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Responses to Information Requests

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21 September 2020

MEX200313.E

Mexico: Crime and criminality, including organized crime, alliances between criminal groups and their areas of control; groups targeted by cartels; state response; protection available to victims, including witness protection (2018–September 2020) Research Directorate, Immigration and Refugee Board of Canada

1. Overview and Statistics

In its *Global Peace Index 2019*, an index measuring the absence of violence or fear of violence in 163 countries, the Institute for Economics & Peace (IEP), an Australian independent non-partisan and non-profit think tank, ranks Mexico last for its peacefulness in the Central America and the Caribbean region and 137th out of the 163 countries examined in the report (IEP June 2019, 6, 9, 14). The US Department of State, in its Travel Advisory for Mexico, cautions that "[v]iolent crime – such as homicide, kidnapping, carjacking, and robbery – is widespread" (US 6 Aug. 2020). Similarly, in its *Mexico Peace Index 2020* report, the IEP states that in 2019, there have been "substantial increases in criminal activities" (IEP Apr. 2020, 2). According to the 2019 National Survey on Victimization and Perception of Public Security (Encuesta Nacional de Victimización y Percepción sobre Seguridad Pública 2019, ENVIPE 2019) [1] carried out by the National Institute of Statistics and Geography (Instituto Nacional de Estadística y Geográfica, INEGI), an estimated 24.7 million Mexicans – 28,269 victims per 100,000 inhabitants – aged 18 and over were victims of a crime in 2018 (Mexico 24 Sept. 2019, 7). The same source also estimates that in 2019, 78.9 percent of the population felt unsafe in their state (Mexico 24 Sept. 2019, 39).

The US Department of State advises not to travel to the following states due to crime: Colima, Guerrero, Michoacán, Sinaloa, and Tamaulipas (US 6 Aug. 2020). The same source advises to reconsider travel to the following states due to crime: Chihuahua, Coahuila, Durango, Jalisco, México, Morelos, Nayarit, Nuevo León, San Luis Potosí, Sonora and Zacatecas (US 6 Aug. 2020). Similarly, the Canadian government recommends to "avoid non-essential travel" because of "high levels of violence and organized crime" in the following areas: Chihuahua, Colima, Coahuila, Durango, Guerrero, Michoacán, Morelos, Nayarit, Nuevo León, Sinaloa, Sonora and Tamaulipas (Canada 23 Aug. 2020). According to a report on organized crime in Mexico by researchers from the Justice in Mexico program based at the Department of Political Science and International Relations of the University of San Diego (USD), violence has been "highly localized, sporadic, and geographically specific (albeit more dispersed) over the years" (Justice in Mexico Apr. 2019, 4). The same source references data from Mexico's National Public Security System (Sistema Nacional de Seguridad Pública, SNSP) indicating that the top ten most violent municipalities in Mexico accounted for 33.6 percent of all homicide cases in Mexico in 2018 (with 24.7 percent concentrated in the top five): Tijuana (2,246), Juárez (1,004), Acapulco (839), Cancún-Benito Juárez (537), Culiacán (500), Guadalajara (480), Irapuato (374), León (350), Tlaquepaque (329), and Ecatepec (317) (Justice in Mexico Apr. 2019, 24).

1.1 COVID-19 Pandemic and Crime Occurrence

Reuters reports that, excluding homicides, the number of "other serious crimes, including kidnappings and robbery," have fallen during the COVID-19 pandemic (Reuters 20 July 2020). According to local sources, the number of reported crimes has decreased during the COVID-19 quarantine in different areas in the country (*Publimetro* 4 Aug. 2020; *Excelsior* 28 July 2020; *El Financiero* 21 Aug. 2020).

The Mexican edition of *Publimetro*, a free international daily newspaper, reports that, according to the president of the Mexico City Citizen Observatory (Observatorio Ciudadano de la CDMX), the observed decrease in crimes is due to [translation] "the circumstances and measures adopted during the [COVID-19] health emergency, and is not necessarily the result of an efficient and clear security policy" (*Publimetro* 4 Aug. 2020). The director of Semáforo Delictivo, a citizen-led initiative that compiles data on crimes in Mexico (Semáforo Delictivo n.d.), warns that the decreasing trend in crimes observed can easily reverse due to the economic crisis triggered by the COVID-19 measures (*Forbes México* 22 Apr. 2020).

