



FOR IMMEDIATE RELEASE – January 13, 2023

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Statement Condemning Assassination of Mexican Judge Roberto Elias Martinez

The New York City Bar Association¹ mourns the death of Judge Roberto Elías Martínez of Mexico, who on December 4, 2022 succumbed to wounds that he suffered in an attack the day before. The City Bar condemns the assassination in the strongest possible terms and calls on the Mexican authorities to promptly seek justice for Judge Martínez and his loved ones.

I. The Assassination of Judge Martínez

At 7:00 a.m. on the morning of December 3, Judge Martínez was leaving his home in Colonia Real del Sol in Guadalupe, in the state of Zacatecas, in north central Mexico. As the judge entered his vehicle, he was ambushed by two assailants who fired multiple shots, striking him twice in the head.² Police responded to reports of gunfire and found the judge wounded inside his white Honda Accord.³ The judge, 50 years old, was rushed to the hospital in very serious condition and died the following morning.⁴

The Presiding Magistrate of the Superior Court of Justice of Zacatecas, Judge Arturo Nahle García, confirmed Judge Martínez’s death, lauding him as “one of [the court’s] most competent judges, committed to the high value of justice.”⁵ Judge Nahle underscored that “[a]n attack on a judge is an attack on the entire Judicial Branch,” expressing “outrage” at Judge Martínez’s murder and emphasizing that “more than 100 judges have died.”⁶ Judge Nahle indicated that this latest assassination “adds to the desperate call for peace in Zacatecas.”⁷

Mexico is among the most dangerous countries in the world for law enforcement and other justice system professionals, including judges.⁸ Zacatecas, in particular, has become one of the most violent regions in the country – the scene of a bloody, extended turf war between local gangs backed by the Sinaloa and Jalisco drug cartels.⁹ The head of the National Guard in the state, one of the highest-ranking commanders of Mexico's militarized police force, was killed by cartel members in late November in a confrontation during an operation targeting organized

crime.¹⁰ Authorities therefore predicted that Judge Martínez's assailants were "members of a drug cartel."¹¹

Judge Martínez had not been the subject of any specific known threats.¹² The Office of the Attorney General of Zacatecas immediately launched an investigation into the matter.¹³ Mexican President Andrés Manuel López Obrador pledged that national authorities would work closely with state officials,¹⁴ and the Governor of Zacatecas has vowed that the judge's death will not go unpunished.¹⁵

Impunity is a serious and persistent problem throughout Mexico.¹⁶ We note, however, that on December 10, 2022, officials announced that four men have been charged in Judge Martínez's execution. Two of the men are charged as the gunmen. The other two – brothers who gave the order to kill from inside prison – are inmates at the Cieneguillas men's prison and the penitentiary center for the Rio Grande judicial district. Authorities have linked the assassination to actions taken by Judge Martínez in his official capacity, in ruling on matters in the case of one of the two incarcerated brothers.¹⁷ We are heartened by the urgency with which authorities are pursuing this investigation.

II. Governing Principles of International Law

Judges must be free to fulfill their judicial duties fearlessly, deciding cases solely on the basis of the facts and the law, without being concerned that an aggrieved party will exact retribution. A party's retaliation against a judge "sends a message" to other judges and has an inherent chilling effect on their ability to decide cases "without fear or favor." Moreover, it is difficult, if not impossible, to attract the best and the brightest to service on the bench if becoming a judge, in effect, puts a target on one's back. It is unsurprising to hear reports that some judges in Mexico do not want to handle narcotics-related cases.

