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Authorities Detain Ex-Police Commander Accused of Torture in 1970s, 1980s

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In mid-February, authorities arrested Miguel Nazar Haro, the former chief of Mexico's brutal secret police agency (Direccion Federal de Seguridad, DFS). Nazar Haro is accused of coordinating a campaign against leftist dissidents during the 1970s and into the early 1980s, in what is known as Mexico's "dirty war."

Nazar Haro, who was arrested in Mexico City, is being held at the Topochico federal penitentiary in Nuevo Leon. The arrest became possible after Mexico's highest court (Suprema Corte de Justicia de la Nacion, SCJN) ruled last year that President Vicente Fox's administration had the right to prosecute former officials associated with the dirty war (see SourceMex, 2003-11-12).

The decision opened the door for special prosecutor Ignacio Carrillo Prieto to indict Nazar Haro, his predecessor Luis de la Barreda Moreno, and former Nuevo Leon state police officer Juventino Romero Cisneros. Specifically, the SCJN's ruling is related to the case of student activist Jesus Piedra Ibarra, who disappeared in Monterrey in 1975. Witnesses said Piedra Ibarra was kidnapped by members of the judicial police force.

Defense lawyers for Nazar, de la Barreda, and Romero had argued that their clients could not be tried for Piedra Ibarra's disappearance because too much time had elapsed. But the SCJN ruled that the statute of limitations did not apply in the case because kidnappings where the victim has never been found constitute an ongoing offense.

Arrest first major breakthrough for special prosecutor

Nazar's arrest is a victory for Carrillo Prieto, who heads a special agency created to investigate crimes committed during the dirty war, the Fiscalia Especializada para Movimientos Sociales y Politicos del Pasado (FEMOSPP). The special prosecutor had been criticized as ineffective because of the lack of results in the two-year history of FEMOSPP. "The special prosecutor's office, I think, needed this arrest, because after more than two years many people were wondering whether the government was serious about prosecuting these cases," said Daniel Wilkinson of Human Rights Watch (HRW) in New York. "For the first time it looks like a former senior official will have to answer allegations in a Mexican court after decades of impunity for these crimes."

The SCJN decision and the Fox administration's strong efforts to seek justice in the dirty-war cases demonstrate a change in the government's attitude toward these types of cases. Previous administrations headed by the former governing Partido Revolucionario Institucional (PRI) attempted to cover them up. "Without the institutional armor that protected them, the former directors of the DFS will have to pay for their actions in the past," said an editorial by the Agencia de noticias Proceso.
Relatives of victims reacted to the arrest with cautious optimism. Guillermina Cabanas, whose
cousin Lucio Cabanas led a guerrilla uprising in Guerrero, said she planned to meet soon with
Carrillo Prieto to demand Nazar be charged with the forced disappearances of at least 500 people.
Carrillo has been under fire for the slow pace of his investigation into the dirty-war atrocities in
Guerrero state (see SourceMex, 2003-12-10).

Guillermina Cabanas, who claims 126 members of her own extended family were disappeared,
accused Nazar of being directly involved in the 1976 disappearance of her brother, Humberto
Cabanas. Piedra Ibarra's mother, Rosario Ibarra de Piedra, said Nazar's arrest was a "key piece"
toward solving a "sinister puzzle of repression." But she raised concerns that a simple arrest does
not guarantee justice. "Let's see what happens with the judges," said Ibarra, who heads Comite
Eureka, an organization of relatives of victims of the dirty war. "We still don't know if the justice
process in this country acts in accordance with the law, with strict adherence."

A special report implicates the DFS in 164 disappearances in the 1970s and early 1980s. The majority
of the disappeared were members of the Liga Comunista 23 de Septiembre, based in Nuevo Leon.
However, the report links Nazar Haro directly to only three of the disappeared, including Piedra
Ibarra. Former Liga Comunista member Raul Rubio contends that Nazar Haro participated in his
torture and that of several members of the organization.

Among the torture methods were mock executions and electric shock, used during interrogations.
"The Nuevo Leon judicial police arrested me. After torturing me and seeing what weapons and
literature I had, they concluded that I was important and decided to send me to Mexico City with
Miguel Nazar Haro," Rubio said.

Rubio, currently a professor at the Universidad de Nuevo Leon, told Spanish news agency EFE
that he belonged to a group that was part of the larger Movimiento Estudiantil Popular (MEP), in
which Universidad de Nuevo Leon students participated and which was organized by Jesuits. The
MEP gave rise in the 1970s to the principal leaders of the nation's urban guerrilla force, the Liga
Comunista 23 de Septiembre, founded in the city of Guadalajara in 1972. Rubio acknowledged that
the urban guerrilla movement robbed banks and committed other similar crimes.

