Federal Judges to Receive Special Protections After Series of Death Threats

LADB Staff

Follow this and additional works at: https://digitalrepository.unm.edu/sourcemex

Recommended Citation

This Article is brought to you for free and open access by the Latin America Digital Beat (LADB) at UNM Digital Repository. It has been accepted for inclusion in SourceMex by an authorized administrator of UNM Digital Repository. For more information, please contact amywinter@unm.edu.
Federal Judges to Receive Special Protections After Series of Death Threats

by LADB Staff
Category/Department: Mexico
Published: 2005-08-31

The Mexican government has announced special protections for federal judges and their families after several justices reported having received death threats. Many of the death threats have come from attorneys or imprisoned relatives of members of criminal organizations, said Judge Elvia Diaz de Leon, a spokesperson for the Consejo de la Judicatura Federal (CJF), an association that watches over the interests of judges.

The imprisoned organized-crime members are accused of crimes ranging from drug trafficking and kidnapping to weapons violations. Diaz de Leon said it was important not only to denounce the threats but also to take steps to prevent them from being carried out. "Fortunately, experience shows us that, in the overwhelming majority of cases, this kind of threat does not succeed," said Diaz de Leon. "The great majority [of judges] carry out their constitutional duties with excellence, professionalism, and impartiality."

President Vicente Fox's administration offered its full support to the CJF. "The federal government will collaborate with the judicial system at all times to guarantee the security of those who mete out justice so that they don't feel threatened," said presidential spokesman Ruben Aguilar.

The Fox administration was not speaking with a united voice, however, with Interior Secretary Carlos Abascal Carranza expressing some doubt about the threats. "I don't know about these death threats. You have to be very careful with this kind of statement," Abascal told reporters. "Often these types of threats or supposed threats are not what they seem, because they create rumors and suggest images, just as we are confronting challenges."

The threats against the judges are not surprising, as organized-crime groups have not hesitated to attack anyone they see as an obstacle, including law-enforcement officers, journalists, and others (see SourceMex, 2005-04-20 and 2005-08-10). The CJF's decision to openly discuss the threats was somewhat unexpected, and some critics saw the move as an attempt to influence the upcoming presidential and congressional elections in 2006.

"We are 10 months away from an election, and insecurity and public safety are increasingly going to emerge as a campaign issue," Armand Peschar-Sverdrup of the Center for Strategic and International Studies (CSIS) in Washington, DC, told the Los Angeles Times. "This is not to belittle or diminish the threats the judges are under. All I am saying is you have to keep the violence itself or comments about the violence in perspective, to what extent it's electorally driven."

Ernesto Lopez Portillo, a justice expert at the Instituto para la Seguridad y la Democracia (ISD), took a less cynical view, although he agreed that the CJF might be trying to bring attention to the lack of
support for the judicial system. "This may be a cry of protest from the judges that they don't have the resources or training to do what is expected of them, especially in executing very specialized strategies in matters such as fighting money laundering or using protected witnesses," Lopez Portillo said.

**Congress proposes system of faceless judges**

The threats have prompted Congress and anti-crime groups to propose that Mexico adopt a system of "faceless judges," similar to ones employed in Peru and Colombia. Under those systems, judges, prosecutors, and witnesses had their faces concealed and their voices distorted during a trial.

Colombia phased out the system in 1999, partly because of concerns that the principle of due process was being violated (see NotiSur, 1999-06-04). Peru abandoned the practice in 1997.

The concept has gained strong support in the Mexican Senate, where members of all parties have agreed to consider proposals to examine the feasibility of adopting some form of system to grant judges anonymity. "If we want to strengthen the state we must consider this concept of faceless judges," said Sen. Cesar Jauregui, a member of the governing Partido Accion Nacional (PAN). Jauregui also called for Congress to support measures to provide all judges and magistrates with personal guards.

Deputy Pablo Gomez, floor leader for the center-left Partido de la Revolucion Democratica (PRD), also supported the concept of faceless judges, particularly in trials of members of the major drug-trafficking organizations. "We must evaluate how the concept of faceless judges is working in other countries that use this system," said Gomez.

Diaz de Leon said, however, that the CJF does not endorse the concept of faceless judges. She raised concerns that the system could actually increase the risk for judges, since organized criminal organizations can easily obtain information about who is conducting a trial.

Some analysts agreed with that assessment. "The power of organized crime is always greater than the government's ability to hide its judges," said Lopez Portillo.

**Kidnappings remain a huge problem in Mexico**

In addition to the growing problems with drug-related violence, kidnapping is becoming an increasingly difficult problem for authorities. In the first six months of the year, Mexico recorded the most kidnappings in Latin America. The nongovernmental organization Consejo Ciudadano para la Seguridad Publica y la Justicia Penal (CCSPJP) said 194 kidnappings were reported in Mexico in January-June of this year, compared with 172 in Colombia and 169 in Brazil during the same period.

The CCSPJP predicted that the gap between Mexico and the two South American countries could be even greater by the end of the year, as Brazil and Colombia have seen a decrease in kidnappings, while Mexico is going in the opposite direction. "This is nothing to be proud of, it's an embarrassment," said CCSPJP president Jose Antonio Ortega. "It's an embarrassment for authorities who have tried to convince us crime statistics are falling."
The CCSPJP was the main organizer of a huge march against crime in Mexico City in June 2004 (see SourceMex, 2004-06-30). The CCSPJP noted that kidnappings are on the increase outside the big cities. In the past 10 years, 65% of the kidnappings occurred in and around Mexico City, but an alarming increase has been reported in states like Tlaxcala, Colima, Hidalgo, Durango, and Sonora. In most cases, the kidnap victims are wealthy or middle-class entrepreneurs who are not very well-known outside their private circles.

Some high-profile personalities have been abducted, such as Laura Zapata and Ernestina Sodi, sisters of popular singer Thalia. Both were kidnapped in 2002 as they left a play in which Zapata appeared and were released weeks later after a ransom was paid. The most recent high-profile victim was Ruben Omar Romano, head coach of the Mexico City-based soccer team Cruz Azul. Romano, an Argentine national, was abducted in mid-July on the way home from practice. As of late August, authorities had yet to find Romano or his kidnappers.

The CCSPJP said authorities at all levels of government have not made enough effort to put kidnappers behind bars and prosecute their accomplices, which include police officers and public officials. "Things are very serious," he said. "The country is breaking down and there's no one in charge."

Authorities insist that Mexican law-enforcement agencies are working on the kidnapping problems. Attorney General Daniel Cabeza de Vaca cited some recent successes, including the breakup of a major kidnapping ring in Mexico City that used police uniforms to conduct its abductions. "The method the gang used was to kidnap people when they went out in public places, using official-looking vehicles," Cabeza de Vaca told reporters in early August. (Sources: La Cronica de Hoy, 05/02/05, 07/22/05, 08/05/05, 08/25/05; Reuters, 07/19/05, 08/25/05; La Crisis, 07/22/05, 08/25/05; Associated Press, 07/23/05, 08/25/05; Notimex, Agencia de noticias Proceso, 08/25/05; El Universal, 07/20/05, 08/25/05, 08/26/05; La Jornada, 08/04/05, 08/26/05; The Herald-Mexico City, 08/04/05, 08/05/05, 08/26/05; El Financiero, 08/25/05, 08/26/05; Los Angeles Times, 08/26/05)

-- End --