1.2 Homicides

According to the IEP, since 2015, the homicide rate increased by 86 percent and homicide is the principal cause of death for people between 15 and 44 years old (IEP Apr. 2020, 2). In an article on the security policy blog of *Nexos*, a Mexican political magazine, Paul Frissard Martínez and Daniela Osorio, from the Mexican organization Mexico United Against Crime (México Unido Contra la Delincuencia), note that since July 2018 – the month with the highest number of homicide and femicide victims in the five last years – the homicide and femicide levels [translation] "appear to have stagnated at a very high level," with a monthly average of 2,974 victims and with an important uptick in March 2020 (3,106 victims) (Frissard Martínez and Osorio 29 June 2020). Similarly, the *Guardian* indicates that March 2020 represents a record monthly high (*The Guardian* 3 Apr. 2020), while Reuters reports that the first 6 months of 2020 have seen a record high in homicides (Reuters 20 July 2020).

According to the Executive Secretariat of the National System of Public Security (Secretariado Ejecutivo del Sistema Nacional de Seguridad Pública, SESNSP), between January and July 2020, the authorities registered 25,052 homicides (of which 17,016 were voluntary manslaughter (*homicidio doloso*)) and 549 femicides (Mexico 20 Aug. 2020a). In 2018 and 2019, according to reports by the same source, intentional homicides and femicides amounted to the following numbers:

	2018	2019	January to July 2020
Voluntary Manslaughter	29,100	29,460	17,016
Femicide	891	934	549

(Mexico 20 Aug. 2020a, Mexico 20 Aug. 2020b, Mexico 20 July 2020)

1.3 Kidnapping, Fraud, Extorsion, and Theft

The SESNSP published the data which is summarized in the following table:

	2018	2019	January to July 2020
Kidnapping	1,329	1,324	494
Fraud	66,248	76,776	36,913
Extorsion	6,721	8,734	4,729
Theft	810,602	765,956	353,795

Crimes Registered by Mexican Authorities

(Mexico 20 Aug. 2020a, Mexico 20 Aug. 2020b, Mexico 20 July 2020)

According to the ENVIPE 2019, in which crime occurrence is self-reported by the respondents, an estimated 81,966 kidnappings, 5.7 million cases of extorsion and 9.4 million robberies or assaults in the street or in public transportation were committed in 2018 (Mexico 24 Sept. 2019, 17-20). According to a report on crime in Mexico by the civil society organization México Evalúa, this difference between numbers from the ENVIPE 2019 and official data can be explained by the fact that ENVIPE 2019 estimates are based on the people interviewed for the survey, while the officials statistics are based on investigation files opened by the authorities, which means that they do not take into account unreported crimes (México Evalúa 7 Aug. 2019, 74).

2. Organized Crime

Sources report that organized criminal groups play a large role in the country's violence (Justice in Mexico Apr. 2019, 4; *The New York Times* 7 Nov. 2019; IEP Apr. 2020, 2). According to the Justice in Mexico report, organized crime groups are involved in a "major portion—between a third and half—of Mexico's homicides since 2006" (Justice in Mexico Apr. 2019, 4).

Sources report that larger criminal organizations once active on the Mexican territory have broken into smaller organizations, due to the government's operations aimed at the elimination of cartels (US 28 July 2020, summary; InSight Crime 27 Nov. 2019; International Crisis Group 8 May 2020). This fragmentation results in groups with a more local scope of action (InSight Crime 27 Nov. 2019, International Crisis Group 8 May 2020, Justice in Mexico Apr. 2019, 4). For instance, in Michoacán state, International Crisis Group reports the case of the Knights Templars cartel that "once reigned supreme" in the Tierra Caliente area, but that was worn down by the state (International Crisis Group 3 June 2019). The cartel then fragmented in smaller groups, "mostly led by former mid-level Templar commanders" who are not able to impose control over the territory, resulting in armed conflicts (International Crisis Group 3 June 2019). According to International Crisis Group, "[a] mbushes and hours-long shootouts have become the stuff of everyday life, along with displacement of countless residents from their homes" (International Crisis Group 3 June 2019). The *Guardian* explains that in the central state of Guanajuato, violence has increased after a government crackdown on fuel theft which had weakened the local Santa Rosa de Lima cartel and has incited the Jalisco New Generation Cartel (Cartel Jalisco Nueva Generación, CJNG) to attempt to take the territory of its rival (*The Guardian* 3 Apr. 2020). Other sources also report a territory conflict between those two criminal organizations (BBC 12 July 2020; IEP Apr. 2020, 18; US 28 July 2020, 8), more specifically regarding control of fuel theft (US 28 July 2020, 8; IEP Apr. 2020, 18). For a map on cartels' areas of influence, see the report by US Congressional Research Service (US 28 July 2020, 2).