International law expressly recognizes the unique and vital role that judges play in any society. Because judges serve as the guardians of justice for all,¹⁸ international law accords judges special protections that require government support.¹⁹

The United Nations Basic Principles on the Independence of the Judiciary specifically charge governments with the responsibility for safeguarding the integrity of the judicial process, including the safety and security of judges. To that end, the Basic Principles state that "[t]he independence of the judiciary shall be guaranteed by the State and enshrined in the Constitution or the law of the country" and impose on the government an affirmative duty "to respect and observe the independence of the judiciary."²⁰ Further, the Basic Principles establish that, in deciding cases entrusted to them, judges are to act "impartially, on the basis of facts and in accordance with the law" and that governments are to support that undertaking by protecting judges from any and all "restrictions, improper influences, inducements, pressures, threats or interference, direct or indirect, from any quarter or for any reason."²¹ Similarly, the Basic Principles provide that governments are to guard judges against "any inappropriate or unwarranted interferences with the judicial process."²²

In addition, the Basic Principles specifically charge that governments are to “provide adequate resources” for a number of functions, including judicial security, “to enable the judiciary to properly perform its functions.”²³ And, lastly, the Basic Principles state that judges’ security must be “adequately secured by law.”²⁴

In sum, the U.N. Basic Principles on the Independence of the Judiciary leave no doubt but that governments bear direct responsibility for ensuring their judges’ safety.

III. Resolution and Call to Action

The New York City Bar Association joins the international community in condemning the cold-blooded assassination of Judge Martínez. The City Bar calls on the government of Mexico to bring to justice all responsible for his murder, and, going forward, to take all measures necessary to ensure that judges (state and federal) and other legal professionals are able to fulfill their responsibilities safely and without impediment. Further, the government must move swiftly to investigate and prosecute all prior attacks on judges and other legal professionals. The long-prevailing culture of impunity must end.

The City Bar stands steadfast in solidarity with judges and other legal professionals in Mexico and elsewhere around the globe, and wholeheartedly supports their critical work seeking a better, more just, and more peaceful world for all.

About the Association

The mission of the New York City Bar Association, which was founded in 1870 and has over 23,000 members, is to equip and mobilize a diverse legal profession to practice with excellence, promote reform of the law, and uphold the rule of law and access to justice in support of a fair society and the public interest in our community, our nation, and throughout the world. www.nycbar.org

¹ More than 150 years old, the New York City Bar Association (City Bar) is an organization of over 23,000 members in New York City and elsewhere throughout the United States, and in more than 50 countries around the globe. Its members include judges, prosecutors, defense counsel, government lawyers, and public interest/non-governmental organization practitioners, as well as legal academics and attorneys representing nearly every major law firm and corporation in the United States. The City Bar has a long and distinguished history of promoting the rule of law and human rights, including the rights of legal professionals to fulfill their professional obligations. The City Bar’s Task Force on the Independence of Lawyers and Judges and the Inter-American Affairs Committee assisted with this Statement, as did the Cyrus R. Vance Center for International Justice.

² See Judge dies after being shot at in Mexico (MSN News, Dec. 4, 2022) (“MSN News”), <https://www.msn.com/en-xl/news/other/judge-dies-after-being-shot-at-in-mexico/ar-AA14TpWR>; Judge dies after being shot at in Mexico (News 360, Dec. 4, 2022), <https://news360.es/india/2022/12/04/judge-dies-after-being-shot-at-in-mexico-8/>; Judge dies after being shot in Mexico (Rival Times, Dec. 4, 2022) (“Rival Times”), <https://rivaltimes.com/judge-dies-after-being-shot-in-mexico/>; Judge shot dead in Zacatecas (California18, Dec. 4, 2022) (“California18”), <https://california18.com/judge-shot-dead-in-zacatecas/8206572022/>. (All websites cited in this statement were last visited January 11, 2022.)

³ See Mexican judge killed in state of Zacatecas (U.S. News & World Report/Reuters, Dec. 4, 2022), <https://www.usnews.com/news/world/articles/2022-12-04/mexican-judge-shot-in-state-of-zacatecas>; Mexico, gang

wars. Judge shot dead in Zacatecas state (Polish News, Dec. 5, 2022) (“Polish News”), <https://polishnews.co.uk/mexico-gang-wars-judge-shot-dead-in-zacatecas-state/>.

⁴ See Mexican judge shot in state of Zacatecas (WTVB News/Syndicated Content, Dec. 4, 2022), <https://wtvbam.com/2022/12/04/mexican-judge-shot-in-state-of-zacatecas/>; California18, *supra* n.2; Polish News, *supra* n.3.

