

5-7-1997

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### Recommended Citation

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## Reports Criticize Mexico for Increase in Human Rights Violations in 1996

by LADB Staff

Category/Department: Mexico

Published: 1997-05-07

According to two separate reports released in late April, the Mexican government has failed to respond to numerous reports of human rights violations, particularly in rural-based communities in southern and western areas. One report was issued by the Washington-based Human Rights Watch-Americas (HRW/A) on April 29, while the other document was presented at a hearing of the United Nations Committee Against Torture in Geneva on April 30. Both reports criticized President Ernesto Zedillo's administration for remaining on the sidelines in the face of increasing violence against government opponents, particularly in the southern states of Chiapas, Guerrero, and Oaxaca, and the western state of Sinaloa. In both cases, the reports used data collected during 1996.

The HRW/A report, released simultaneously in Washington and Mexico City, blamed the proliferation of human rights abuses on growing social instability and unprecedented political change.

### *Abuses tied to law-enforcement agencies*

Many of the perpetrators of the violence, according to the report, are local law-enforcement authorities and politicians, whose actions generally go unpunished. Jose Miguel Vivanco, executive director of Human Rights Watch-Americas, said the federal government should be held accountable for human rights violations, even in cases that fall under the jurisdiction of state authorities. "Given their knowledge of abuses, responsibility to stop them, and their obligation to apprehend and prosecute aggressors, Mexican officials' inaction constitutes willful negligence and complicity," Vivanco said. The report said that Mexico's human rights situation has improved very little during President Zedillo's term in office. "Mexico is dealing with the problem the same way it was five years ago and the same way it was 100 years ago for that matter," said Vivanco.

In response, the Foreign Relations Secretariat (SRE) said the report lacks objectivity and offers "partial" and "distorted" information. Furthermore, the SRE said, the report failed to provide information on the recent successes of the national human rights commission (Comision Nacional de Derechos Humanos, CNDH) in curbing human rights violations in Mexico. The SRE also criticized HRW/Americas for proposing that US President Clinton use his visit to Mexico City in early May to pressure Mexico to improve its human rights record. "This organization seems to forget that Mexico is a sovereign nation and therefore does not receive instructions from any foreign government," the SRE said.

Despite the Mexican government's efforts to keep the issue of human rights off the agenda of the Clinton-Zedillo meeting in May, the Mexican human rights organization Centro Fray Francisco de Vitoria was able to arrange a meeting with visiting US Secretary of State Madeleine Albright to discuss increasing militarization and torture in Mexico. Albright was one of several Cabinet officials

who accompanied Clinton on his visit to Mexico. A spokesperson for the Centro Fray Francisco de Vitoria said at least three other organizations were invited to the meeting, including the Comision Mexicana de Defensa y Promocion de los Derechos Humanos, la Academia Mexicana de Derechos Humanos, and Centro Miguel Agustin Pro Juarez.

### *United Nations committee cites increase in cases of torture*

Meanwhile, the hearing of the UN Committee Against Torture also noted several instances during 1996 where violence was used against social activists, members of opposition political parties, and ethnic minorities. The committee comprises 10 members elected by countries that signed the UN's Convention Against Torture. Mexico, which signed the convention in 1987, is obligated to investigate all complaints about torture or mistreatment of individuals.

Several Mexican and international human rights organizations have accused the Mexican government of either failing to fully investigate or ignoring the complaints. "In many cases, torture and mistreatment of prisoners is perpetrated by the same officials who are charged with upholding the law," said the human rights organization Amnesty International (AI), which testified before the committee.

According to AI, the cases of physical and psychological torture appear to have increased dramatically in Mexico during 1996. Representatives of the Mexican government, led by Luciano Joubanc, defended Mexico's efforts to support human rights. According to Joubanc, Mexico has enacted legislative and judicial changes which are designed to "promote a culture of protecting human rights." Alejandro Gonzalez Poblete, a member of the committee, said part of the problem is that the government-affiliated CNDH lacks the proper authority to take action on any instance of human rights violation. "The CNDH only has authority to present the formal complaint before the proper government agency," said Gonzalez, a citizen of Chile. "The agency lacks the ability to propose a remedy or to hold authorities accountable on the complaints."

In its final report following the hearing, the committee recommended that Mexico provide the CNDH the legal authority to punish any individuals who engage in serious human rights violations. "These must include any complaints regarding torture practices," the report said. The report also suggested that Mexico observe Article 22 of the Convention Against Torture, which allows the UN committee to consider individual complaints against a government regarding human rights violations. CNDH spokesperson Mario Alvarez Ledesma told reporters he welcomed the recommendations from the UN committee. He agreed with the committee that torture does exist in Mexico and is not addressed properly by the competent government authorities.

On the other hand, he said the UN report may have exaggerated somewhat the actual extent of torture in the country. Meanwhile, several human rights organizations called a press conference a few days after the report to urge the government to heed the recommendations of the UN committee. The organizations including Cristianos para la Abolicion de la Tortura (CAT), el Centro de Derechos Miguel Agustin Pro Juarez, and the Comision Mexicana para la Defensa y Promocion de los Derechos Humano said the Mexican government has spent millions of pesos to try to protect the abuses from international scrutiny. The organizations expressed hope that the UN recommendations would result in legislation in Congress that could lead to the prosecution

of human rights violators. (Sources: United Press International, 04/29/97; Washington Post, The News, Novedades, 04/30/97; Proceso, 04/27/97, 05/04/97; La Jornada, 04/30/97, 05/02/97, 05/06/97; El Universal, 04/30/97, 05/06/97, 05/07/97)

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