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ORDER

OAXACA

Situation worsens with deaths, gun battles between leftist vigilante groups and paramilitary forces; Fox finally steps in; Congress takes a stand; and Marcos re-emerges

The situation in Oaxaca City worsened during the October reporting period. After nearly six months of paralytic street protests that ground business and government life to a halt, tensions between pro-government paramilitary forces and leftist vigilante groups flared in the capital city, leading to several deaths. In belated response to the collapse of order, Pres. Vicente Fox on Oct. 27 finally ordered in federal forces to restore public security, an action that was resisted by the protesters who later claimed three died in the incursion – further stoking anti-government sentiment.

Despite some initial successes, federal police as of Nov. 1 had failed to secure exurban zones outside the main town square, known as the Zócalo. Compounding difficulties for the police, demonstrators in the city core were fighting back and rapidly rebuilding razed barricades. Nevertheless presidential spokesmen appeared optimistic that total order would be restored to the city soon. As of press time for this newsletter Nov. 7, federal police had suffered a major tactical blow after failing to wrest control of the principal state university in Oaxaca, which has functioned as the unofficial headquarters of the leftist protesters. However, security forces leadership attributed failure to seize the campus to the absence of a formal declaration of welcome from the dean of the UABJO university, a prerequisite the government said for legitimate entry.

Hostilities between the leftist vigilantes, who are coalesced around a people's confederation known as APPO, and the paramilitary forces, who are still loyal to embattled state governor Ulises Ruiz Ortiz, intensified in October, culminating in street battles between the two groups that led to several killings and the hostage-taking of rank-and-file state police officers. Apparently, the televised breakdown of order in the state, combined with the October shooting deaths of three protesters, including that of an activist U.S. journalist, forced the hand of the Fox administration to act when it did. At the same time, the rapidly approaching inauguration date for incoming Pres. Felipe Calderón Hinojosa and a desire not to bequeath to him the Oaxaca imbroglio appears to have further prompted Fox to take action, even as his own term ends Dec. 1 and the police action – and the concomitant potential for brutality – risks setting off a legacy-tarnishing human rights controversy.

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Fox's decision to send in forces when he did may have been made easier after Oct. 19 when the Mexican Senate debated a bill, which ultimately didn't pass, that would have federalized the Oaxaca state government, a move that would have presumably given the executive a bright green light to assume full control of the state. The bill failed due to many legislators' reservations regarding its constitutionality, even though several lawmakers, particularly from the center-left Democratic Revolution Party (PRD), argued convincingly that abundant conditions existed for the federal government's lawful assumption of the business of government in Oaxaca. Most strikingly, these legislators argued, order and security in the state have completely broken down, and the APPO has taken over many parts of Oaxaca City. Moreover the state government has for all intents and purposes abdicated the business of government and has illegally approved the deployment of paramilitary forces to wage street war against the leftist groups. Providing another rationale for a federal takeover, the legislators noted that Ruiz Ortiz and his aides no longer preside even nominally from within the state but rather from a hotel in Mexico City.

Nevertheless, the bill was voted down after many federal lawmakers from Ruiz Ortiz's centrist Institutional Revolutionary Party (PRI) disapproved out of party loyalty and maintained that "caving in" to protesters would set a bad precedent for the rule of law. They suggested a better solution to the conflict would be the governor's formal resignation, a move that would allow the party to control the appointment of an interim governor until the regular term ends in 2010. In spite of the bill's failure, the Mexican Congress ultimately did issue a firm voice of support for the Fox administration police action when both chambers passed a non-binding resolution on Oct. 30. The resolution called for Ruiz Ortiz to step down for the good of the state and for the re-establishment of order there.

While the Congress was debating the appropriate level of federal intervention in Oaxaca, other political actors seized on the incursion by the Federal Preventive Police (PFP) to denounce the center-right Fox administration and reenergize the people's movement nationally. Notably, they called for a national strike to begin Nov. 20 – less than two weeks before Calderón, also of Fox's center-right National Action Party (PAN), officially takes office.

Zapatista leader Subcommander Marcos called on his supporters within Mexico, as well as "north of the Rio Bravo," to wage a general work stoppage and block roads and highways to protest the federal government's move into Oaxaca. Speaking from the northern city of Chihuahua where he was stopping on his "The Other Campaign" tour, Marcos characterized the federal incursion as a bid to reinstate Ruiz Ortiz. "This attack has no other objective but to maintain Ulises Ruiz in power and to destroy the people's organization of Oaxaca," Marcos was quoted as saying.