According to InSight Crime, a specialized website focusing on organized crime in Latin America (InSight Crime n.d.), the smaller criminal organizations that have taken the place of the previous larger cartels "rely on a wider range of criminal activities to offset some of the losses from international drug trafficking. In addition to 'predatory' activities such as extortion and kidnapping, this includes trafficking contraband, weapons, humans and other illegal goods" (InSight Crime 27 Nov.

2019). International Crisis Group also indicates that the organizations' activities are more "specialised," such as extorsion or trafficking (International Crisis Group 8 May 2020).

2.1 Cartels and Alliances

According to the US Congressional Research Service, there may be as many as 200 to 400 criminal groups in Mexico, although "it is hard to assess longevity or even do a census of which ones are major actors" (US 28 July 2020, 17). Similarly, analyzing data from narcoblogs reporting on cartel activities [2], International Crisis Group identified "463 criminal groups operating in Mexico between mid-2009 and 2019" (International Crisis Group 8 May 2020).

The US Congressional Research Service report states that the Drug Enforcement Administration (DEA) identifies nine major drug-trafficking criminal organizations active in Mexico: Sinaloa, Los Zetas, Tijuana/Arellano Félix Organization, Juárez/Carrillo Fuentes Organization (CFO), Beltrán Leyva Organization (BLO), Gulf [Cartel], La Familia Michoacana, the Knights Templar, and CJNG (US 28 July 2020, 16-27). However, in an article on Nexos magazine's security and justice blog, Fabián R. Gómez, a specialist in national security and exmember of the Mexican army notes that [translation] "big cartels as we knew them ceased to exist," explaining that today, criminal organizations and groups form temporary alliances based on common but constantly evolving interests (Gómez 13) July 2020). Similarly, International Crisis Group notes how "multi-sided Mexico's drug war has become," explaining that two local criminal groups can be in conflict, while at the same time, be working for the same cartel, such as the Sinaloa cartel (International Crisis Group 8 May 2020). The US Congressional Research Service notes that the "once-coherent organizations and their successors are still operating, both in conflict with one another and, at times, cooperatively" (US 28 July 2020, 17).

2.1.1 Sinaloa Cartel (Cártel de Sinaloa)

According to sources, the Sinaloa Cartel is one of the most important cartels in Mexico (Gómez 13 July 2020; US 28 July 2020, 19; InSight Crime 29 Mar. 2019). Gómez qualifies the Sinaloa Cartel as a first-level criminal organization, [translation] "made of interdependent criminal organizations sharing interests, protection and territorial dominance," that integrates the production, supply, and distribution of drugs internationally (Gómez 13 July 2020). InSight Crime provides the following details:

- Area of influence: 17 Mexican states and as many as 50 countries;
- Alliances: Gulf Cartel, the Familia Michoacana, and the Tijuana Cartel;
- Enemy: CJNG as "primary enemy";
- Criminal activities: drug trafficking and money laundering (InSight Crime 29 Mar. 2019).

2.1.2 Jalisco Cartel New Generation (Cartel Jalisco Nueva Generación, CJNG)

Sources identify the CJNG as another important cartel in Mexico (Gómez 13 July 2020; InSight Crime 8 July 2020; US 28 July 2020, 28). Gómez also classifies the CJNG as a first-level crime organization (Gómez 13 July 2020). Sources indicate that, prior to becoming an independent organization, the cartel was affiliated with the Sinaloa Cartel (US 28 July 2020, 28; InSight Crime 8 July 2020). Sources report that the CJNG is a violent organization, linked with the taking down of an army helicopter in 2015 and several mass graves (US 28 July 2020; InSight Crime 8 July 2020). Sources provide the following details:

- Area of influence: present in 27 Mexican states and "asserts control over the ports of Veracruz, Mazanillo, and Lázaro Cárdenas" (US 28 July 2020, 28). It has a presence in every part of the country, and is the "dominant criminal actor in Jalisco, Nayarit and Colima, at the port of Lázaro Cárdenas in Michoacán, in the eastern state of Veracruz and in the oil-rich central region of Guanajuato, Puebla, Querétaro and Hidalgo" (InSight Crime 8 July 2020);
- Alliances: Tijuana Cartel Nueva Generation, a faction of the Juárez Cartel (InSight Crime 8 July 2020);
- Enemy: Sinaloa Cartel as "primary enemy" (InSight Crime 8 July 2020).

