

ACTION WHA-00

INFO	LOG-00	EEB-00	AID-00	A-00	ACQ-00	CA-00	CIAE-00
	INL-00	DODE-00	DS-00	UTED-00	VCI-00	DIAS-00	TEDE-00
	INR-00	IO-00	L-00	ARMY-00	MOFM-00	MOF-00	VCIE-00
	NSAE-00	ISN-00	NSCE-00	OCS-00	OIC-00	OMB-00	PA-00
	PM-00	PRS-00	P-00	ISNE-00	SP-00	SS-00	STR-00
	TRSE-00	T-00	ASDS-00	IIP-00	PMB-00	DSCC-00	PRM-00
	DRL-00	G-00	SAS-00	FA-00	/000W		

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R 151926Z APR 09

FM AMCONSUL MONTERREY

TO SECSTATE WASHDC 3644

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INFO AMEMBASSY MEXICO

ALL US CONSULATES IN MEXICO COLLECTIVE

DEA HQ WASHDC

DECONTROLLED

FBI WASHINGTON DC

DEPT OF HOMELAND SECURITY WASHINGTON DC

DEPT OF JUSTICE WASHINGTON DC

HQ USNORTHCOM

AMCONSUL MONTERREY

UNCLAS MONTERREY 000141

APPEALS PANEL ACTION: ADDITIONAL INFORMATION RELEASED B6

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E.O. 12958: N/A

TAGS: PHUM, SNAR, KCRM, PGOV, ASEC, CASC, MX

SUBJECT: HUMAN RIGHTS IN NUEVO LEON: POLICE IMPUNITY BUT FEW COMPLAINTS REGARDING THE MILITARY

REF: A) MONTERREY 079 B) 08 MONTERREY 0182

1. (SBU) Summary. The militarization of the drug war in northern Mexico has not resulted in a significant increase in alleged human rights violations against the Mexican military in Nuevo Leon. Numerous human rights violations do occur in the state, but the alleged culprits usually are state and local police forces. In addition to the efforts of the State Human Rights Commission (CEDH), the state has reached out to civil society leaders to help reduce the human rights violations that do occur, improve the overall effectiveness of the state and local police in fighting crime, and help stem police corruption.

Citizens participation committees work at the federal, state and municipal levels to help this effort along. End Summary.

Military Presence Welcomed in the State

2. (SBU) The military presence in Nuevo Leon has not caused an infringement of human rights. Initially, there were fears a militarization of the drug war would lead to increases in human rights violations. However, according to local and national polls, the public has much more confidence in the military and sees them as less corrupt than state and local police. In Nuevo Leon the military presence is welcomed with 93% of the state approving of the troops in a February 12, 2009 poll. (This compares to a nationwide poll by the Milenio newspaper on April 13 that shows the Mexican military has a 72% approval rating.) Citizens in Nuevo Leon see the military as the only effective means of combating drug trafficking organizations. According to a local American citizen priest whose church is based in a poor northern Monterrey neighborhood, three years ago the police abandoned the community to the local gangs but now military checkpoints and roving patrols in the area are reducing street violence. The local gangs in the priest's neighborhood often serve as contractors for the mayor drug traffickers so the military presence has a direct impact on their operations. The opinion of Monterrey's poorest residents are often not included in surveys taken by newspaper polls, which are conducted by telephone, but feedback from our contact's parishioners has been universally positive.

3. (SBU) Despite their efforts, the drug traffickers have not been able to sway public opinion of the Mexican military. According to many reports, drug traffickers paid residents of poor neighborhoods in the Monterrey area to road block major roads from February 9 to 13, supposedly to protest army abuses (see reftel A). However, the lack of evidence of military abuses quickly turned public sentiment against the protestors and lawmakers rapidly passed new laws with severe penalties for political protestors that participate in roadblocks. The CEDH only received seven alleged cases of military abuses in 2008, the majority concerning military checkpoints (the most serious case, the military shot and wounded a person running a military checkpoint). Both candidates for governor in this year's elections include a continued role for the Mexican military in their security proposals.