Nov. 20 is also the day that defeated PRD presidential candidate Andres Manuel López Obrador, who has staunchly refused to concede to Calderón, has vowed to hold his own inaugural in Mexico City's main square, also known as the Zócalo. Should the various leftist currents in the country succeed in disrupting the Calderón inaugural activities or should the Oaxaca situation carry over into the succeeding administration, the new chief executive could be forced to cope with serious rule of law-related issues early in his presidency.

The conflict in Oaxaca began in late May when striking public school teachers set up encampments in downtown Oaxaca City, the state capital, as part of a contract negotiation strategy with the state employer. The some 70,000-strong local that represented the Oaxacan educators was calling for higher salaries and more classroom resources, and the encampments appeared to be part of an annual ritual. However on June 14, Ruiz Ortiz took the unexpected step of ordering in the state police to dislodge the teachers. But the action backfired, the police were eventually repelled, and the strikers became even more entrenched. At the same time, APPO, a confederation of radical political groups, indigenous rights groups, and agrarian rights groups, joined the striking teachers, reinforcing the protest-occupation of the state capital. Ruiz Ortiz, of the centrist Institutional Revolutionary Party, is

accused of rigging the 2004 gubernatorial election and of committing gross human rights abuses against indigenous people especially. He has rejected calls to resign and cut short his six-year term.

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- Vergara González, Juan Manuel. "Convoca a paro nacional el 20 de noviembre." *El Diario de Chihuahua* 31 Oct. 2006.
- ["APPO se niega a entregar Oaxaca." *La Crónica de Hoy* 28 Oct. 2006.](#)
- "Deplora la CNDH la violencia en la entidad sureña y exige diálogo." *La Jornada* 30 Oct. 2006.
- ["En Oaxaca, todavía quedan esperanzas de lograr la paz." *El Diario de Yucatán* 25 Oct. 2006.](#)
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OTHER OAXACA-RELATED DEVELOPMENTS

PRI officials march in Oaxaca; bombs explode at party headquarters in Mexico City

National-level functionaries from the centrist Institutional Revolutionary Party, the faction of embattled Oaxaca governor Ulises Ruiz Ortiz, vowed to lead a protest march in the strife-torn capital city in early November. Organizers from the party's central committee said the march represented a visible show of support for the governor, who has been forced out of the state by the violence but who is still the legal officeholder. March organizers added the demonstration would pressure the outgoing Fox administration to take decisive action in Oaxaca, which is verging on a complete breakdown of law and order. The march may also help function as a lightning rod of support among the reputed "Silent Majority" of *oaxaqueños* who abhor the civil strife perpetrated, some say, by APPO, the radical leftist confederation that has organized a months-long people's protest against the state government. In the face of a formidable rebellion by leftist protesters against his allegedly despotic rule, Ruiz Ortiz has adamantly refused to step down. His one-time six-year term ends in 2010.

In a related development, explosions went off and bombs were found at the national headquarters of the PRI in Mexico City on Nov. 6. Party leaders called on the outgoing Fox administration, of the center-right National Action Party (PAN), to vigorously investigate the attacks that injured no one but did damage buildings.

Note: The Trans-Border Institute, the coordinating institution of the Justice in Mexico Project, will publish in November a special report on the Oaxaca situation, including on the significance it poses to the rule of law in Mexico.

DRUG CARTEL VIOLENCE

Michoacán tops list of most violence-prone states

Michoacán continues to rank among the top states suffering from the wave of drug cartel-violence gripping much of Mexico. During the monthly reporting period, drug gangs continued to terrorize municipalities in the state, continuing the gruesome practice of leaving the severed heads of enemies as calling cards and employing overwhelming force to cow poorly equipped local police forces.

Acknowledging that neither municipal nor state authorities can control the mayhem, Gov. Lazaro Cardenas Batel announced support for a permanent federal police presence in Michoacán's most violent-prone municipalities. These include Turicato whose mayor was reported as having fled to the United States after a drug gang's death threat and where two other top officials left their posts for similar reasons Oct. 30. Turicato also is the site where on Oct. 19 some 50 hired gunmen ambushed and fired on a squad of local police officers who are said to have returned fire. The shootout gravely injured four police officers and led to the death of an 82-year-old male bystander, an innocent casualty of the cartel violence that Mexican authorities have optimistically maintained is purely internecine with its victims limited to hit men and other criminals. "There's a fear that affects everyone. It's hard to feel safe," one 70-year-old resident of Villa Madero, Michoacán, told *the Associated Press* Oct. 21.