⁵ See MSN News, *supra* n.2; Rival Times, *supra* n.2; Guadalupe, Zacatecas: Judge Roberto Elias Martínez Shot To Death (Borderland Beat, Dec. 4, 2022) (“Borderland Beat”), <http://www.borderlandbeat.com/2022/12/guadalupe-zacatecas-judge-roberto-elias.html>.

⁶ See MSN News, *supra* n.2; Rival Times, *supra* n.2; Borderland Beat, *supra* n.5; *see also, e.g.*, Gunmen Kill Mexican Federal Judge, Wife, in Home Attack (Courthouse News/Agence France-Presse, June 17, 2020) (reporting on shooting deaths of Mexican federal judge Uriel Villegas and his wife after gunmen broke into their home in state of Colima, Mexico), <https://www.courthousenews.com/gunmen-kill-mexican-federal-judge-wife-in-home-attack/>; Mexican Federal Judge Murdered in Suspected Hit by Organized Crime (Law.com, June 17, 2020) (same), <https://www.law.com/international-edition/2020/06/17/mexican-federal-judge-murdered-in-suspected-hit-by-organized-crime/>; El Chapo's Judge Was Just Gunned Down While Jogging in Broad Daylight (Esquire, Oct. 18, 2016) (reporting on execution-style shooting in broad daylight of federal Judge Vicente Bermudez Zacarias – who oversaw appeals in cases involving a number of accused drug lords, including “El Chapo” Guzman – while he was jogging in Metepec, about 40 miles from Mexico City), <https://www.esquire.com/news-politics/videos/a49728/el-chapo-judge-executed-in-broad-daylight-on-video/>; A federal judge who ruled on some of Mexico’s highest profile criminal cases was gunned down in broad daylight (Los Angeles Times, Oct. 18, 2016) (same), <https://www.latimes.com/world/mexico-americas/la-fg-mexico-judge-20161018-snap-story.html>.

⁷ See MSN News, *supra* n.2; Rival Times, *supra* n.2; Borderland Beat, *supra* n.5.

⁸ See Cartels Are on a Cop-Killing Spree in One of Mexico’s Most Violent States (Vice, April 7, 2022) (reporting that “[a]t least one police officer is killed every day in Mexico,” that Zacatecas “leads as the state with the most policemen killed in Mexico,” that “[p]olice killings in . . . Zacatecas are becoming increasingly common,” and that “[o]f the 94 cops murdered across the country’s 32 states [in 2022, as of April 7], 16 were in Zacatecas”) (“Vice”), <https://www.vice.com/en/article/n7ny9d/zacatecas-cartel-police>; Officials killed in one Mexican state up by 300 percent (video) (Al Jazeera/YouTube, March 26, 2022) (reporting that “[p]olice in Mexico are increasingly becoming targets of drug cartels. There has been a surge in killings of men and women in uniform. But things are particularly bad in the state of Zacatecas, where the number of police killed has tripled in three years.”), <https://m.youtube.com/watch?v=ous9onmOltg>; Mexico in brief: Drug violence claims lives of 11 police officers in Zacatecas (Fox 56, Jan. 28, 2022) (reporting that, as of January 28, “11 police officers [had] been murdered in Zacatecas), <https://fox56news.com/news/nation-world/mexico-in-brief-drug-violence-claims-lives-of-11-police-officers-in-zacatecas/>; Police Killings Spike Amid Soaring Violence in Zacatecas, Mexico (InSight Crime, April 4, 2022) (reporting that “[s]ixteen police officers have been killed in Zacatecas in the first quarter of 2022”; stating that, at least as of April, “Zacatecas is the state with the highest number of police killings in 2022 . . . , having risen steadily from third position in 2021, and thirteenth in 2020”) (“InSight Crime – 4/4/22”), <https://insightcrime.org/news/police-killings-spike-soaring-violence-zacatecas-mexico/>; Suspected cartel attack leaves police chief, 5 officers dead in Zacatecas – Authorities locate two additional bodies in cartel ‘campsite’ in Zacatecas; shots ring out for nearly 2 minutes in video shared on social media (BorderReport, Sept. 29, 2022) (reporting that “six municipal policemen were shot dead . . . in broad daylight” on September 28) (“BorderReport”), <https://www.borderreport.com/immigration/border-crime/suspected-cartel-attack-leaves-police-chief-5-officers-dead-in-zacatecas/>; 6 police officers shot dead amid cartel turf war in northern Mexico: “Cowardly attack” (CBS News, Sept. 29, 2022) (same), <https://www.cbsnews.com/news/6-police-officers-killed-zacatecas-mexico-cartel-turf-war/>; Judge dies after armed attack in central Mexico (Nation World News Desk/Associated Press, Dec. 5, 2022) (noting the recent murder of General José Urzua Padilla, the coordinator of the National Guard in Zacatecas, and stating that “[d]ozens of killings of civilians and police have occurred in Zacatecas in recent months”) (“Nation World News/AP”), <https://nationworldnews.com/judge-dies-after-armed-attack-in-central-mexico/>; They executed another municipal police officer in Zacatecas (Good Word News, Dec. 7, 2022) (reporting on December 6, 2022 assassination of police officer in Zacatecas), <https://goodwordnews.com/they-executed-another-municipal-police-officer-in-zacatecas-there-are-already-52-elements-killed-in-2022/>.