2.1.3 Gulf Cartel (Cartel del Golfo)

According to InSight Crime, once one of the most powerful criminal organization in Mexico, the Gulf Cartel has lost "territory and influence ... to its rivals, including its former enforcer wing, the Zetas" (InSight Crime 30 Jan. 2020). Similarly, the US Congressional Research Service report indicates that in the early 2000s, the

organization was challenging the Sinaloa Cartel, but that now it is embroiled in a fight for territory in northeastern Mexico with its former enforcement wing, the Zetas (US 28 July 2020, 21). The report by the US Congressional Research Service indicates that the Gulf Cartel has fragmented into several competing crime groups (US 28 July 2020, 21). However, InSight Crime argues that alliances with smaller splinter cells and the reinforcing of their traditional bases of operations "have allowed the Gulf Cartel to retain a significant place in Mexico's organized crime landscape" (InSight Crime 30 Jan. 2020). The same source indicates that the main areas controlled by the cartel are in the northeastern border state of Tamaulipas, mainly in Matamoros, Nuevo Laredo and Reynosa (InSight Crime 30 Jan. 2020). For further information on the Gulf Cartel, see Response to Information Request MEX106302 of August 2019.

2.1.4 La Familia Michoacana (LFM)

According to sources, LFM has splintered into various cells that are still operating within the Guerrero state [and in the Mexico state (US 28 July 2020)], taking part in drug trafficking, kidnapping and extorsion activities (InSight Crime 5 May 2020a; US 28 July 2020, 25). The same sources also report that a splinter group from LFM, the Knights Templar, have been driving the organization out of the Michoacán state (US 28 July 2020; InSight Crime 5 May 2020a). InSight Crime also indicates that the remnant of LFM are fending off "incursions from the CJNG and other smaller armed groups in the areas of southern Mexico where the group is still present" (InSight Crime 5 May 2020a). For further information on LFM, see MEX106302 of August 2019.

2.1.5 The Knights Templar

According to sources, the Knights Templar are a splinter group from LFM (InSight Crime 5 May 2020b; US 28 July 2020, 26). Several of their leaders were killed or captured in 2014 and 2015, weakening the organization that is "badly fragmented and splintered" (InSight Crime 5 May 2020b). According to InSight Crime, the Knights Templar are still active in southern Mexico, mostly in their home state, Michoacán (InSight 5 May 2020b).

2.1.6 Tijuana Cartel

The information in the following paragraph was provided by InSight Crime, in its Tijuana Cartel profile:

"Infighting, arrests and the deaths of many of [its] top leaders" weakened the Tijuana Cartel, also known as the Arellano Félix Organization, who was known as one Mexico's "most potent and violent criminal group" in the 1990s and early 2000s. The Tijuana Cartel controls its namesake city, one of the "most strategically important Mexico border cities" in regard to drugs trafficking into the US. While the organization "is suspected of forming a truce with [its] former rival the Sinaloa cartel," [information published in 2016] indicates that the two cartels may have resumed their competition (InSight Crime 13 Feb. 2018).

2.1.7 Juárez Cartel

The information in the following paragraph was provided by InSight Crime, in its Juárez Cartel profile:

The Juárez Cartel controls Ciudad Juárez and the Valle de Juárez, a "key corridor for transporting illegal drugs into the United States" and "still has some measure of control over the local and state police, as well as some politicians." The organization allied with its former competitors, the BLO and the Zetas to fight against its main rival, the Sinaloa Cartel. La Línea, a criminal faction of the cartel that controls drug transport to the border, is currently fighting against a group linked to the Sinaloa Cartel, Los Salazar, in the border state of Chihuahua (InSight Crime 10 July 2020).

2.1.8 Beltrán Leyva Organization (BLO)

According to InSight Crime, the BLO is "experiencing a void in leadership" due to the death and arrests of its leaders, but has allied with local crime groups and larger organizations like the Zetas (InSight Crime 16 Feb. 2017). InSight Crime states, without providing further details, that these alliances permitted the organization to maintain a presence in some areas (InSight Crime 16 Feb. 2017). For further information on BLO, see Response to Information Request MEX106302 of August 2019.