In Michoacán, municipalities like Apatzingán, Turicato, Puruarán, Lázaro Cárdenas, and Zitácuaro have suffered greatly as rival drug gangs war over lucrative concessions and corridors in a state whose long Pacific coastline is a boon for cocaine smugglers and whose highlands are home to rich marijuana farms. The violence is attributed to warfare between the long-standing Valencia family cartel and newcomers affiliated with the Gulf cartel. It is the former cartel's professional hit men, known as "Zetas," who are blamed first for much of the violent crime in the region, including a portion of the up to 50 murders believed committed so far this year in Michoacán.

Poorly paid municipal police officers frequently are caught up in the warfare between rival drug gangs, which almost always possess better vehicles, equipment, and firearms and whose increasingly professional tactics aren't constrained by the law. Police officers throughout Michoacán report being intimidated by drug gangs and fear being killed should they make one misstep. Given the high levels of intimidation police face, it's not surprising that forces are self-depleting. In one Michoacán municipality, it was reported that 18 of the town's 32 officers walked off the force for fear of being targeted for reprisal after police arrested a suspected trafficking figure. At the same time, corrupt rank-and-file officers, who work to thwart law enforcement or who exacerbate the violence by favoring one cartel over another, also contribute to the problem. Accordingly, the government announced Oct. 19 a plan to purge municipal police corps nationwide of suspected organized crime sympathizers, starting with the notorious Apatzingán and Lázaro Cárdenas municipalities, both of Michoacán.

Across Mexico, state- and municipal-level officials have indicated they need long-term federal support if they want to have a fighting chance against the much better equipped and trained drug cartels. However with the main federal police agency, the Federal Preventive Police (PFP), currently tied down in Oaxaca, it is unclear what imminent support national authorities may be able to provide during the remaining months of the Fox administration. Nevertheless, it was reported that the Mexican Army was conducting patrols in Turicato following the ambush of the police officers there.

SOURCES:

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Martínez Elorriaga, Erenesto. "Michoacán está listo para apoyar lucha anticrimen: Cárdenas Batel." *La Jornada* 17 Oct. 2006.
Weissert, Hill. "Beheadings by warring drug gangs now common in central Mexico." *The Associated Press* 21 Oct. 2006.
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BAJA CALIFORNIA

Zeta publishes compelling interview with Mexican security expert Jorge Chabat

The Tijuana weekly *Zeta* interviewed Mexican security expert Jorge Chabat on the chief national security threats facing Mexico. Not surprisingly, Chabat concentrated his comments on the drug cartel violence that has consumed much of Mexico recently. Among the main points touched on, the political

science professor discussed the shortcomings of the Fox administration's anti-drug strategy, the possibility of drug legalization in Mexico, and the use of the Mexican military in the drug war. The interview is available at <http://www.zetatijuana.com/html/EdicionActual/Principal.html>.

In the interview with journalist Lauro Ortiz Aguilera, Chabat criticized the drug-combating strategy of the outgoing Fox administration. He suggested that Fox's overemphasis on apprehending drug lords created severe imbalances within drug organizations, unleashing the bloody inter-cartel warfare that has gripped much of Mexico lately. Ultimately, the policy of "ripping off the head" functioned to goad bloodshed rather than to appreciably stem drug-related crime. Yes, the Fox presidency succeeded in arresting more drug bosses than did previous administrations, but in terms of total trafficking-related apprehensions, the outgoing administration is on par with its predecessors, Chabat said. He alluded that the Fox strategy was unsuccessful not only because it failed to account for the volatile consequences of suddenly removing the *capos* from power but also because it erroneously put faith in a one-shot solution instead of implementing a multi-pronged and comprehensive strategy, which would have worked better.

Asked on the possible "legalization" of drugs in Mexico, Chabat suggested that corruption and violence levels would decrease dramatically if decriminalization of some drug possession became a reality, an outcome he said would be offset by higher domestic consumption rates. "Unfortunately," Chabat said, legalization likely won't come to pass in Mexico, as decriminalization is rejected out of hand by U.S. officials who "aren't even interested in talking about the issue."