As to murders of judges, *see* MSN News (referring to murders of more than 100 Mexican judges), *supra* n.2

⁹ *See* InSight Crime – 4/4/22 (stating that “Zacatecas [is] the state with the highest homicide rates in Mexico”), *supra* n.8; As Mexico’s epidemic of violence rages on, authorities seem powerless to stop it – With more than 26,000 murders this year, it is clear the president’s strategy of using the military to control the crime gangs has failed (The Guardian, Dec. 8, 2022) (reporting that “Zacatecas state has become a focal point for the violence as powerful organized crime groups compete for the strategically significant region, with highways that head both toward the northern border and the Pacific coast”; further stating that “[p]reliminary figures from the Mexican government show that there have been an average of 78 murders a day this month in Mexico – about three killings an hour,” that “more than 26,000 Mexicans have been murdered this year,” that 2022’s death toll is expected to be “north of 30,000,” and that “[b]etween 2015 and 2021, the number of murders in the state increased by a staggering 400%”), <https://www.theguardian.com/world/2022/dec/08/as-mexicos-epidemic-of-violence-rages-on-authorities-seem-powerless-to-stop-it>; State Officials Targeted as CJNG, Sinaloa Cartel Clash in Zacatecas, Mexico (InSight Crime, Dec. 7, 2022) (explaining that “Zacatecas has become a center of violence in recent years” and that “Zacatecas’ location has become its curse,” because “[i]ts connections to several other states and the vital highways that pass through it are integral to the wider illicit aims of both the CJNG and Sinaloa Cartel”; further stating that “[c]artels battling over territorial control of drug routes toward the United States have sent the body count soaring, with homicides jumping 52.2% between November 2020 and November 2021”) (“InSight Crime – 12/7/22”), <https://insightcrime.org/news/zacatecas-cjng-sinaloa-cartel-battle-in-mexico/>; California18 (reporting that the state of Zacatecas “is among the most violent due to a dispute between the Sinaloa Cartel and the Jalisco Nueva Generación Cartel”), *supra* n.2; Dog caught running off with human head in Mexico (Associated Press, Oct. 27, 2022) (explaining that “Zacatecas has been the scene of a bloody, extended turf war between local gangs backed by the Sinaloa and Jalisco drug cartels”), <https://apnews.com/article/mexico-caribbean-drug-cartels-8bd9356f51cada60d3369dac171a4edc>; Nation World News/AP (explaining that “[d]ozens of killings of civilians and police have occurred in Zacatecas in recent months, where the Sinaloa and Jalisco Nueva Generación cartels are engaged in confrontation”), *supra* n.8; Violence in Zacatecas Escalates with Abductions, Killings (Pulse News Mexico, June 20, 2022) (stating that “[m]ost of the violence in Zacatecas is caused by the ongoing turf war between the New Generation Jalisco Cartel (CJNG) and the Sinaloa Cartel”) (“Pulse News Mexico”), <https://pulsenewsmexico.com/2022/06/20/violence-in-zacatecas-escalates-with-abductions-killings/>; Mexico: Organized Crime and Drug Trafficking Organizations at 4 (Congressional Research Service, June 7, 2022) (explaining that the homicide rate for Zacatecas state doubled between 2020 and 2021, due to “a cartel turf war”), <https://sgp.fas.org/crs/row/R41576.pdf>; Arrests after 10 bodies found near Mexican town hall: Mexican authorities have arrested two suspects after a sports utility vehicle filled with 10 dead bodies was left outside the state governor's office in Zacatecas. (Deutsche Welle, Jan. 7, 2022) (stating that “Zacatecas has become one of the most violent regions of the country as rival gangs vie for control. The state registered 1,050 murders in 2021, about 260 more than in 2020.”), <https://www.dw.com/en/mexico-arrests-after-10-bodies-found-outside-town-hall/a-60354484>; Two arrested after 10 bodies found in car in Mexico (BBC News, Jan. 7, 2022) (reporting that “Zacatecas state has . . . seen a surge in violence linked to a turf war between rival drug gangs operating in the area, including incidents where bodies have been left or displayed in public places”), <https://www.bbc.com/news/world-latin-america-59904117>; A Mexican state suffers bloody fallout of cartel rivalry (Associated Press, July 25, 2021) (stating that Zacatecas “holds strategic importance for drugs being shipped to the United States,” with “Mexico’s two strongest cartels — Sinaloa and Jalisco New Generation — . . . locked in a battle for control”; highlighting the fact that “Zacatecas’ 746 murders in the first half of [2021], compared to 1,065 for all of 2020, give it the highest murder rate per 100,000 residents in the country through June”), <https://apnews.com/article/caribbean-129abf2e577a78fd12cfd6cd284a5aff>; Vice (reporting that, “[a]long with Michoacán, Zacatecas is one of Mexico’s most violent states. Killings spiked more than 140 percent from 2020 to 2021, according to government figures, from 789 to 1,134”), *supra* n.8; Backgrounder: Mexico’s Long War: Drugs, Crime, and the Cartels (Council on Foreign Relations, Sept. 7, 2022) (providing, *inter alia*, thumbnail descriptions of major Mexican drug cartels, including the Sinaloa cartel and the Jalisco Nueva Generación cartel), <https://www.cfr.org/backgrounder/mexicos-long-war-drugs-crime-and-cartels>.