2.1.9 Los Zetas

According to the US Congressional Research Service, Los Zetas' main activity is not drug smuggling but organized violence, mostly through "fuel theft, extortion, human smuggling, piracy, and kidnapping" (US 28 July 2020, 22). InSight Crime states that "[t]he Zetas as [a] unified criminal organization no longer exists" as it has fragmented into several smaller splinter cells that occupy a "patchwork of territory" across Mexico, with the "most critical areas remain[ing] Tamaulipas and the Gulf Coast" (InSight Crime 6 Apr. 2018). The organization has an ongoing rivalry with the Gulf Cartel, its former parent organization, and with the Sinaloa Cartel (InSight Crime 6 Apr. 2018). For further information on Los Zetas, see Response to Information Request MEX106302 of August 2019.

2.2 Groups Targeted by Cartels

Sources report that elected government officials, political candidates, and journalists are susceptible to be targeted by cartels (US 28 July 2020, 2; Justice in Mexico Apr. 2019, 29-30).

2.2.1 Political Officials and Candidates

The Justice in Mexico report explains that in 2018, "an important election year," 37 mayors, mayoral candidates or former mayors were killed, in comparison to 14 killed in 2015, 6 in 2016 and 35 in 2017; the 2018 rate represents "about 9 times the homicide rate for the general population" (Justice in Mexico Apr. 2019, 31, 33). According to the *Washington Post*, during the [2017-2018] election season, 36 candidates were killed, as well as "dozens of other politicians and campaign officials" (*The Washington Post* 21 May 2018). The same source explains that criminal organizations employ violence in an attempt to influence candidates, and "to establish their power over local and state politics" by targeting politicians who did not "show them deference or pay them off" or who are allied with a rival group (*The Washington Post* 21 May 2018). Similarly, InSight Crime notes that the motives for these crimes vary from "the silencing of those who have tried to combat the criminal groups, to retaliation against those with cartel connections, to the pressuring of small [-]town mayors to provide criminal groups free rein and key information" (InSight Crime 28 May 2019).

2.2.2 Journalists

According to the Justice in Mexico report, in 2016, Mexican journalists were "at least three times more likely to be murdered than the general population" (Justice in Mexico Apr. 2019, 37). The same source indicates that in 2018, 16 journalists or media workers were killed, for motives that may or may not have been linked to their profession (Justice in Mexico Apr. 2019, 37). The Committee to Protect Journalists (CPJ), an independent, non-profit organization with headquarters in New York City that "promotes press freedom worldwide" (CPJ n.d.), notes that, while the global number of journalists murdered for their work was at its lowest in 17 years, half of the 10 journalists documented to have been murdered in the world in 2019 because of their work were killed in Mexico (CPJ 17 Dec. 2019). Reporters Without Borders (Reporters sans frontières, RSF) counts 10 journalists killed in 2019 in Mexico, which is the "highest number of journalists killed in any country not at war in 2019" (RSF 2019, 10). According to Article 19, a non-partisan international human rights organization working on press freedom and journalist's security, 609 journalists were attacked in Mexico in 2019, and among them, 10 were murdered (Article 19 30 Mar. 2020, 9, 67). The same source indicates that in 49 cases, the attack was attributed to organized crime (Article 19 30 Mar. 2020, 67). Similarly, InSight Crime notes that journalists are threatened by various actors, including organized crime groups, and provides the example of one of the country's "most famous drug trade chroniclers, Javier Valdez Cárdenas ... [who] is believed to have been shot dead in the [Sinaloa] capital in response to his reporting on internal power disputes within the Sinaloa Cartel" (InSight Crime 19 Aug. 2019).

2.2.3 Police Officers

InSight Crime reports that police officers are also targeted by criminal organizations, as the fight against organized crime has become "increasingly deadly for local forces" (InSight Crime 27 May 2020). According to the Mexican NGO Causa en Común, 347 police officers were killed as of 31 July 2020, with most of these murders taking place in Guanajuato, Veracruz, México State, Chihuahua and Guerrero (Causa en Común [Aug.] 2020). Sources report that, on 26 June 2020, a top-ranking Mexico City security official was the victim of an assassination attempt by heavily-armed gunmen that is attributed to the CJNG attempting to take hold in the

Mexican capital (InSight Crime 27 June 2020; DW 27 June 2020; *The Washington Post* 10 July 2020). According to the *Washington Post*, "dozens of police officers" were also killed by the cartel (*The Washington Post* 10 July 2020).