The military and the drug war

Many state and municipal authorities in Mexico have complained that their underfunded police forces are no match for much better equipped drug gang mercenaries and have asked for greater federal support, even if that means accommodating long-term military troops and federal police in their jurisdictions. However the outgoing Fox administration has largely resisted sending in troops to combat drug trafficking because not all operations would fit within the mission of the corps, doing so would potentially disrupt the federal power structure, and military action could threaten the authority of the federal police agencies Federal Investigative Agency (AFI) and Federal Preventive Police (PFP). (However the government has sent in troops to certain hotspots, such as the municipality of Atzpatzingán in Michoacán.)

When asked about the long-term role of the troops, Chabat opined that ideally the Mexican military would maintain a lower-profile role in the drug war than it does today but because no other federal agency is as operationally efficient, little choice exists but to expand the Army's security detail so that it includes anti-trafficking activities. The deployment of the military to fight trafficking was implemented in the mid-1990s during the Zedillo administration, at a time when its role was expected to be only temporary, Chabat said. However the lack of "efficient" federal-level anti-drug agents has prolonged the military mission beyond what was initially envisioned, even though the Fox-created AFI is considered more efficient than its predecessor, the Federal Judicial Police, he said. Additionally the corps has proved itself less vulnerable to corruption than its civilian counterparts in Mexican law enforcement, burnishing its reputation among civilian policymakers. Chabat prognosticated that the military's role in the drug fight would continue for "many more years."

Chabat discussed the challenges facing incoming Pres. Felipe Calderón whom he recommended should implement integral reforms to the country's judicial and security apparatuses. He suggested that the obstacles facing Calderón were great and called drug trafficking the country's No. 1 national security threat. He said that the drug trafficking scourge was the most severe problem facing Mexico because, unlike any other national problem, it truly threatened the governability of the country. To dismantle drug trafficking organizations, Chabat recommended the enhanced efficacy of the police corps at all levels: local, state, and federal. He added that reforms are urgently needed to the justice system and tactical advances against drug bands are useless if gangsters manipulate a corrupt court

system to get free. He noted that many imprisoned drug lords continue to call the shots of their respective organizations even if they are behind bars.

“What Fox did was basically capture some *capos* but everything else in the security and justice apparatuses remains the same (read: inefficient). This explains why drug trafficking hasn’t vanished and neither has drug-related crime. I think that what has to happen is a much more complete reform of the state to have a more important effect on drug trafficking.”

–Jorge Chabat, Mexican security analyst, in Zeta

SOURCE:

[Ortiz Aguilera, Lauro. “El narco más fuerte que nunca.” Zeta 24 Oct. 2006.](#)

LAW ENFORCEMENT

Record number of police officers killed this sexenio, experts say

Police officers are being assassinated at record levels in Mexico, and municipal-level cops in heavy drug-trafficking regions are the most vulnerable targets, experts said. Some 128 state- and municipal-level officers were killed in January-October 2006, almost twice as many as the 65 federal agents killed during the entire administration of Pres. Vicente Fox (2000-2006), a recently published report concluded. Most of the deaths are chalked up as reprisal killings by organized crime hit men, but some resulted from actions police officers performed “in the line of duty, the report suggested.

Leading the list of states with the greatest number of police slayings, Sinaloa reported 113 officer deaths so far this year, while the Federal District, home to Mexico City, recorded 82. Combined, the states of Baja California, Guerrero, and Michoacán tallied 73 slayings of law enforcers in the first 10 months of the year. Sixty-five agents from the Federal Investigative Agency (AFI) have been reported in the outgoing Fox administration, the study said. Police analyst Moisés Moreno Hernández and *Justice in Mexico Project* collaborator [Arturo Yañez Romero](#) were responsible for the report.

Local law enforcers in regions of the country where drug-trafficking is most pronounced run the highest risk of being targeted by mafia hired guns, the researchers concluded. For one thing, municipal-level policemen lack the firepower needed to square off against typically much better outfitted drug mercenaries, who have no qualms about using assault rifles, machine guns, grenades, bazookas, and other weapons whose use in Mexico is technically reserved for the military and which local police departments are prohibited from obtaining. Adding to their vulnerability, local police officers, who occupy the lowest rank on the hierarchy of law enforcement agencies in Mexico, typically lack support from higher-ups in a system that is infested with corruption and criminal spies.

