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Commission Appointed to Investigate Arrest of Mexican Journalist

By Nathaniel Hoffman, Knight Ridder Newspapers

MEXICO CITY – Mexico’s Supreme Court on Tuesday authorized two respected magistrates to investigate whether government officials violated a journalist’s civil rights when she was arrested last year and transported 20 hours across state lines to Puebla to face libel charges.

It’s only the fourth time in Mexican history that the court has authorized such an investigative commission, and it’s the first time the court will look into alleged official malice against someone who lived to talk about it.

“I’m alive to tell the story,” said Lydia Cacho, who wrote an expose last year about child pornography and prostitution in the popular beach resort of Cancun. Her subsequent arrest on charges of criminal libel is testing the integrity of Mexico’s judicial system on several fronts.

Analysts saw the court’s move as an effort to reverse the widely held impression that Mexican courts are often corrupt and prone to political pressure.

“I think it’s an effort to try to gain some credibility by the judiciary in arena in which they’ve lost so much face,” said Miguel Tinker Salas, a historian at Pomona College in Claremont, Calif. “The credibility of the Mexican judiciary is almost nil.”

The justices voted 6 to 4 to form the special commission, which is authorized by the Mexican Constitution. The four judges, who opposed its formation, including the chief judge, argued that the suspected crimes didn’t rise to the level of those that resulted in previous special commissions.

Mexico’s first investigative commission looked into a military uprising in Veracruz in 1879. The most recent commissions investigated police killings of students and workers in the state of Guanajuato in 1946 and the state of Guerrero in 1995.

But the court’s majority overrode those objections, saying Cacho’s case merited a closer look because of the massive public outcry.

Cacho's book alleges that political and business interests conspired to protect a prominent Cancun businessman, Jean Succar Kuri, from charges of child-sex abuse and pornography. Succar Kuri awaits extradition to Mexico from the United States to face multiple child-sex charges.

Meanwhile, Cacho is defending herself in a libel case brought by Puebla clothing magnate Jose Camel Nacif Borge, whom she names in her book, but doesn't implicate in the scandal.

Puebla state police arrested Cacho in December 2005 in Cancun and transported her 20 hours by car back to Puebla, where she was charged with libel. The state charges were later dropped.

In February, the Mexican daily La Jornada reported on taped conversations between Puebla Gov. Mario Marin and Nacif in which they appear to arrange the arrest.

The court's charge didn't mention Marin, but it gave the commission free rein to investigate anyone who may have violated Cacho's rights. There's no time limit for the investigation. The chief justice said the commission would begin work Wednesday.

The scandal has become a political issue in the runup to the July 2 presidential election. Both houses of Mexico's Congress voted overwhelmingly to ask the high court to investigate.

The case is thought to be one reason for the poor showing in public opinion polls for Roberto Madrazo, the candidate of the Institutional Revolutionary Party, or PRI, which has long dominated Mexican politics. Marin, also a PRI member, is a close political ally of Madrazo, who's running third in the three-man race.

Mexico's other two major parties, the National Action Party and the Party of the Democratic Revolution, praised the commission's creation. There was no official response from the PRI.

The federal Human Rights commission is also investigating the case, and Cacho has sued the Puebla state government.