

Transparencia: ruta para
la eficacia y legitimidad
en la función policial

BIBLIOGRAFÍA

Libros y artículos especializados

- David Bayley, *Democratizing the police abroad: what to do and how to do it*, National Institute of Justice, Washington D.C., 2001.
- Stephanos Bibas, "Transparency and participation in criminal procedure", 81 (3) NYU L R 923, 2006.
- Mark Bovens, *Analysing and assessing public accountability*, Eurogov, 2006. <http://www.connex-network.org/eurogov/pdf/agp-connex-C-06-01.pdf>
- Susan Braunstein, "The future of law enforcement communications", en The Future Working Group Joseph Schafer (ed.), *Policing 2020 exploring the future of crime, communities and policing*, Quantico, 2007.
- David Bruce y Rachel Neild, *The police that we want. A handbook for oversight of police in South Africa*, Center for the Study of Violence and Reconciliation, Johannesburg, 2005.
- Bogan Bugarcic, "Openness and transparency in public administration: challenges for public law", 22 Wis Intl L J 483, 2004.
- Kevin Carty, *Guidebook on Democratic Policing*, Organization for Security and Cooperation in Europe, Viena, 2006.
- José Roberto Dromi, *Derecho Administrativo Económico*, Astrea, Buenos Aires, 1985.
- Edward J. Eberle, "The right to information Self-Determination", Utah L Rev 965, 2001.
- Edward J. Eberle, *Dignity and liberty. Constitutional visions in Germany and the United States*, Issues in comparative public law, Praeger, Westport, Connecticut, London, 2002.
- De Mark Fenster, "The opacity of transparency", 91 Iowa Law Review 885, 2005-2006.
- Géza Finszter, "The political changeover and the police", en András Kádár (ed.), *Police in transition*, Central European University, Budapest, 2001.
- Paul Haridakis, "Citizen access and government secrecy", 25 Saint Louis University Public Law Review 3, 2006.
- Sander Huisman (ed.), *Transparency and accountability of police forces, security services and intelligence agencies (TAPAS)*, DCAF Conference Papers Geneva Centre for Democratic Control of Armed Forces, 2002.
- Rashad Hussain, "Security and transparency: judicial review in 'special interest' immigration proceedings", [113] *Yale Law Journal* 1333, 2003.
- Elizabeth Joh, "Discretionless Policing: Technology and the Fourth Amendment", 95 *California Law Review* 199, 2007.

- W.T. Jordan y May Ann Zager, "Community policing: past, present and future", en M. A. Dupont-Morales, Michael K. Hooper y Judy H. Schmidt (eds.), *Handbook of criminal justice administration*, Public Administration and Public Policy, Marcel Dekker, New York-Basel, 2001.
- Donald P. Kommers, *The Constitutional Jurisprudence of the Federal Republic of Germany*, 2nd, ed., Duke University Press, Durham and London, 1997.
- Gregory J. Levine, "Disclosure of information in the public interest pursuant to freedom of information and protection of privacy legislation", [11] (1) *Can J of Adm L & Practice*, 1997.
- Sergio López-Ayllón, "La reforma y sus efectos legislativos. ¿Qué contenidos para la nueva generación de leyes de acceso a la información pública, transparencia y datos personales? ", en Pedro Salazar Ugarte (ed.), *El derecho de acceso a la información en la constitución mexicana: razones, significados y consecuencias*, II, UNAM, México, 2008.
- Sergio López-Ayllón y Alejandro Posadas, "Las pruebas de daño e interés público en materia de acceso a la información. Una perspectiva comparada", 9 *D Comp de la Información* 21, 2007.
- Ernesto López Portillo Vargas y Hugo Frühling, *Responsabilidad policial en democracia. Una propuesta para América Latina*, Instituto para la Seguridad y la Democracia, A.C., Secretaría de Seguridad Ciudadana del Estado de Querétaro, Comisión de Derechos Humanos del Distrito Federal y Centro de Estudios en Seguridad Ciudadana de la Universidad de Chile, México, 2008.
- Erik Luna, "Transparent Policing", 85 *Iowa Law Review* 1107, 2000.
- Erik Luna, "Principled enforcement of penal codes", 4 *Buffalo Criminal Law Review* 515, 2000-2001.
- Anneke Osse, *Understanding policing. A resource for human rights activists*, Amnesty International Nederland, Amsterdam, 2006.
- Alasdair Roberts, "Structural pluralism and the right to information", 51 (3) *U Toronto L J* 243, 2001.
- Hugh Thomlinson-Q.C. y Mark Thomson, "Policing the use of data", 154 (7118) *New L J* 338, 2004.
- UN Office on Drugs & Crime & Organization for Security and Cooperation in Europe, *Police information and intelligence systems. Criminal justice assessment toolkit*, United Nations, 2006.
http://polis.osce.org/library/view?item_id=2698&attach_id=529
- Dirk Van Zyl Smit, "Civil disabilities of former prisoners in a constitutional democracy: Building on the South African Experience", *Acta Juridica* 221, 2003.