Furthermore, municipal- and state-level police lack a clear mandate to investigate drug-trafficking offenses, a criminal category whose prosecution is the sole domain of the Federal Attorney General’s Office. Finally, the profession is poorly paid and routinely disparaged in Mexico. As a case in point, Mexico City opposition lawmakers recently discredited the city’s police chief by asserting that about a third of the capital’s police force suffers from “severe behavioral alterations.”

Labeling the trend “a national disaster,” Moreno and Yañez pointed to cases in which officers died at the whim of drug bosses or in retaliation for performing routine official duties, such as executing search warrants. The report also suggested that a percentage of slain police officers are intentionally killed at the hands of fellow policemen. It noted that the 65 reported deaths of Mexican federal agents in 2000-2006 contrasted with the 49 recorded slayings of U.S. Federal Bureau of Investigation (FBI) agents in the entire 20th century. (Two FBI agents were killed as a result of “adversarial action” or “in

performance of a law enforcement duty” over 2000-2006.) Whereas most of the U.S. slayings have been resolved, little prosecutorial imperative exists in Mexico to try suspected cop killers.

SOURCES:

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Border police departments complain about lack of funding

Border police departments in Matamoros and Nuevo Laredo are complaining about a lack of funding. The Tamaulipas border cities, which lie on the other side of the Rio Grande from Laredo and Brownsville, respectively, suffer frequently from drug-cartel violence and the region is home to the notoriously lethal Gulf cartel. Although the departments are requesting more funds to fight the organized crime scourge, it is unclear whether monies – if they go toward new weapons – would help to lower crime rates. On the one hand, government-issued guns can wind up in the hands of criminals and on the other hand any arms purchased by municipal cops must necessarily be non-automatic, signifying little threat in a firefight with better-armed drug gangs. In a related development, two police officers from Coahuila were placed under house arrest after being apprehended with military-only rifles, i.e. automatic weapons. They are implicated in 10 slayings.

SOURCES:

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Monterrey experiments with “mega-fine” to deter drunk drivers

Authorities in the northern city of Monterrey say sharply lower numbers of drunk drivers are getting behind the wheel following the implementation of a “mega-fine” policy to punish offenders. In the policy’s first weekend in operation Oct. 21-22, only 19 drunk driving arrests were made for the busy Saturday sunset-Sunday sunrise period, compared against a normal average of 40 arrests. The fines range from 2,358 pesos for first-time offenders to 28,298 pesos for repeat violators.

SOURCE:

[García, Claudia and Álvaro Vega. “Ahuyenta megamulta a ebrios al volante.” *El Norte* 22 Oct. 2006.](#)

ACCOUNTABILITY

CORRUPTION

The amount of money that goes toward paying bribes, buying influence, and other acts of corruption equals 12 percent of Mexico’s gross domestic product, which for 2005 was 8.374 trillion pesos, according to the Finance Secretariat. Money wasted on corruption could go toward building much-needed hospitals, clinics, high schools, and the like, an anti-corruption activist lamented.

Petty corruption is widespread in Mexico, and Mexicans “on average” pick up the corruption habit at age 12; bribing teachers for higher grades is one manifestation of the problem, said Salvador Villalobos. The perception that Mexican society, government, and business are riddled with corruption discourages foreign direct investment, and 35 percent of prospective foreign investors in 2005 claimed corruption as the chief reason they opted against pouring funds in the country.

This month a former high-ranking official in two former Mexico City mayor’s offices was investigated regarding 129 million pesos that went unaccounted from the city treasury between 1998 and 2000 and wound up in a Maryland bank account. In another corruption-related development, the former Nuevo León tax administrator who was arrested after traveling in the company of a suspected drug gang hit man says she is innocent of obstruction of justice (“*encubrimiento*”) and organized crime charges. Facing federal charges, she has not been granted bail, but it’s not all bad news for Veronica Palacios Espinosa, as her lawyer was pleased the government extended the period in which she can build her case. Palacios now has six days instead of the customary three to prove she is innocent before a judge in Mexico City. [See “News Report: Number 11.”](#)

SOURCES:

Medina Espinosa, Alberto. “Se deslinda ex fiscal federal del crimen organizado.” *El Porvenir* 25 Oct. 2006.

“Detiene PGR a Porfirio Barbosa, ex funcionario del GDF.” *TV Azteca* 24 Oct. 2006.

