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PAGE 01 MEXICO 10314 01 OF 02 082306Z
ACTION ARA-01

INFO	LOG-00	ACDA-10	ACDE-00	INLB-01	CIAE-00	SMEC-00	INL-01
	OASY-00	DINT-00	DOEE-00	SRPP-00	EUR-01	OIGO-01	H-01
	TEDE-00	INR-00	L-01	ADS-00	M-00	NSAE-00	OMB-01
	PA-00	PM-00	PRS-00	P-00	SP-00	PMB-00	DRL-09
	G-00	/027W					

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R 082312Z AUG 96
 FM AMEMBASSY MEXICO
 TO SECSTATE WASHDC 7317
 INFO AMEMBASSY OTTAWA
 AMEMBASSY GUATEMALA
 AMEMBASSY BOGOTA
 IRS WASHDC
 USINS WASHDC
 EPIC EL PASO TX
 TREASURY WASHDC
 DIRONDCP WASHDC
 DIRFBI WASHDC
 USIA WASHDC 2404
 DOJ WASHDC
 DEAHQS WASHDC
 CUSTOMS WASHDC
 SECDEF WASHDC
 ALL USCONS MEXICO

C O N F I D E N T I A L SECTION 01 OF 02 MEXICO 010314

E.O. 12958: DECL: 06/28/02
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PAGE 02 MEXICO 10314 01 OF 02 082306Z

UNITED STATES DEPARTMENT OF STATE
REVIEW AUTHORITY: DAVID W COX
DATE/CASE ID: 20 NOV 2006 200504408

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TAGS: KJUS, KCRM, PREL, PGOV, SNAR, MX
SUBJECT: MORE PRESSURE ON LOZANO:
REACTIONS TO THE OTHON RELEASE

1. CONFIDENTIAL - ENTIRE TEXT. CLASSIFIED BY
AMBASSADOR JAMES JONES. REASON: 1.5(B).

2. SUMMARY. JUDGE MARIO PARDO REBOLLEDO'S
AUGUST 7 DECISION TO RELEASE ACCUSED COLOSIO
ASSASSINATION "SECOND GUNMAN" OTHON CORTES
VAZQUEZ HAS RESULTED IN A WAVE OF PUBLIC
CRITICISM OF ATTORNEY GENERAL ANTONIO LOZANO AND
SPECIAL PROSECUTOR PABLO CHAPA. SOME MEMBERS OF
THE CONGRESSIONAL COMMITTEE STUDYING THE
ASSASSINATION HAVE STATED THAT LOZANO SHOULD
CONSIDER RESIGNING, ALTHOUGH PRI AND PRD LEADERS
OFFER MORE MUTED CRITICISMS. PUBLIC REACTION SO
FAR HAS TREATED JUDGE PARDO'S FINDING OF
INSUFFICIENT EVIDENCE AS A FAIR ONE, AND WE HAVE
SEEN LITTLE COMMENT INDICATING THAT THE FINDING
IN ANY WAY NEGATES THE "SECOND GUNMAN" THEORY.
LOZANO TOLD AMBASSADOR AUGUST 8 THAT HE WILL
APPEAL THE DECISION. HE ALSO TOLD U.S.
OFFICIALS THAT SWEEPING CHANGES IN THE FEDERAL
JUDICIAL POLICE WHICH HE HAD EXPECTED TO UNVEIL
AUGUST 9 WILL NOW BE POSTPONED TO AUGUST 12 OR
13. END SUMMARY.

SEARCHING FOR A SECOND GUNMAN

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PAGE 03 MEXICO 10314 01 OF 02 082306Z

3. ONE OF LOZANO'S FIRST MAJOR ACTS UPON
BECOMING ATTORNEY GENERAL WAS TO APPOINT PABLO
CHAPA BEZANILLA AS SPECIAL PROSECUTOR FOR THE
COLOSIO, RUIZ MASSIEU, AND POSADAS
ASSASSINATIONS. LOZANO AND CHAPA, CHARGED WITH
REVIVING INVESTIGATIONS THAT HAD STALLED UNDER
ATTORNEYS GENERAL APPOINTED BY EX-PRESIDENT
CARLOS SALINAS, EXPANDED THE SCOPE OF THE
COLOSIO INVESTIGATIONS TO ENCOMPASS THE

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POSSIBILITY OF A CONSPIRACY AND A SECOND GUNMAN BEYOND THE ALREADY-CONVICTED MARIO ABURTO. THEY THOUGHT THEY HAD IDENTIFIED THEIR SECOND GUNMAN IN OTHON CORTES, HIRED AS A BODYGUARD BY COLOSIO CAMPAIGN SECURITY CHIEF GENERAL DOMIRO GARCIA REYES, AND ARRESTED HIM ON FEBRUARY 25, 1996.

4. JUDGE PARDO'S AUGUST 7 DECISION TO RELEASE OTHON FOR LACK OF SUFFICIENT EVIDENCE HAS NOT BEEN TREATED AS A NEGATION OF THE "TWO GUNMEN" THEORY. INSTEAD, EVEN OPPOSITION POLITICIANS CRITICAL OF LOZANO STATE THAT HE (OR SOME NEW ATTORNEY GENERAL) MUST WORK HARDER TO FIND A SECOND GUNMAN.