2.2.4 Indigenous Communities

Sources report that indigenous leaders and their communities are threatened and attacked by criminal organizations (Animal Político 3 May 2018; El Economista 31 July 2018; BBC 25 Jan. 2020). Infobae, a news website based in Argentina (Media Ownership Monitor Argentina n.d.), reports that criminal groups seek territories rich in minerals and valuable wood that they could also use for drug production, as well as the transportation of people and weapons (Infobae 29 Oct. 2019). In a report published in January 2019 on the killing of Julián Carillo, a Rarámuri human rights defender, Amnesty International explains, according to members of the Coloradas de la Virgen Rarámuri community, criminal organizations have "appropriated the Indigenous territory with the aim of sowing illicit crops, especially cannabis and poppies" and have used violence to control the territory, including death threats to Indigenous leaders and their families (Amnesty International Jan. 2019, 9). Animal Político, a Mexican digital media information website (Animal Político n.d.), reports that in 2017, in Guerrero, families belonging to the Nahua community were forced to leave their home after a criminal group left two dismembered bodies in the Ahuihuiyuco town and written threats in other communities (Animal Político 3 May 2018). Sources indicate that indigenous communities have set up self-defence groups or community police to defend themselves from criminal organizations and that confrontations between these selfdefence groups and criminal organizations and between each other results in more violence (El País 23 Jan. 2020; International Crisis Group 4 May 2020, 11).

3. State Response

Sources report that, during the [2018] electoral campaign, President Andrés Manuel López Obrador promised a new approach regarding criminality in the country (*Forbes* 6 July 2020; NPR 23 Jan. 2019; Al Jazeera 30 June 2019), taking military forces off public security operations (Al Jazeera 30 June 2019; WOLA 26 May 2020). Similarly, International Crisis Group states that the president won the 2018 elections because of "his promises to swiftly end 'the war' and the corruption that lubricates collusion between state officials and organised crime" (International Crisis Group 3 June 2019). Sources explain that the president stated that the focus of his crime-fighting strategy would be the roots of the [criminality] problem, through the investment in social development programs and initiatives to fight poverty (*The New York Times* 7 Nov. 2019; Estévez-Soto 20 Aug. 2018). However, sources report that, since being in power, the Mexican president has not parted with the militarization trend of his predecessors (*Forbes México* 3 Oct. 2019; InSight Crime 20 Mar. 2019).

Sources indicates that in 2019, the president created the National Guard (Guardia Nacional), a new security force (InSight Crime 20 Mar. 2019; Al Jazeera 30 June 2019), that began its activities on 30 June 2019 (Al Jazeera 30 June 2019). The purpose of this new police force is to fight organized crime as an alternative to the military forces that had been mobilized by the preceding governments (Al Jazeera 30 June 2019; InSight Crime 20 Mar. 2019). According to the Observatory of the National Guard (Observatorio de la Guardia Nacional), an organization aiming to monitor the new security force, the National Guard development is done at the expense of the local police forces that are experiencing precarious conditions (Observatorio de la Guardia Nacional June 2020, 17). The Washington Office on Latin America (WOLA), a research and advocacy organization for human rights in the Americas (WOLA n.d.), reports that a year from the official launch of the National Guard, the organization has failed to address criminality in a measurable way (WOLA 26 May 2020), while Animal Político indicates that violence has not decreased in the three states with the greatest National Guard contingent (Animal Político 23 Apr. 2020).

3.1 Police Forces

Sources report that the various police forces in Mexico at the municipal and state level lack human (Serrano Carreto 1 July 2019; Animal Político 19 June 2018a) and material resources (Animal Político 19 June 2018a) in order to properly investigate crimes committed in their jurisdiction (Serrano Carreto 1 July 2019; Animal Político 19 June 2018a). In an investigative series on impunity in Mexico, Animal Político reports that, based on INEGI figures, for all murders registered between 2010 and 2016, 94.8 percent of cases had no suspect facing charges and, at the state level, in 27 of the 32 states, over 90 percent of cases had no suspect sentenced (Animal Político 19 June 2018a). The source also identifies the states with lower rates of unsolved homicide cases: Jalisco (88.9 percent of unsolved cases), Querétaro (84.4 percent), Tabasco (79.5 percent), Mexico City (76.5 percent), Hidalgo (60.6 percent) and Yucatán (56.6 percent) (Animal Político 19 June 2018a).