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DIRTY WAR

Carrillo Prieto seeks official release of unexpurgated ‘Dirty War’ report

Outgoing Pres. Vicente Fox should finally authorize release of a special report on Mexico’s 1970s-era “Dirty War,” said the special prosecutor who spearheaded the landmark document. In an interview with *the Associated Press*, Ignacio Carrillo Prieto added that he would never agree to the publication of an incomplete or censored version of what he called a “solid report.” Carrillo heads the special office commissioned at the outset of the Fox administration to research the Mexican government’s repression of leftist dissidents during the presidencies of Gustavo Díaz Ordaz (1964-1970); Luís Echeverría Álvarez (1970-1976) and José López Portillo (1976-1982).

Fox has appeared reluctant to OK the formal issue of the report, and in June Human Rights Watch complained that the administration was not lobbying energetically on behalf of the special prosecutor’s office to unearth “Dirty War”-related evidence. See [“News Report: Number 6.”](#) Moreover during the 2000-2006 Fox administration, key institutions, whose cooperation was considered necessary for the success of the report, appeared to be stonewalling Carrillo and his team of investigators. In spite of the obstacles, a draft version of the special report was unofficially released to the public in September. Appearing in the Mexican magazine *Erme-Equis*, the draft report alleged gross human rights abuses by the Mexican government and the implementation during the Echeverría years of a “genocidal” plan that targeted suspected anti-regime dissidents. The draft report also was posted to the “Mexico Project” webpage of the National Security Archives, a George Washington University-sponsored information source on U.S. and foreign intelligence activities.

In a related “Dirty War” development, a former agent in a 1970s-era national security agency was arrested and charged with the forcible kidnapping of six peasant-rights activists in 1974. The arrested ex-agent, Jorge Bustos, shares the charges with Alejandro Strafon Arteaga, a former high-level official in the Hidalgo state government. Prosecutors claim that the agrarian-rights activists were never heard from again, after Strafon and Bustos allegedly turned them over to the now defunct Federal Security Directorship.

SOURCES:

[Castillo, E. Eduardo. "Mexican Presidency Says It Does Not Endorse Report on Country's 'Dirty War.'" *Associated Press* 18 Sept. 2006.](#)
["Detienen a ex agente de la DFS acusado de seis desapariciones." *El Porvenir* 20 Oct. 2006.](#)
["Fiscal pide a Fox difundir informe sobre pasado mexicano." *El Diario de Chihuahua* 24 Oct. 2006.](#)

Traditional end-of-year bonuses go through

Federal government workers are set to receive approximately 10,500-peso bonuses at the close of the current administration next month. The bonuses are controversial since they are neither formally accounted for in the federal budget nor are they stipulated in the workers' collective bargaining agreement. However the Fox administration appears to have approved the bonuses in order to avert a massive end-of-*sexenio* labor dispute involving bureaucrats union FSTSE, one of the Mexico's largest. Government planners apparently will have to reallocate about 4.5 billion pesos in the federal budget to ensure payment of the bonuses, each of which includes a 2,500-peso cash payment and 8,000 pesos' worth of food and other vouchers. The bonuses are nothing new. Since the 1970s, lame-duck presidential administrations have been coerced into granting the non-performance-based bonuses, a media commentator noted. In related developments, the governor's office in western Jalisco state apparently OKed close-of-term payments not only for other executive-branch officials but also for legislators and high-level officials in the state's freedom-of-information agency. *Mural* newspaper reported that the information agency authorities and some state assembly leaders returned the cash, citing conflict-of-interest concerns.

In a related information-access development, *El Universal* newspaper used publicly accessible information provided on the website of the Federal Information Access Institute (IFAI) to reveal data about lawmakers' travel habits and expenses. The newspaper said that federal lawmakers spent 14 million pesos to purchase 1,629 airfare tickets between Aug. 29 and Sept. 30, 2006. On swearing-in day alone, the cost to taxpayers to fly in guests and dignitaries totaled approximately 2.9 million pesos, the newspaper said. The article noted that lawmakers rarely purchased tickets in advance and frequently opted for those itineraries with the fewest restrictions, signifying higher costs to taxpayers.

