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## **Mexico Implements Controversial Cell-phone-registration Program In Effort To Combat Extortion, Kidnapping**

*by LADB Staff*

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The Mexican government's effort to register the country's 83.5 million cell-phone subscribers has met with mixed success, extreme frustration, and strong resentment from the general public toward President Felipe Calderon's administration. The move is part of a government measure to combat crimes such as extortion and kidnapping, which have traditionally been carried out with the use of mobile phones. Cell phones have been easy to obtain in Mexico with a simple cash transaction that required no record keeping. This prompted the government to create the Registro Nacional de Usuarios de Telefonía Movil (RENAUT) and require all users to register their mobile phones. But critics are skeptical that the new system will be effective in the fight against kidnapping and extortion, as criminals will find ways to skirt the system.

Cell-phone companies offer resistance The Comision Federal de Telecomunicaciones (COFETEL) developed the RENAUT program in mid-2009, but there was no push to register users until early this year, just ahead of an April 10 deadline. The registration is part of the first phase of RENAUT, in which authorities draw up lists and match them with a user's national identification card. That data would be verified in a second phase through a more complicated, and likely more expensive, process. As expected, the program has met resistance from cell-phone companies and the public, with many users initially skeptical that the government would actually cut off service. Many phone companies complained that they were given insufficient time to register a vast number of users. Among these was Telcel, a unit of America Movil, owned by billionaire Carlos Slim Helu, which said it was doing its best to comply. "Telcel has registered more than 100,000 customers a day since the registry was opened 11 months ago," company officials said. Despite Telcel's protestations, the company which accounts for slightly more than 59 million of Mexico's 83.5 million cell-phone users was one of the firms that cooperated fully with RENAUT.

As of April 18, about 78% of the country's cell-phone users had registered, many of them Telcel customers. Several days after the deadline, several companies including Telefonía Movistar, Iusacell, and Unefon had not yet turned in information to COFETEL on the number of lines that had been suspended because users did not register with RENAUT. The cell-phone companies initially resisted because of the potential loss in revenues from customers who would not use their services. One company, Movistar, threatened to ignore the government's order to disconnect lines on the grounds that access to telecommunications was a "constitutional right." Movistar and Telcel were able to gain a temporary injunction from a federal judge suspending a mandated cutoff of service for customers who had not yet registered. But the cell-phone companies' decision to seek an injunction did not please the telecommunications regulator. In testimony before Congress, COFETEL director Hector Osuna Jaime said his agency had filed a complaint with the court that granted the injunction, saying that the tribunal had overstepped its authority.

Some legislators supported Osuna's complaint. Sen. Carlos Navarrete, floor leader of the center-left Partido de la Revolucion Democratica (PRD) in the upper house, said COFETEL was given certain powers, including decisions on whether to regulate usage. "One hopes that [that this mandate] is followed," said the PRD senator. In the end, Telcel eventually complied with COFETEL's orders, disconnecting 1.2 million lines. The company later reconnected more than half those lines after the users registered with RENAUT. Users reportedly register under bogus names, including "Felipe Calderon" Implementation of RENAUT has also created public resentment against the Calderon administration, even though the Congress proposed he program in anti-crime legislation passed in 2009.

There were reports that thousands of citizens registered using the identification numbers (clave unica de registro de poblacion, CURP) of public figures, including that of President Calderon, Public Safety Secretary Genaro Garcia Luna, and other politicians. One report said that 15,000 users had registered under the name of Felipe Calderon. Some members of Congress expressed strong concerns about the utility of the program if users could submit false registration so easily. "Thousands of people who, instead of providing their own information, did it using false names," said Deputy Omar Fayad Meneses, a member of the opposition Partido Revolucionario Institucional (PRI). "This is not what was intended with the program. It's not working." But COFETEL director Osuna Jaime said in a congressional hearing on RENAUT on April 20 that none of the attempts to register Calderon's name had the proper CURP. "The false identities can be easily detected, and the people who were responsible can be identified with ease," said the COFETEL director. Sen. Manlio Fabio Beltrones, PRI floor leader in the upper house, raised concerns about the use of sensitive information like the CURP in RENAUT. "The government cannot use privileged information like the CURP codes," said Beltrones. "This data could fall into the hands of anyone who wants to commit a crime."