See also Bodies of 10 people, beaten and murdered, dumped in front of governor’s office in Zacatecas, Mexico (Washington Post, Jan. 7, 2022), <https://www.washingtonpost.com/world/2022/01/07/mexico-zacatecas-violence-murders/>; A drug cartel dumped an SUV filled with 10 corpses near the Christmas tree outside the offices of a Mexican governor, officials say (Insider, Jan. 8, 2022), <https://www.insider.com/mexico-suv-with-10-corpses-left->

[near-christmas-tree-at-governors-palace-2022-1](#); Sixteen bodies found in violence-prone Mexican state: Grim incidents multiplied in northern Zacatecas state late last year with bodies found hanging in public places. (Al Jazeera, Feb. 5, 2022), <https://www.aljazeera.com/news/2022/2/5/sixteen-bodies-found-in-violence-prone-mexican-state>; 18 Murdered in Zacatecas in a Single Day (Archyde, Feb. 6, 2022), <https://www.archyde.com/18-murdered-in-zacatecas-in-a-single-day/>; Deployment of security forces has had no effect in Zacatecas; 18 killed in just one day (Mexico News Daily, Feb. 7, 2022), <https://mexiconewsdaily.com/news/zacatecas-18-killed-one-day/>; Sinaloa Cartel captures members of the CJNG; links them to the murder of Zacatecas students (videos) (Mazatlan Post, Feb. 22, 2022), <https://themazatlanpost.com/2022/02/22/sinaloa-cartel-captures-members-of-the-cjng-links-them-to-the-murder-of-zacatecas-students-videos/>; Mexican crime reporter killed in Zacatecas, adding to 'chilling' journalist death toll (U.S. News & World Report/Reuters, March 4, 2022), <https://www.usnews.com/news/world/articles/2022-03-04/mexican-crime-reporter-killed-in-zacatecas-adding-to-chilling-journalist-death-toll>; Reporter killed in Mexico to become seventh journalist killing this year (The Guardian/Associated Press, March 4, 2022), <https://www.theguardian.com/world/2022/mar/04/seventh-journalist-killed-mexico>; Hell in Zacatecas: hit men murdered two minors and their mother in Fresnillo – One last homicide occurred in the center of the city; the four victims were added to the 7 executions recorded on March 16 in the state capital (Newsroom Infobae, March 18, 2022), <https://www.infobae.com/en/2022/03/18/hell-in-zacatecas-hit-men-murdered-two-minors-and-their-mother-in-fresnillo/>; InSight Crime – 4/4/22, *supra* n.8; Vice, *supra* n.8; Bodies of 5 men and 1 woman found dumped on road in Mexico amid bloody cartel battles (CBS News, April 13, 2022), <https://www.cbsnews.com/news/mexico-6-bodies-found-road-zacatecas/>; Bishops call for peace, prayer after gunmen kill boy in Mexican church (Catholic World Report, May 23, 2022), <https://www.catholicworldreport.com/2022/05/23/bishops-call-for-peace-prayer-after-gunmen-kill-boy-in-mexican-church/>; In Mexico, priest murdered, 3-year-old killed