Human Rights Violations Generally Committed by Local Authorities

4. (U) Overall, human rights complaints in Nuevo Leon decreased 6% in 2008 compared to 2007, but the level of abuses remains high (see reftel B). In 2008 there were a total of 2,482 reported incidents or about 1 for every 2,000 citizens in the state. Many complaints (679) stemmed from issues, such as improper public service, that would not be considered a human rights abuse in the U.S. Most of the remaining complaints (924) stemmed from abuse, criminal acts or arbitrary detention by

state law enforcement personnel.. The state judicial police and the state preventative police were the agencies that received the most complaints. The number of reports against state law enforcement personnel also reflects the public's lack of confidence. A March 9 United Nations report on crime in Monterrey entitled "Diagnostico de la Delincuencia en el Area Metropolitana de Monterrey," found that only about one half of crimes reported to city emergency call centers result in an official police report.

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5. (SBU) [redacted] director of the NGO

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[redacted] is skeptical of the numbers reported by CEDH [redacted] worked on a record 233 cases in 2008. Beyond the basic reporting [redacted] emphasized the impunity of police forces in the state. [redacted] and CEDH's own figures confirm, that no police officers were fired or faced criminal penalties in 2008 for human rights violations despite the police reports filed by [redacted] and dozens more like it. For example, the Commission reported 20 alleged cases of torture. However, of all the complaints filed, not just for the torture cases, only 19 police officers received official sanctions for human rights violations. The typical punishment received was a private verbal warning. The most severe admonishment was a thirty day suspension without pay.

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Civil Society Participation in the Security Debate

6. (SBU) To improve security and stem criticism of police corruption, Nuevo Leon has reached out to its civil society leaders. Recently, conoff met with [redacted]

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[redacted] to discuss civil society's participation in the GOM's ongoing debate over security issues. According to [redacted] in Nuevo Leon there were committees at the federal, state, and local level to inject citizen input into the security process. He described [redacted] which met once a month at the [redacted] as the brainchild of the late Deputy Attorney General Luis Santiago Vasconcelos. (Note: Vasconcelos died in the same November 4 San Luis Potosi plane accident that killed former Mexican Interior Minister Juan Camilo Mourino. End Note.) [redacted] that the Committee focused on: a) victim support, and b) strategies for preventing the spread of organized crime. He gave no indication that the local Mexican military - the tip of the spear in attacking organized crime - participated in committee deliberations in any way.

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7. (SBU) In terms of citizen participation, the most important

forum in Nuevo Leon is the state's public security committee. The state committee has evolved from a 20 person group dominated by Gubernatorial appointees to an independent organization with a legislative mandate. Committee membership is made up of representatives from specified sectors (i.e., business associations, academia, neighborhood groups, and professional associations - but not the church). Carlos Jauregui, both a businessman and an NGO leader, serves as the chairman. Officials from such blue-chip Monterrey corporations such as CEMEX, ALFA, Xignux, and FEMSA all have representatives with four-year terms on the committee.

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However, the state committee does not examine issues involving organized crime that falls under the jurisdiction of the PGR committee. Instead, the state panel focuses on indicators and monitoring, prison administration, expediting the procedures for filing criminal complaints (denuncias), and promoting the work of the municipal security committees (see below). Assisting the committee with research, is the state of Nuevo Leon's newly-created Public Security Institute - which he described as a big-picture think-tank.

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8. (SBU) Locally, the final piece of the puzzle is the various municipal security advisory committees, the best example of which is the one in the well-heeled suburb of San Pedro. Four of the state committee members, are also members of the San Pedro citizens' security advisory committee - and post's Consul General attends that body's monthly meetings as an observer. Meetings generally examine the latest trends in common crime such as robbery, burglary and auto theft. However, the San Pedro committee has championed such useful steps as the establishment of a mobile unit for filing denuncias, publication of crime statistics on the web, and

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enhanced oversight of taxis (which sometimes act as look-outs for both organized and common crime). San Pedro has also embraced innovative programs such as Culture of Lawfulness training in values and "DARE" drug awareness instruction in its school system.

9. (SBU) Comment. The low number of complaints reported by the CEDH of Mexican military abuses is consistent with conversations that poloff's have had with public official and various NGO's. In the two years the Mexican military has had a presence its favorable ratings have remained consistently high. Even though state and local officials often talk of cleaning up their police forces, corruption and police abuses remain and the military is still the most effective means of combating crime.

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