PREDICTABLE, BUT MUTED, CRITICISM

5. WHILE MEMBERS OF LOZANO'S OWN PARTY, THE PAN, HAVE DEFENDED HIM (SOMETIMES DISAGREEING WITH THE JUDGE'S DECISION, AS WELL), THE PRI AND PRD HAVE ATTACKED. THE STRONGEST ATTACKS SO FAR

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PAGE 04 MEXICO 10314 01 OF 02 082306Z
HAVE COME FROM MEMBERS OF CONGRESS'S SPECIAL COMMITTEE ON THE COLOSIO ASSASSINATION, IN SOME CASES CALLING FOR RESIGNATIONS. TYPICAL WAS SENATOR ALFARO MOLINA, PRI, OF SONORA, WHO WAS QUOTED AS SAYING "LOZANO AND CHAPA SHOULD CONSIDER THE POSSIBILITY OF RESIGNING." THESE CRITICS STATE THAT THEY ARE CONSIDERING SENDING PRESIDENT ZEDILLO A LETTER ASKING FOR LOZANO'S RESIGNATION.

6. THE LEADERSHIP OF THE PRI AND PRD TOOK A MORE CAUTIOUS LINE, TYPICALLY NOTING THE JUDGE'S DECISION IN A POSITIVE WAY AND CALLING FOR A MORE PROFESSIONAL INVESTIGATION BY THE PGR IN THE FUTURE.

BUT THE PRESIDENT STILL SEEMS SOLID

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7. ONE REASON FOR THE MUTED TONE FROM PRI

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PAGE 01 MEXICO 10314 02 OF 02 082307Z
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C O N F I D E N T I A L SECTION 02 OF 02 MEXICO 010314

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CONFIDENTIAL

CONFIDENTIAL

PAGE 02 MEXICO 10314 02 OF 02 082307Z
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LEADERS IS BECAUSE OF PRESIDENT ZEDILLO'S APPARENT DESIRE TO RETAIN LOZANO, A POINT MADE BY SOME COLUMNISTS. THERE HAS BEEN NO HINT OF ANY CRITICISM OF LOZANO FROM THE PRESIDENT OR ANY OTHER SOURCE FROM INSIDE THE ZEDILLO ADMINISTRATION.

THE PGR SAYS IT WILL APPEAL

8. IN AN AUGUST 8 CONVERSATION, AN OBVIOUSLY PREOCCUPIED LOZANO TOLD AMBASSADOR THAT HE EXPECTED TO APPEAL THE JUDGE'S DECISION. LOZANO SAID THAT HE WAS CONCERNED THAT THE FALLOUT OVER THE DECISION WOULD AFFECT PLANS TO ANNOUNCE A COMPLETE OVERHAUL OF THE CORRUPT AND INEFFECTIVE FEDERAL JUDICIAL POLICE ON FRIDAY, AUGUST 9. DETERMINED TO CARRY OUT THE SHAKEUP, HE TOLD EMBASSY LEGATT THAT HE DID NOT EXPECT TO POSTPONE THE ANNOUNCEMENT TO ANY LATER THAN AUGUST 12 OR 13.

9. COMMENT. ALTHOUGH THE CALLS FOR LOZANO'S RESIGNATION ARE INCREASING, HE APPEARS TO HAVE A

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STRONG SUPPORTER IN PRESIDENT ZEDILLO. IN
LOZANO, ZEDILLO HAS A SACRIFICIAL LAMB WHO CAN
TAKE MUCH OF THE PUBLIC BLAME FOR HIS
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PAGE 03 MEXICO 10314 02 OF 02 082307Z
GOVERNMENT'S FAILURE TO MEET THE MEXICAN
PEOPLE'S HIGH, PERHAPS OVERLY HIGH, EXPECTATIONS
OF THE ASSASSINATION INVESTIGATIONS. ANOTHER
REASON THAT THE PRI HAS THUS FAR REMAINED MUTED
IN ITS CRITICISM IS THAT PARTY LEADERS REALIZE
THAT REPLACEMENT OF LOZANO WITH A PRIISTA WOULD
OPEN THE PRI UP TO THE SAME CRITICISMS WHICH
LOZANO TAKES NOW.

10. PAN MEMBERS' SUPPORT OF FELLOW PARTY MEMBER
LOZANO STRUCK US AS A BIT ANEMIC. THIS MAY
REFLECT MERE CAUTION ON THEIR PART, OR A FEAR
THAT HE IS BECOMING A LIABILITY WHO MAY HURT
THEIR OTHERWISE PROMISING CHANCES GOING INTO
CRUCIAL 1997 CONGRESSIONAL ELECTIONS.

11. THE KEY USG INTEREST IN THE AFFAIR REMAINS
THAT OF CONTINUITY WITHIN THE PGR. WHILE WE
HAVE OFFERED OUR CRITICISMS OF LOZANO'S
SHORTCOMINGS IN THE PAST (INCLUDING THE PGR'S
INEPTITUDE IN IMPORTANT INVESTIGATIONS SUCH AS
THE ASSASSINATIONS), HE CONTINUES TO APPEAR
UNCORRUPT, SERIOUS, AND DEDICATED TO EXPANDING
COOPERATION WITH THE USG IN LAW ENFORCEMENT
MATTERS. THE ONLY HOPE FOR LONG TERM REFORM OF
CORRUPTION, UNPROFESSIONALISM, AND
DISORGANIZATION IN THE PGR LIES IN CONTINUITY OF
TRUSTED PERSONNEL. ANY CHANGE IN PGR LEADERSHIP
AT THIS TIME WOULD NOT ONLY STOP ANY CHANCE OF
SUCH REFORM FOR THE MOMENT (SUCH AS THE
COMMENDABLE UPCOMING SHAKEUP OF THE FEDERAL
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PAGE 04 MEXICO 10314 02 OF 02 082307Z
JUDICIAL POLICE), BUT THREATEN IMPORTANT
BILATERAL COOPERATION PROGRAMS SUCH AS THE
BORDER TASK FORCES AND VETTED INVESTIGATIVE
UNITS. END COMMENT.

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