According to numbers from the SESNSP, as of 31 January 2018, there were 0.8 state police officers for every 1,000 persons in Mexico, while the government's minimum target is 1.8 and when, according to the UN, the ideal figure should be 2.8 (Mexico 10 Mar. 2020a, 6). The same source, in a July 2020 report analyzing the state police, further states that 650 municipalities out of 2,446 in Mexico have no municipal police, while the majority (1,616) have an average of 1.21 municipal police officers per 1,000 persons (Mexico 7 July 2020, 74). Animal Político reports that "there is not a mandatory standardized protocol that specifies how to investigate a murder while half of the states do not have specialized departments trained in handling murder investigations" (Animal Político 19 June 2018a). According to the SESNSP, in July 2018, only 51.6 percent of Mexican police forces had completed at least one of the three required training on forensic science, investigation methods, and criminal investigations (Mexico 10 Mar. 2020b, 12). According to an activist working with crime victims in Oaxaca and interviewed by Animal Político, if a victim or their family does not pay for the police investigators' expenses, no arrest will be made; and the president of the Human Rights Commission of Nuevo León stated to the same source that victims often gather evidence themselves (Animal Político 19 June 2018b).

Sources report that police officers collude with organized crime (International Crisis Group 4 May 2020, 17; InSight Crime 21 Aug. 2019; *FP* 24 Apr. 2020). According to sources, eight police officers are among 21 suspects arrested for the murder of five youths in 2016 in Veracruz (BBC 5 Mar. 2019; Reuters 4 Mar. 2019). The BBC reports that police officials in collusion with the CJNG arrested the youths, believing "they were members of a rival gang," and "handed them over to the CJNG [,] which killed them and burned their bodies" (BBC 5 Mar. 2019). Sources explain that the poor working conditions in law enforcement agencies leave police officers "particularly vulnerable" to bribes and infiltration by organized crime (InSight Crime 21 Aug. 2020; International Crisis Group 4 May 2020, 17). For further information on police corruption in Mexico, see Response to Information Request MEX200314 of September 2020.

3.2 Judiciary System

According to the 2018 report on criminal justice in Mexico by México Evalúa, a think thank focusing on the evaluating and monitoring of governmental operations (México Evalúa n.d.), 96 percent of total crimes the authorities were aware of resulted in an investigation in 2018, and out of those:

- [translation] "only" 49.6 percent received some kind of determination, mostly as being "temporarily archived" (60.5 percent) or as not falling within the scope of criminal proceedings (16.4 percent);
- 40 percent of registered cases were still being investigated;
- 6.1 percent were referred to an organisation specialised in alternative dispute resolution;
- "only" 3.9 percent were sent to trial (Mexico Evalúa 7 Aug. 2019, 77).

The same source notes that of all the criminal cases that were being processed by the justice system in 2018, 30.5 percent were finalized and a sentence has been handed down in [translation] "only" 13.6 percent of the cases (Mexico Evalúa 7 Aug. 2019, 77).

According to the Mexico Evalúa report, in 2018, 44.6 percent of cases before a prosecutors' office were pending further actions or investigation and 42.3 percent of the cases before a court judge were delayed (Mexico Evalúa 7 Aug. 2019, 91). According to the same source, there is an average of two prosecutors and 0.9 criminal court judges for every 100,000 inhabitants in 2018 (Mexico Evalúa 7 Aug. 2019, 45). Animal Político reports that there are 4,38 judges for every 100 000 (Animal Político [2019a]). Mexico Evalúa also reports that state prosecutors' offices are vulnerable to political influences as those states have not implemented concrete measures to guarantee the technical, financial or administrative autonomy of their prosecutor offices (Mexico Evalúa 7 Aug. 2019, 49).

3.3 Unreported Crime and Perception of Corruption

According to the ENVIPE 2019, 93.2 percent of all crimes committed were either not reported or not investigated (Mexico 24 Sept. 2019, 31). The same source lists the following reasons given by respondents for not reporting a crime:

 63.2 percent blamed the police, giving the following reasons: reporting a crime was a waste of time, lack of trust in the authorities, difficulties and length of the process, the authorities' hostile attitude, or the fear of being victims of extorsion; • 36.2 percent of victims gave other reasons to not report a crime, such as fearing the aggressor, the crime being not important, or lacking proof (Mexico 24 Sept. 2019, 35).

Regarding trust in law enforcement institutions, in 2019, 55.2 percent of the respondents thought that the federal police was corrupt, while 60.6 percent had the same perception of the Attorney General's Office (Fiscalía General de la República, FGR), 64.1 percent of the state police, 65.5 percent of the state Attorney General, 67.9 percent of the municipal police and 68.4 percent of the judges (Mexico 24 Sept. 2019, 47).