- Luis Villalobos, “Enfoque institucional para la reforma policial y la rendición de cuentas”, 2 *Revista Latinoamericana de Seguridad Ciudadana*, Urvio-FLACSO, Ecuador.
- Samuel Walker, *The new world of police accountability*, SAGE Publications, Thousand Oaks, London, New Delhi, 2005.
- J. A. Yáñez Romero, “Policía preventiva en la región central de México y el Modelo Gaditano de Seguridad Interior”, US_MEX 203-4, *Working Paper Series*, presentado en la conferencia “Reforming the Administration of Justice in Mexico”, Center for U.S.-Mexican Studies, mayo 2003.

Normatividad

- *Código de buenas prácticas y alternativas para el diseño de leyes de transparencia y acceso a la información pública en México*, CIDE, IJ-UNAM, México, 2007.
- *Constitución Política de los Estados Unidos Mexicanos*, 1917, México.
- Convention for the Protection of Individuals with Regard to Automatic Processing of Personal Data, Strasbourg ETS No. 108, 1981.
- “Ley Federal de Transparencia y Acceso a la Información Pública Gubernamental”, *Diario Oficial de la Federación*, México, 11 de junio, 2002.
- “Lineamientos generales para la clasificación y desclasificación de información de las dependencias y entidades de la administración pública federal”, *Diario Oficial de la Federación*, México, 18 de agosto, 1993.
- Organization for Economic Cooperation and Development, *Recommendation of the council concerning guidelines governing the protection of privacy and transborder flows of personal data*, 1980.
- United Nations, *Code of Conduct for Law Enforcement Officials*, UN GA Res 34 /169, 1979.
- UN Secretary General, *The rule of law and transitional justice in conflict and post-conflict societies. Report of the Secretary General*, 24, 2004.

Jurisprudencia

- *Clubb v. Saanich*, District, 1542-002 (Supreme Court of British Columbia).
- *Jane Doe v. Board of Commissioners of Police for the Municipality of Metropolitan Toronto*, 87-CQ-21670 (Ontario Court of Justice), 1998.

- *Khan v. United Kingdom*, 12 May 2000, ECHR 35394/97 (Third Section).
- *Klass and others v. Germany*, 6 September 1978, ECHR 5029/71.
- *Leander v. Sweden*, 26 March 1987, ECHR 9248/81 (Chamber).
- *Lebach Case*, 5 June 1973, 35 BVerfGE 202 (German Constitutional Court).
- *R (on the application of X) v. Chief Constable of the West Midlands Police*, EWHC Admin. 61, 2004.
- *R v. Local Authority in the Midlands Exp. LM* [2000] UKHRR 143
- *Peck v. the United Kingdom*, April 28 2003, ECHR 44647/98
- *Perry v. United Kingdom*, 17 July 2003, ECHR 63737/00 (Third Section).
- *Rotaru v. Romania (Prel. Ob)*, 4 May 2000, ECHR 28341/95.
- *Segerstedt-Wiberg and others v. Sweden*, 6 June 2006, ECHR 62332/00.
- Tesis No. 177342 I.40.A.59 K “Conceptos jurídicos indeterminados. La forma de actualizarlos al caso concreto exige un proceso argumentativo que debe reducir la discrecionalidad y las apreciaciones subjetivas, eliminando la arbitrariedad” (TCC 9º Época Aislada) XXII Sem J Fed y su Gaceta, sep. 2005, p. 1431.
- Exp. P. Thorpe [1999] QB 396, 429A-B, per Lord Woolf MR, citado en H. Thomlinson-QC y M. Thomson, “Policing the use of data”, 154 (7118) New L J 338, 2004.
- 1P.510/2000 *Wottreng v. the President of the Zurich Cantonal Court*, Arrêts du Tribunal Fédéral (Official Digest), 127 I 145 (Federal Court), 2001.