inside church (Catholic Culture, May 24, 2022), <https://www.catholicculture.org/news/headlines/index.cfm?storyid=54916>; At least 13 people were murdered in the state of Zacatecas during the weekend (Mexico Daily Post, June 14, 2022), <https://mexicodailypost.com/2022/06/14/at-least-13-people-were-murdered-in-the-state-of-zacatecas-during-the-weekend/>; Pulse News Mexico, *supra* n.9; ‘We’re Living in Hell’: Inside Mexico’s Most Terrified City (New York Times, Aug. 3, 2022), <https://www.nytimes.com/2021/08/03/world/americas/inside-mexicos-most-terrified-city-fresnillo.html>; Mexico Police Find 8 Bullet-Riddled Bodies Wrapped in Blankets in Zacatecas State Plagued by Drug Cartel Violence (Latin Post, Sept. 17, 2022), <https://www.latinpost.com/articles/156788/20220917/mexico-police-find-bodies-zacatecas-drug-cartel-violence.htm>; BorderReport, *supra* n.8; Three university students are murdered in Zacatecas (Mexico Daily Post, Oct. 1, 2022), <https://mexicodailypost.com/2022/10/01/three-university-students-are-murdered-in-zacatecas/?amp>; Cartel Turf War Terrorizes Residents of Mexican State (Breitbart News Network, Oct. 16, 2022), <https://www.breitbart.com/border/2022/10/16/cartel-turf-war-terrorizes-northcentral-mexican-state/>; Armed attacks in Zacatecas leave several dead in five municipalities – El Sol de Mazatlán (Mazatlán Weekly, Oct. 23, 2022), <https://www.mazatlanweekly.com/2022/10/24/armed-attacks-in-zacatecas-leave-several-dead-in-five-municipalities-el-sol-de-mazatlan/>; National Guard general killed in clash in Zacatecas state (Reuters, Nov. 24, 2022) (“Reuters”), <https://www.reuters.com/world/americas/mexican-national-guard-general-killed-clash-with-gunmen-2022-11-25/>.

In Zacatecas, as competition between the rival cartels escalates, government authorities – including judges – are increasingly targeted. If the cartels cannot co-opt officials, they resort to violence to coerce and intimidate them, to chill authorities’ resistance. *See, e.g.*, InSight Crime – 12/7/22 (pointing to murder of Judge Martínez and explaining that “[t]he murders of state representatives in Zacatecas, a deeply troubled and strategically important state for Mexico’s most powerful cartels, is a concerning escalation of these groups’ efforts to control the state”; explaining that “[d]ominating a territory requires the support of local authorities” and that “[c]artels will first try to co-opt these authorities through means including bribery,” and “[s]hould this fail, cartels will use violence to force authorities to cower”; and concluding that, “[i]n the case of Zacatecas, the war between Mexico’s two major cartels has created a pressure-cooker scenario and authorities are now firmly in the line of fire”), *supra* n.9.