3.4 Witnesses Protection Program

The information in the following three paragraphs is provided in an informational brochure published by the Ministry of the Interior (Secretaría de Gobernación, SEGOB) about Mexico's Federal Law for the Protection of Persons Who Intervene in Penal Procedures (*Ley Federal para la Protección a Personas que Intervienen en el Procedimiento Penal*):

Mexico has a federal protection program for persons (Programa Federal de Protección a Personas) (Mexico n.d., 1). The following people can be protected:

- victims, injured parties, witnesses, experts, police officers, public prosecutors, judges and members of the judiciary,
- · persons who have collaborated with the process, and
- the families or people close to those previously mentioned (Mexico n.d., 1).

The Federal Centre for the Protection of Persons (Centro Federal de Protección a Personas) is responsible for the execution and monitoring of the law, as well as the application of the protection measures aimed at reducing or eliminating risks of retaliation for the protected people involved in criminal procedures (Mexico n.d., 2). There are two categories of measures:

- assistance measures such as medical or psychological treatments, free legal advice and management of legal procedures and economic support for basic needs (housing, transport, food, communication, etc.) within or outside the country; and

- protective measures, including [translation] "[a]Il actions protecting the person's safety, such as police custody, isolation, change of address and identity protection" (Mexico n.d., 2).

To receive protection through the protection program, the authorities aware of the penal procedure makes a request to the Center director on behalf of the candidate and provide information about them (Mexico n.d., 3). Upon successful review by the director, the candidate will enter into an agreement which can be modified or terminated when requested by the individual, when they do not comply with the obligations related to the protection, when there is no more reasons for protective measures, or when the penal procedure is over (Mexico n.d., 4).

Sources report that the witness protection program did not provide protective measures to all the witnesses and other individuals implicated in criminal trials (*La Jornada* 1 Apr. 2019; InSight Crime 7 Aug. 2019; Espíndola Mata 23 July 2020). According to sources, the program was scaled back during the mandate of former president Enrique Peña Nieto [2012-2018], reducing the number of protected persons, but also the protection measures already given to some of them (*La Jornada* 1 Apr. 2019; InSight Crime 7 Aug. 2019). The same sources report that witnesses have been dropped from the program, thus losing the protection means they were provided, including their security escort while still being requested to testify against cartel leaders (*La Jornada* 1 Apr. 2019; InSight Crime 7 Aug. 2019).

The information in the following paragraph was provided by the website of the Mexican government:

A specific protection mechanism, the Protection Mechanism for Human Rights Defenders and Journalists (Mecanismo de Protección para Personas Defensoras de Derechos Humanos y Periodistas) is provided for journalists and human rights defenders who are at risk because of their professional activities. To be protected, one must contact the Mechanism office, through email, telephone or in person to receive an appointment for an initial interview to determine the risk level of the individual and how support will be provided to them once they are accepted within the Mechanism. Within 30 days, a risk evaluation will take place to set up a protection plan, after which the individual is invited to a meeting with the Mechanism's board to review and approve the risk analysis and the protection plan. The protection measures are then implemented, and the risk is re-evaluated once or twice a year (Mexico 18 Oct. 2018).

According to sources, journalists were killed while enrolled in the Mechanism (RSF 16 May 2019; CPJ 17 May 2019). More specifically, the sources provide details about Francisco Romero Diáz, a freelance crime reporter, murdered on 16 May

2019, who was given protection after the murders of two other journalists and four police bodyguards (RSF 16 May 2019; CPJ 17 May 2019). However, according to RSF, at the moment of his death, Romero Diáz was not being escorted (RSF 16 May 2019; CPJ 17 May 2019). RSF also report that another journalist, also protected under the Mechanism protection, Rubén Pat, was murdered after having requested protective measures from the Mechanism (RSF 24 July 2018).

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of sources consulted in researching this Information Request.

Notes

[1] The National Survey on Victimization and Perception of Public Security (Encuesta Nacional de Victimización y Percepción sobre Seguridad Pública, ENVIPE) is a national survey of a sample of 102,043 Mexican households that was carried out between 1 March and 30 April 2019; the period of reference for the data on crime victimization is from January to December 2018 and from March to April 2019, in relation to the data on perception on public security and trust in the authorities (Mexico 24 Sept. 2019, 3).

[2] Narcoblogs are "anonymously run websites that aggregate news of cartel activities from both mainstream media outlets and ordinary citizens. ... because they are anonymous, the blogs can avoid self-censorship, and because they rely on citizen testimony ... they can offer a fuller picture of the drug war than traditional media" (International Crisis Group 8 May 2020).

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