero-American University, explained that the reforms place the well being of the individual at the forefront of human rights law, regardless of nationality, place of residence, sex, origin, color, religion, or any other distinction.

Beyond the overwhelming support for the legislation, however, domestic and international human rights organizations say that the biggest challenge for Mexico remains in its implementation. Amnesty International characterized the reforms as a “transcendental step,” and challenged the Mexican State to continue working toward protecting human rights. Carolina Velázquez, communications coordinator for
Cimac, a news agency promoting women’s rights, agreed, saying, “we have a marvelous reform in the area of human rights, but now the issue is how it will function.” For his part, Antonio Ibáñez expressed concerns over transferring investigative powers from the Supreme Court to the CNDH, saying that political pressures on the organization will be strong, and difficult to control.

SOURCES

PRESS FREEDOM

Three journalists killed and one disappeared in June
Journalist Miguel Ángel López Velasco was found shot to death on June 20 in his Veracruz home located along the Gulf coast of Mexico. Investigators said that a 9mm gun was used to kill López, along with his wife Agustina Solana, and his 21-year old son Misael López Solana. The attack occurred in the early morning while the family was still asleep. López and his son, who was a photographer, both worked for the Mexican newspaper Notiver, which is considered to be one of the more influential newspapers in Veracruz. López was known for writing articles focusing on organized crime, government corruption and other abuses of power.

Although no arrests have been made yet in connection with López Velasco’s murder, Veracruz governor Javier Duarte has instructed the state attorney general to investigate the crime. The motive for the murder still remains unclear although some suspect that organized crime members are responsible. López, who had worked for Notiver for 20 years, had received threats from organized crime in the past. In 2007 a severed head was left outside the paper’s office with a message that included López’s name, misspelled. In a speech given by Duarte following López’s murder, the governor reminded the people that in Veracruz, “there is no room for impunity or delinquency.” In protest of the killing of López Velasco and his family, Notiver suspended production for a day on June 21, the day after the murders, and demanded that authorities investigate and punish the crime.

June has been a particularly bad month for attacks on journalists. Earlier this month, another Veracruz-based reporter named Noel López Olguín, was also found murdered. In Sonora state in northwest Mexico, the body of Pablo Ruelas Barraza was found on June 13. Local media reported that Ruelas Barraza had received death threats. In Acapulco, Guerrero, journalists have gathered several times in that city to protest the disappearance of Marco Antonio López Ortiz, the news editor for the local newspaper Novedades Acapulco. The state’s Attorney General’s Office and the National Human Rights Commission are both investigating the disappearance, but no substantial advancements have been reported. In his final report on the state of press freedom in Mexico, United Nations Special Rapporteur on the Promotion and Protection of the Right to Freedom of Opinion Frank La Rue said that Mexico has become the most dangerous country in the Americas for journalists. According to Reporters Without Borders, 75 journalists have been killed in Mexico since 2000, nine of which were from Veracruz. An additional 13 have disappeared since 2003. La Rue also criticized Mexican officials for lacking the political will to meaningfully address the problem. He specifically pointed out shortcomings in the Attorney General’s Office Special Prosecutor for Crimes against Journalists, which, since its creation in 2006, has not achieved a single successful prosecution, and has only brought forth a total of four cases. He called on the Mexican government to lead in the creation of a protection mechanism for journalists involving all levels of government as well as civil society. Meanwhile, an initiative being discussed in the Hidalgo state legislature to develop measures to protect journalists would make that state the first to pass legislation specifically geared at establishing protections for the practice of journalism.

SOURCES

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AROUND THE STATES

NUEVO LEÓN

Nuevo León implements new police reforms

Nuevo León will begin implementing one of the most ambitious police reforms in Mexico to date that intends to make it increasingly difficult for police officers to become corrupted by organized crime groups. On May 25, Nuevo León formally revealed its plan to create a new state service called “Sistema de Policía Acreditable” (Accredited Police System), also known as “Fuerza Civil” (Civil Force). Governor Rodrigo Medina de la Cruz stated that this special police force would possibly be the only one of its kind to effectively stand up against and challenge organized crime groups.

Jorge Domene Zambrano, executive director of the Office of Public Security for the state of Nuevo León, said that Fuerza Civil is designed to replace 51 municipal police forces across the state with 14,000 new officers, which is almost double the current number of local police. According to news source Globe and Mail, Fuerza Civil officers will receive twice the current salary, be eligible for bonuses, and receive benefits such as private health care, scholarships for their children and the ability to live in guarded neighborhoods, which will help reduce the number of threats made to family members. Officers will be trained at one of the two training camps located in Escobedo and in Guadalupe. This program is expected to cost roughly $1 billion over five years and will promptly start September of this year. In addition to this program, Nuevo León’s Secretary General Javier Treviño Cantú stated that the government is also “revamping laws to make it easier to go after gangs and is targeting poor neighborhoods with social programs to help fend off recruitment by cartels.”