The U.S. Department of State recently added Zacatecas to its “no travel” advisory list. *See* U.S. adds Zacatecas to its ‘no travel’ advisory list of Mexican states (Dallas Morning News, Sept. 7, 2022), <https://www.dallasnews.com/news/mexico/2022/09/07/us-issues-new-no-travel-advisory-for-some-mexican-states-ads-zacatecas-to-the-list/>; Mexico Travel Advisory (U.S. Department of State, Oct. 5, 2022) (advising “Do Not Travel To . . . Zacatecas state due to crime and kidnapping”), <https://travel.state.gov/content/travel/en/traveladvisories/traveladvisories/mexico-travel-advisory.html>.

¹⁰ See, e.g., California18, *supra* n.2; Reuters (reporting on murder), *supra* n.9; InSight Crime – 12/7/22 (same), *supra* n.9.

¹¹ See Narcos Blockade Zacatecas Highway, Judge Dies following Armed Attack (Pulse News Mexico, Dec. 5, 2022), https://pulsenewsmexico.com/2022/12/05/narcos-blockade-zacatecas-highway-judge-dies-following-armed-attack/?utm_source=rss&utm_medium=rss&utm_campaign=narcos-blockade-zacatecas-highway-judge-dies-following-armed-attack; see generally Body count from drug cartel wars earns Mexican cities label of ‘most violent in the world’ (Fox 59 News, April 21, 2021) (reporting, inter alia, that “Mexico for the past two years has been the world’s epicenter for homicidal violence”), <https://fox59.com/news/national-world/body-count-from-drug-cartel-wars-earns-mexican-cities-label-of-most-violent-in-the-world/>.

¹² See MSN News, *supra* n.2; Rival Times, *supra* n.2; Borderland Beat, *supra* n.5.

¹³ See MSN News, *supra* n.2; Rival Times, *supra* n.2; Borderland Beat, *supra* n.5.

¹⁴ See “This is not to justify us, but criminal groups were created in previous governments”: AMLO on the violence in Zacatecas (Nation World News Desk, Dec. 5, 2022), <https://nationworldnews.com/this-is-not-to-justify-us-but-criminal-groups-were-created-in-previous-governments-amlo-on-the-violence-in-zacatecas/>.

¹⁵ See Violence intensifies in Zacatecas, Mexico (West Observer, Dec. 6, 2022), <https://westobserver.com/news/europe/violence-intensifies-in-zacatecas-mexico/>.

¹⁶ See, e.g., Mexico: Measuring Impunity through the 2020 Global Impunity Index (Global Americans, Jan. 11, 2021) (stating that, of 69 countries analyzed, “Mexico stands out as one of the countries with the highest levels of impunity both globally and regionally”) (“Global Americans”), <https://theglobalamericans.org/2021/01/mexico-measuring-impunity-through-the-2020-global-impunity-index/>; Crime and anti-crime policies in Mexico in 2022: A bleak outlook (Brookings Institution, Jan. 24, 2022) (stating that “the effective prosecution rate for homicides in Mexico continues to hover around 2%”), <https://www.brookings.edu/blog/order-from-chaos/2022/01/24/crime-and-anti-crime-policies-in-mexico-in-2022-a-bleak-outlook/>; More Soldiers Won’t Curb Mexico’s Rampant Violence (Bloomberg News, Aug. 31, 2022) (stating that “[i]mpunity rates have risen,” that “[a]most 95 of every 100 criminals escape the law, 10 percentage points higher than in 2008,” and that “[v]ictims only report 1 out of every 10 crimes, believing police too inept or corrupt to help”) (“Bloomberg News”), <https://www.bloomberg.com/opinion/articles/2022-08-31/more-soldiers-won-t-stop-mexico-s-rampant-violence>; Violent crimes rise in Mexico; 94.8% go unpunished (NBC News, Oct. 11, 2021) (reporting that “93.3 percent of cases aren’t reported to authorities and that of the small percentage that are, 95 percent go unpunished,” resulting in “almost total impunity”), <https://www.nbcnews.com/news/latino/violent-crimes-rise-mexico-948-go-unpunished-rcna2846>.

