

9-27-2006

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High Court to Expand Probe of Rights Violations Against Journalist Lydia Cacho

by LADB Staff

Category/Department: Mexico

Published: 2006-09-27

In an unexpected decision, Mexico's high court (Suprema Corte de Justicia de la Nacion, SCJN) agreed to expand its investigation into the illegal detention of freelance journalist Lydia Cacho Ribeiro in December 2005. Cacho was arrested at her home in Quintana Roo state and transported 20 hours to Puebla state, where she was imprisoned on defamation and libel charges. Puebla Gov. Mario Marin Torres allegedly orchestrated the move at the request of textile magnate Kamil Nacif, who was implicated in a book on pedophilia written by Cacho (see SourceMex, 2006-02-22).

In a 7-3 vote, the SCJN voted on Sept. 19 to expand its probe into the case. Voting in favor were Justices Genaro Gongora Pimentel, Jose de Jesus Gudino, Juan Silva, Jose Ramon Cossio, Sergio Valls, Juan Diaz, and Margarita Luna. Dissenting were Chief Justice Mariano Azuela and Justices Sergio Aguirre and Guillermo Ortiz Mayagoitia. Another justice, Olga Sanchez Cordero, did not vote because she was on vacation. The SCJN decision came after the court concluded a review of an investigation by a commission appointed to determine whether Cacho's civil rights had been violated (see SourceMex, 2006-04-26).

The court's ruling came as a surprise, as many observers had expected the justices to deadlock on their decision. Sources said a couple of members of the court, including Justice Luna, had been leaning against expanding the investigation but changed their minds at the last minute. Following the decision, Azuela directed Justice Gudino Pelayo to oversee the expanded investigation and present his findings and arguments at the conclusion of the probe, but a deadline was not set.

The court did not reveal the parameters of the expanded investigation, but the Mexico City daily newspaper Reforma said the probe could look into pedophilia and child pornography, which were the topics of Cacho's book *Los Demonios de Eden* (The Demons of Eden). In the book Cacho alleges that an international network of individuals dedicated to child prostitution and pornography operates in Mexico with the protection of local authorities.

The SCJN decision brought conflicting reactions, gaining support from Cacho and criticism from Marin's legal representatives. "It has been nine months of psychological pressure and exhaustion in which I have been trying to defend myself and prove that I have been telling the truth," Cacho told reporters. "In this country, it is very difficult for journalists to defend themselves against the economic power of those who generally are against them. I'm very excited." Cacho said her legal team had compiled more evidence against Marin and state officials proving her rights were violated, which she would turn over to the court. Marin, who has been criticized by members of his Partido Revolucionario Institucional (PRI), said he welcomed the probe. "By arriving at the truth, we will benefit everyone," said the governor.

Marin's legal representatives criticized the court for extending the investigation instead of arriving at a final decision. "This type of indecision weakens the court," said chief counsel Ricardo Velasquez. Blanca Laura Villeda Martinez, Puebla's state attorney general, called on the court to also investigate Cacho. "I would ask the justices to also investigate Lydia Cacho...to determine how much truth there is to her allegations," said Villeda. Cacho has filed a complaint against Villeda and Rocio Celia Perez, the state judge who issued the order for the journalist to be transported from Quintana Roo to Puebla. (Sources: Agencia de noticias Proceso, 09/19/06; The Herald-Mexico City, 09/20/06; Reforma, Excelsior, El Universal, La Jornada, La Cronica de Hoy, 09/20/06, 09/21/06; El Economista, 09/21/06)

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