SOURCES:

["Confía FSTSE que sí habrá 'bono sexenal.'" *El Porvenir* 19 Oct. 2006.](#)
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[Pérez, Jessica Pilar. "Ven estímulos ilegales." *Mural* 19 Oct. 2006.](#)
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IFAI**Lujambio appears in San Diego**

Alonso Lujambio, president of Mexico's Federal Information Access Institute (IFAI), delivered a lecture Nov. 2 at the University of California, San Diego. Sponsored by the Center for U.S.-Mexican Studies, the lecture was part of a three-speaker mini-conference on transparency titled "Accountability and Public Access to Government." The other two speakers were Susana Phelts, who holds a top position in Baja California's information-access agency, and Ascan Lutteroth, a well-known Tijuana business leader and open-government advocate. The following is a brief summary of Lujambio's talk.

Dr. Lujambio struck an optimistic tone throughout his talk, noting that the [2002 Federal Information Access Law](#) (Ley Federal de Transparencia y Acceso a la Informacion Publica Gubernamental, LFTAIPG) has enhanced civic participation in the Mexican democracy. More specifically, the law and its application by citizens have enabled Mexicans to interface more directly with their government in a way that bypasses the intermediation of institutions and/or bureaucrats, he said.

Dr. Lujambio spent a portion of his talk discussing the advances in terms of number of petitions that have been submitted by citizens seeking government information. He noted that total solicitations have risen year-on-year since 2003, the year the IFAI was legislated into existence. The Yale-trained political scientist noted that the Internet and the IFAI's special submission portal, known by the acronym SiSi, have dramatically facilitated the ability by everyday Mexicans to conveniently and anonymously file information-access petitions. Providing a comparative international perspective, Dr. Lujambio added that thanks in part to the widespread availability of the Internet, Mexico recorded receipt of 39,623 information-access petitions in the first full year of the existence of its information-access institute, versus 1,000 submissions for Canada and 2,000 for Australia. Dr. Lujambio added that the passage of laws related to the public's "right to know" generally appear rather late in the maturation of democracies, that nations with transparency laws are largely concentrated in North America and Europe, and that Panama, Colombia, Ecuador, Peru, and Mexico are the Latin American nations with federal information-access laws.

IFAI Facts

Lujambio, who served as an electoral consultant during the 2004 election in Iraq, gave the audience a brief sketch of the mission and governing framework of the IFAI. He said IFAI is fundamentally built around the premise that government information is "public," that most information should be classified as "simple or elementary," and that there be only two exceptions "reserved" and "confidential." He added that judicial interpretation related to the release of government information should be philosophically oriented toward advancing the spirit of the LFTAIPG and the principle of openness.

Lujambio also explained some of the procedural basics that are involved in soliciting public information through the institute. He said that IFAI governs only extant documents and that a citizen may only petition for release of a document that is known to exist. Public officials have 20 working days to respond to information requests. Should the 20 days pass without word from the agency holding the requested information, IFAI assumes that the agency does not contest the release of the information. Bureaucrats are required to release cataloged documents according to an established taxonomy, facilitating petitioners' comprehension of the volume of accompanying paperwork. Regarding the confidentiality of solicitants, Lujambio said that efforts are made to ensure confidentiality and that petitioners need not provide identifying details, such as interest (in obtaining the information), nationality, or age. However, some state-level information-access institutes impose greater restrictions on petitioners to limit eligible solicitants to state residents, etc.

On the general characteristics of IFAI petitioners, Lujambio said that for 2005 about a third of solicitants came from academia, about 19 percent emerged from the business community, 12 percent were bureaucrats and government officials, 9 percent were journalists, and 27 percent were labeled "others." These percentages have remained relatively constant since 2003, he added. Regarding the outcomes of solicitations, Lujambio's figures showed that in about 26 percent of cases in 2005, IFAI ruled to confirm the decision of an agency not to grant the requested information, that in about a third of cases, IFAI ordered the release of the solicited information, and that the remainder of submissions was thrown out.

Challenges Ahead

Dr. Lujambio noted that the chief obstacle impeding the greater implementation of federal information-access provisions was the lack of standardization among public information laws passed

at the state level. The state laws are perceived as essential to the fuller implementation of the federal law. He noted discrepancies between state-level information-access laws and the federal law, such as the case of Yucatan state in which one must prove that he is a resident of that state to legally file a petition. He noted that the No. 1 challenge facing the strengthening of the federal transparency law in Mexico was the lack of standardization among the state laws, impeding more productive utilization of the federal law.