Osuna reassured Beltrones that sensitive information, particularly the CURP, is handled exclusively by the agency in charge of population registry (Registro Nacional de Poblacion, RENAPO), with safeguards put in place by the Secretaria de Gobernacion (SEGOB). "This information is well-guarded," said the COFETEL director. "The only one allowed to handle it is RENAPO." Beyond the resentment against the government, there are legitimate concerns raised by critics. For example, some users have expressed fears that the registration process could lead to more phone thefts, making the owners liable in principle for the use of their stolen phones. But officials counter that any phone that is reported stolen will be deactivated. Telcel and Movistar have already begun to deactivate all telephones that have been reported stolen so that the units cannot be reactivated with a new line or a SIM (subscriber identity module) card.

The Consejo Ciudadano, a citizens' anti-crime council that operates primarily in Mexico City and surrounding areas, has also created a system allowing citizens around the country to report stolen cell phones. The council works closely with government and with the phone companies. "What we are doing, citizens and companies alike, is creating programs that work and successfully help in fighting crime," said council president Luis Wertman Zaslav. Wertman said the system that the council has in place, which disables the International Mobile Equipment Identity (IMEI) code, can result in instant action when a phone is stolen, as opposed to RENAUT, which is still in a consolidation phase. "We expect this to be a significant hit to the cell-phones black market because it is mostly made up of stolen phones.

Now, people will have to consider that the cell phone they are purchasing might be deactivated, in which case they will not be able to use it," he said. Experts skeptical that program will cut down on crime Some anti-crime experts are highly skeptical that RENAUT will cut down significantly on extortion and kidnappings or weaken organized crime in any way. The Consejo Ciudadano estimates that there were 120,000 attempted extortions by telephone in 2009, some operated from prisons by members of organized crime. Dante Haro Reyes, a legal researcher at the Universidad de Guadalajara (UdeG), said RENAUT in its present form contains too many loopholes to be considered effective. "A person could purchase 200 cell phones in several cities and register them under several CURPs. And during this time, this person could continue committing crimes," said Haro Reyes, who works with the Division de Estudios Juridicos at the UdeG's Centro Universitario de Ciencias Sociales y Humanidades (CUCSH). "And, as authorities investigate who the real owner of the phone is, the criminals have full liberty to continue to extort."

Haro Reyes said the slow registration in RENAUT is evidence that the Mexican population has traditionally remained skeptical of government registration programs, which are open to corruption. As evidence he cited the scandal surrounding the sale of Mexican voter rolls by some officials in the Instituto Federal Electoral (IFE) to an Atlanta-based company in 2003 (SourceMex, April 30, 2003). "We have a lot of problems with corruption, and we run the risk that security for our personal data could be breached," said the UdeG researcher, who is also a specialist in public safety. "We run the same risk as we did with the IFE case." Haro Reyes said Mexico should follow the example of the US and Germany, where buyers must present identification when purchasing a new or used cellular telephone. "We must do the same here, he said. "We must require documentation for cell phones just like we do for importing personal cars and purchasing property."

Despite the criticisms, administration officials project success for the RENAUT program. Any problems that have occurred are because of the short time given to implement the program. "RENAUT is about to complete its first phase, and all the kinks are being worked out," said Osuna. "We will continue to build a useful registry so we can meet the program's goals." But skeptics suggest the second phase of RENAUT could create more headaches for the government than the first stage. Sergio Legorreta, an associate with the consulting firm Baker & McKenzie, said the second stage could be costly because it involves using verification schemes such as collecting fingerprints. "And it is also not clear who would have the responsibility of handling this process," Legorreta said in an interview with the Mexico City daily newspaper Reforma.

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