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Chamber of Deputies Approves Controversial Public Safety Law

by Carlos Navarro

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Human rights advocates have raised concerns about a new law on public safety approved by the Chamber of Deputies at the end of November. The internal security law (*Ley Interna de Seguridad*), in essence, gives the government the right to dispatch the military to perform the functions of local police.

The measure was approved by an overwhelming margin of 215 to 101, with four abstentions. Most of the support came from legislators affiliated with the governing Partido Revolucionario Institucional (PRI) and the conservative opposition Partido Acción Nacional (PAN). The center-left parties—the Partido de la Revolución Democrática (PRD), Movimiento Ciudadano (MC), and Movimiento Regeneración Nacional (Morena)—opposed the measure and tried unsuccessfully to defer a vote on the initiative. The bill was sent to the Senate for debate and ratification

A lack of trust in local police forces

President Enrique Peña Nieto's administration and supporters in Congress said the legislation was needed because of the inability and unwillingness of local law-enforcement bodies to control criminal organizations. They argued that local police forces can be easily bribed or intimidated by drug cartels and other criminal organizations, which puts public safety at risk.

"We are not militarizing the country," said Interior Secretary Miguel Ángel Osorio Chong. "Rather, we are providing certainty for citizens."

Not everyone agreed.

"Today is a day when human rights have taken a step backwards," said Tania Reneaum, executive director of the Mexico chapter of Amnesty International (AI), who noted that the legislators had voted on the measure without allowing the extensive debate needed for an initiative of this magnitude.

"This legislation was rushed, and the deputies approved the initiative despite dissenting opinions from experts and opposition from civil society," she said. "This endangers human rights in Mexico and demonstrates a lack of interest on the part of authorities to protect the citizens."

In a statement, the AI added, "Clearly, the Mexican state is not interested in developing better police forces that are adequately trained and properly compensated, and can properly carry out the public safety functions that are within their mandate ... These forces can be held accountable in cases of violations of human rights."

The semi-independent human rights commission (Comisión Nacional de los Derechos Humanos, CNDH) also issued a statement suggesting that the measure deserved much broader discussions. "I urge prudence and much more extensive debate and reflection and a much more complete

discussion on the many areas that we wish to resolve,” said the commission’s president, Luis Raúl González Pérez.

The CNDH, however, stopped short of criticizing the measure directly, suggesting that it would examine the initiative after its final approval to determine whether there are any violations of the Constitution. If this is the case, said the CNDH, appropriate actions would be initiated via the courts.

The daily newspaper El Universal also weighed in, pointing to the broad opposition to the measure among civil society. “The law that was approved yesterday represents an easy way out for legislators and the authorities that promoted it,” the newspaper said in an editorial on Dec. 1. “The initiative was not accompanied by complementary measures to strengthen local police. Rather than seeking to reform local law-enforcement units, Congress is betting on military discipline.”

Potential for abuses

“Hundreds of organizations from civil society, academic institutions, and victims’ rights organizations have many reasons for opposing the Ley de Seguridad Interior,” columnist Ernesto López Portillo wrote in the online news site Animal Político. “Perhaps the biggest and most important reason is that with this law, the number of cases will be multiplied where the federal police, the Army, and the Marines resort to force, and there will be no accountability.”

Other members of the media agreed on the need to transform law-enforcement institutions, but said the legislation was a step in the right direction.

“Our model of public safety, in the interior and at the national level, requires deep adjustments and changes, but these cannot occur if the institutions and laws are not brought up to date,” columnist Jorge Fernández Menéndez wrote in the daily newspaper Excélsior. “What we are doing at present is putting out fires and occasionally conducting strategic operations. Without a different model, and without the involvement of all three levels of government and the three branches of the federation, we won’t be able to make much progress.”

Fernández Menéndez said change cannot occur without eliminating corruption. “No one can explain our high level of insecurity without understanding that there are many sectors of society that have been corrupted in one way or another by the criminal organizations,” he wrote.

Osorio Chong pointed out, however, that the legislation does not represent a permanent deployment of soldiers and marines, and that the initiative would be reviewed on an annual basis in states where the president issued a finding that local police forces weren’t up to the task. The military, he said, would return to the barracks when law-enforcement institutions are trustworthy and well trained.

“These do not currently exist in many states and municipalities,” Osorio Chong said.

Citizen outcry resulted in some changes in how the military deals with civil society, particularly after the intense campaign against drug traffickers launched by former President Felipe Calderón in 2007 ([SourceMex, Jan. 24, 2007](#), and [May 30, 2007](#)). The use of the military for this purpose resulted in numerous complaints of human rights abuses ([SourceMex, July 20, 2011](#), [Aug. 15, 2012](#), [July 8, 2015](#)).

“Even though there have been violations to human rights on the part of military personnel, which have forced the institution to implement reforms to prevent abuses, the place of the Army should be

to defend and not to take actions that harm the people," El Universal wrote in its editorial. "That's why the question is relevant. What is the sense of extending its involvement in activities that are not within its constitutional mandate?"

-- End --