Fuerza Civil was supposed to start in 2015, but according to the Chamber of Industry and Transformation (Cámara de la Industria de la Transformación, Caintra) of Nuevo León, it could not wait any longer. The violent Gulf Cartel and Los Zetas have been fighting over control for drug routes in Nuevo León, creating increasing amounts of violence, particularly in populous areas like Monterrey, Nuevo León. Monterrey- one of Mexico’s most prosperous cities, home to some of Mexico’s largest companies, and location of one of the most prestigious Mexican universities (the Monterrey Institute of Technology)- will lose 11 municipal police forces in the change to the Fuerza Civil system.

SOURCES


PUEBLA

Puebla will enact judicial reform in 2013

The Mexican state of Puebla is preparing to enact a variety of judicial reforms within the next few years as part of the federal reforms passed in 2008. However, Puebla’s Superior Court of Justice has requested that the reforms for the penal code, which were scheduled to begin June 18 of this year, be postponed. They will not be implemented until 2013 due to a lack of “economical, human, and technical” resources. The new penal system will be enacted in full throughout the entire state no later than 2016.
Postponing these reforms will allow for a more gradual process that will provide a smoother transition and more time for adjustment. Perhaps the most important reform proposed thus far involves a modification of the Organic Law of Judicial Power (Ley Orgánica del Poder Judicial). This reform requires that judges be present for oral hearings and that they also be responsible for organizing, executing and modifying punishments given to criminals. La Jornada reported that other reforms to the penal system include the creation of special processing centers aimed at reducing corruption and increasing transparency. An initiative to reform provisions of the Penal Code for Adolescents (Código de Justicia para Adolescentes) has also been presented with the intention of increasing rates of social readjustment.

According to La Jornada and Cambio, the calendar presented by Governor Rafael Moreno Valle states that the eastern regions of Puebla, including San Juan de los Llanos, Teziutlán, Tlatlauquitepec, and Zacapoaxtla, will be the first areas targeted with reform. It is estimated that approximately 200 million pesos will be invested towards infrastructure and training of officials in this region alone. The northern region of Puebla, including Alatiste, Huauchinango, Xicotepec de Juárez, Zacatlán, which are next on the list, will be addressed by September 2013. The third region targeted, which consists of southern regions like Matamoros, will be processed by March 2014. The central region of the state will enact reforms starting March 2015, and the city of Puebla will be the last area addressed, scheduled for June 2016.

VERACRUZ

Veracruz begins judicial reform despite expressed concern

Veracruz has begun to implement reforms that will target the state’s judicial system and create a more transparent and accountable penal process based on oral trials. Such reforms are part of the mandatory constitutional amendments passed at the national level in 2008 intended to transition Mexico to a new penal system. While some states are further along in their implementation efforts, all states must be in compliance with the new regulations by 2016. Veracruz is one of five states set to begin its transition this year.

Despite just beginning the implementation process, some have already expressed their concern that Veracruz, among other Mexican states, is not well enough prepared to handle the transition. The former president of the Inter-American Court of Human Rights and well-known Mexican judicial expert, Sergio García Ramírez, recently criticized the constitutional reforms and referred to them as “double-sided.” While acknowledging the benefits of the new, impartial, and more thorough justice system, García emphasized that states like Veracruz do not have sufficient training, preparation, and infrastructure in place to make the transition, adding that key reforms and commitment in the legal education system are first necessary to prepare both lawyers and judges for the future. “In order for the oral trial system to work,” said García, quoted in El Mundo, “we need to have prepared judges for the new system, which they are working on, but there still does not exist a whole generation of judges. It also requires public officials and lawyers that are well trained and educated on the new system.” He also noted that oral trials are only part of the larger penal process and therefore cannot be the only focus of reform efforts.

Others have suggested that Veracruz look to previous Mexican states’ experiences with the reforms and to take advantage of having examples to draw from. At a conference in Chiapas on June 7 called “Constitutional Reform in the State of Chiapas” (La reforma constitucional en el Estado de Chiapas), experts on public security and constitutional reforms presented results from a study conducted in Chiapas that focused on analyzing the institutional capacity of the state to implement the judicial reforms. As José Sosa stated, “One of the first conclusions we found is that in all of the cases the involved actors had the will to carry out the reforms, but they had very little idea of what to do or how to do it.”

Sources

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Sources