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Mexico Takes First Step to Give Human Rights Commission Autonomy

by LADB Staff

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President Ernesto Zedillo and the Chamber of Deputies have taken the first step to remove the Comision Nacional de Derechos Humanos (CNDH) from the executive branch's control. In a meeting in late September, representatives of the Secretaria de Gobernacion (SEGOB) and leaders from the five political parties represented in the Chamber of Deputies agreed to recommend changes to Article 102 of the Mexican Constitution to allow greater autonomy for the CNDH. Critics have frequently criticized the CNDH as biased and ineffective because of its close ties to the Mexican president, who has traditionally appointed the commission's director.

Under the agreement, the legislative branch will recommend and approve appointments of CNDH leaders, including the director. However, the Chamber of Deputies' human rights committee (Comision de Derechos Humanos) still must draft a final report that incorporates recommendations presented by each political party. For example, the committee must consider a proposal by the center-left Partido de la Revolucion Democratica (PRD) to expand the powers of the CNDH. The PRD is pushing to allow the CNDH to investigate violations of labor and electoral rights. The PRD's position is supported by nongovernmental human rights organizations. "The latest move to give the CNDH greater autonomy will be an empty victory unless the commission receives greater powers to investigate labor, electoral, and cross- jurisdictional violations," said the Red Nacional de Organismos Civiles de Derechos Humanos.

The legislative human rights committee must also determine whether the Senate or the Chamber of Deputies will appoint future CNDH presidents. The PRD and the Partido del Trabajo (PT) want greater input from the Chamber of Deputies, while the governing Partido Revolucionario Institucional (PRI) and the center-right Partido Accion Nacional (PAN) would like the Senate to have the decision-making power. "We cannot speak about true autonomy if we limit the role of the Chamber of Deputies in nominating the commission's president," said PRD Deputy Benito Miron Lince.

OAS commission criticizes human rights violations in Mexico

The agreement between the legislative and executive branches to create a more autonomous CNDH coincided with the release of a report criticizing Mexico's human rights record. The 11-chapter report by the Inter-American Commission on Human Rights (IACHR) said Mexico has made some advances in protecting human rights, but impunity remains entrenched in Mexico.

The report cited numerous cases of forced disappearances, torture, and extrajudicial executions. The IACHR, an agency of the Organization of American States (OAS), compiled data for its report during interviews in Mexico in July 1996. The report said the most common violations in Mexico involve the right to life, personal liberty, personal integrity, justice, freedom of expression, and indigenous and women's rights. The report also said torture and unusually cruel treatment is prevalent among some

local police forces in Mexico. Among other things, the IACHR document mentioned the growing militarization in some Mexican states, where the army has expanded its presence on the pretext of fighting drug traffickers or controlling guerrilla movements.

The report raised special concerns about the "spiraling violence" in Chiapas state, where paramilitary groups have been attacking community organizers. These organizers are supporters of the Ejercito Zapatista de Liberacion Nacional (EZLN). According to the report, the paramilitary groups often operate with tacit support from the government, which makes very little effort to control their activities.

Since the IACHR document was based on information compiled in July 1996, the report does not include recent developments such as the massacre of 22 Tzotzil Indians near the town of Acteal in December 1997 (see SourceMex, 01/07/98 and 01/14/98). In its recommendations to the Zedillo administration, the IACHR urged the government to more vigorously pursue peace initiatives in areas affected by armed conflict, particularly Guerrero and Chiapas states. Furthermore, the report recommends steps to curb police violence by improving training methods for local police forces. In addition, the IACHR urges Mexico to create a more independent judicial system to guarantee impartial treatment of persons accused of crimes.

Mexico City observers 30th anniversary of Tlatelolco massacre

The report was published a week before the 30th anniversary of the massacre of hundreds of student protestors in Tlatelolco Square in Mexico City. To commemorate the incident, Mayor Cuauhtemoc Cardenas ordered government offices to fly the Mexican flag at half-staff. This was the first official action acknowledging the massacre. Unofficial estimates indicate as many as 300 protesting students died on Oct 2, 1968, when an elite army unit fired indiscriminately into a crowd gathered at the Plaza de Tres Culturas in Tlatelolco.

The students were holding peaceful demonstrations in support of democracy. "Tlatelolco is symbolic of everything negative about Mexican authoritarianism impunity, violence, silence, control of the media," said Sergio Aguayo Quezada, author of a new book on the massacre entitled 1968: Archives of Violence. At the time of the massacre, the government insisted that the confrontation was started by student snipers in nearby buildings. But recently declassified documents and independent historical research confirm that the snipers were plainclothes paramilitary forces ordered to provoke trouble.

To this day, the governing Partido Revolucionario Institucional (PRI) has refused to release full details of its investigation, which are in the Mexican army files. "All countries have documents considered classified," Interior Secretary Francisco Labastida told reporters. "These documents are handled as such." A committee of the Chamber of Deputies has been investigating the Tlatelolco incident and is expected to issue a formal report sometime in October. But the committee has also been denied access to the army documents, and its report is based on testimony and documents in US archives and in SEGOB. Committee member Deputy Armando Lopez of the PRD said the report will confirm that then president Gustavo Diaz Ordaz and former interior secretary Luis Echeverria issued the orders for the army to shoot indiscriminately at student demonstrators.

Lopez said the report absolves the army as an institution, although some army generals acted on direct orders from Echeverria and Diaz Ordaz. Historian Sergio Aguayo said information available in US and some Mexican archives shows the existence of a plan by the Diaz Ordaz administration to end student protests. Aguayo said Diaz Ordaz, convinced that foreign communists were behind the demonstrations in Mexico, was determined to enforce security ahead of the 1968 Olympic Games in Mexico. "This was a paranoid regime," said Aguayo. (Sources: The News, 09/29/98; Excelsior, El Nacional, 09/29/98, 09/30/98; Associated Press, 10/01/98; Spanish news service EFE, 09/28/98, 10/02/98; Novedades, El Universal, 09/29/98, 10/02/98; The Washington Post, The Chicago Tribune, El Diario de Yucatan, 10/02/98; El Financiero International, 10/05/98; La Jornada, 09/29/98, 10/06/98)

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