Scholars and commentators tie the high level of impunity to, *inter alia*, the low numbers of public employees working in Mexico’s justice sector – *i.e.*, the low numbers of judges and police. See, e.g., Global Americans (explaining that the high level of impunity in the country “reflects . . . the fragility of the justice institutions in Mexico, the lack of capacity, and its operational problems,” noting that “[i]n terms of the “justice system” dimension, Mexico is ranked 60th when assessing the capacities involved in the structure of the justice system and even comes to 63rd when analyzing its functionality.”; emphasizing that “Mexico has only 2.17 judges to serve every 100,000 inhabitants, while the global average is 17.83 judges per 100,000 inhabitants”), *supra* n.16; Bloomberg News (stating that “Mexico doesn’t spend enough on security overall and on justice in particular. Its security budget of far less than 1% of its GDP is less than half the OECD average. And what money it does spend increasingly goes to those in army garb, rather than judicial robes. According to the Mexico Peace Index, ‘since 2015, military expenditure increased by 31.3% to reach almost 167 billion pesos, the highest level on record. This corresponds with reductions in spending on domestic security of 37.2% and justice of 7.5%.’ These budget decisions have left Mexico with too few police officers, roughly 1 per 1,000 citizens compared with a global average closer to 3 per 1,000 according to a UN survey. . . . Mexico also has too few judges: Less than half Latin America’s average and nearly four times less than the global average.”), *supra* n.16.

¹⁷ See Four suspects arrested for murder of judge (Mazatlán Weekly, Dec. 10, 2022), <https://www.mazatlanweekly.com/2022/12/11/four-suspects-arrested-for-murder-of-judge/>; Judge Roberto Elías,

Zacatecas, Was Ordered To Be Killed From Inside The Prison; 4 Detainees Already In Custody (Borderland Beat, Dec. 12, 2022), <http://www.borderlandbeat.com/2022/12/judge-roberto-elias-zacatecas-was.html>; There are inmates involved in the murder of a Zacatecas judge, reports state prosecutor (Latin American News, Dec. 11, 2022), <https://latin-american.news/there-are-inmates-involved-in-the-murder-of-a-zacatecas-judge-reports-state-prosecutor/>.

¹⁸ See, e.g., United Nations Basic Principles on the Independence of the Judiciary (Sept. 6, 1985) (recognizing in the Preamble that “judges are charged with the ultimate decision over life, freedoms, rights, duties and property of citizens”) (“U.N. Basic Principles”), <https://www.ohchr.org/en/instruments-mechanisms/instruments/basic-principles-independence-judiciary>.

¹⁹ See, e.g., U.N. Basic Principles, *supra* n.18.

²⁰ See U.N. Basic Principles, Principle 1 (stating that “[i]t is the duty of all governmental and other institutions to respect and observe the independence of the judiciary.”), *supra* n.18.

²¹ See U.N. Basic Principles, Principle 2 (stating that “[t]he judiciary shall decide matters before them impartially, on the basis of facts and in accordance with the law, without any restrictions, improper influences, inducements, pressures, threats or interferences, direct or indirect, from any quarter or for any reason.”), *supra* n.18.

²² See U.N. Basic Principles, Principle 4 (stating that “[t]here shall not be any inappropriate or unwarranted interference with the judicial process”), *supra* n.18.

²³ See U.N. Basic Principles, Principle 7 (stating that “[i]t is the duty of each Member State to provide adequate resources to enable the judiciary to properly perform its functions.”), *supra* n.18.

²⁴ See U.N. Basic Principles, Principle 11 (stating that “[t]he term of office of judges, their independence, security, adequate remuneration, conditions of service, pensions, and the age of retirement shall be adequately secured by law.”), *supra* n.18.