**Suspect's lawyers seek dismissal of charges**

Nazar's defense lawyers, meanwhile, asked that charges be dismissed for lack of evidence. Attorney
Jose Luis Nazar Daw, son of the accused, said charges of kidnapping against his father are not
applicable because Piedra's detention was legal and could not be construed as kidnapping. He
produced documents showing that Piedra and four other members of the Liga Comunista were
wanted for armed robbery and criminal association at the time of his detention by state police
in Monterrey. "It is odd that it only took us a couple of hours to find these documents, while the
prosecution, in all their months of work, didn't include them in the charges," Nazar Daw said in an
interview after the hearing. "Other crimes could have been committed, but not kidnapping, and
even if other crimes were committed after the detention, this has to be proved."

Nazar Haro, who testified before a judge shortly after his arrest, insisted on his innocence. He said
his task was principally to gather intelligence. De la Barreda and Romero remained at large in late
February, but Carrillo said he was confident that they would be taken into custody soon. "We have to remember that Nazar's arrest solves only one-third of the problem," said Carrillo.

The special prosecutor said de la Barreda and Cisneros must be taken into custody, at the very least to provide information about the occurrences in the 1970s and early 1980s. He noted the case of a fourth dirty-war suspect, ex-Guerrero state police chief Isidro Galeana, who died at home before authorities were able to obtain his testimony (see SourceMex, 2003-12-10). In an interview, Romero said the government could not prosecute him because he was offered immunity in exchange for his testimony.

**Suspect worked on behalf of CIA**

In his capacity as head of the DFS, Nazar also forged links with foreign intelligence services operating in Mexico, including the US Central Intelligence Agency (CIA). He was an important liaison for the CIA during the 1970s and early 1980s, providing the US government with information on leftists throughout Mexico, Central America, and the Caribbean, US officials said. The CIA blocked his indictment by a federal grand jury in San Diego in 1982, immediately after he left his post as chief of the secret police, Peter Nunez, a member of the prosecuting team, told the Mexico City daily newspaper Milenio Diario.

In an interview with The New York Times, prosecutor William Kennedy said CIA officials had told him that Nazar Haro was their most important source in Mexico and Central America. The DFS gathered information used by former US President Ronald Reagan's administration to justify assertions of Soviet and Cuban subversion in the region. Kennedy said the CIA convinced prosecutors that the importance of the information gleaned from Mexico's secret police overrode the interests of US law enforcement in prosecuting an auto-theft case in which Nazar Haro was allegedly involved.

Nazar Haro's arrest also opens the door wider for the government to investigate the role that higher-level officials like former Presidents Luis Echeverria Alvarez (1970-1976) and Jose Lopez Portillo had in the torture of dirty-war suspects. The possibility of trying Echeverria has also been raised by the Mexican Congress, which has called on the Fox administration to exhaust all avenues in the investigation. "Authorities have to identify all those responsible for the atrocities, even if they are only intellectual authors," said PRI Sen. Sadot Sanchez Carreno, chair of the Senate's human rights committee (Comision de Derechos Humanos).

Other legislators concurred. "Prosecutors must go after the big fish," said Sen. Leticia Burgos, a member of the center-left Partido de la Revolucion Democratica (PRD). Attorney General Rafael Macedo de la Concha would not comment directly on whether his office was looking into charges against Echeverria. "This is a case of strictly following the letter of the law," said Macedo. The attorney general said, however, that the FEMOSPP has the power to "take any action necessary that is warranted by the investigation, as long it complies with the law."

Interior Secretary Santiago Creel also said that Echeverria would be prosecuted if Carrillo and the FEMOSPP recommended such an action. "Let me make it very clear, the government is not going to..."
stop [with Nazar's arrest]," said Creel. "We have an obligation to the citizens to ensure that human rights are protected and that this kind of repression does not occur again."

**Authorities to probe role of late President Lopez Portillo**

The government will also continue to explore Lopez Portillo's role in the investigation, although prosecutors can no longer count on testimony by the former president, who died in mid-February. Just days before Lopez Portillo's death, human rights activists had expressed concerns that Carrillo had not interrogated the former president about his administration's actions in the dirty war between 1976 and 1982. "At least 100 persons disappeared after being detained illegally during that period," said Julio Mata Montiel, executive secretary of the Asociacion de Familiares de Detenidos Desaparecidos y Victimas de Violaciones a Derechos Humanos (AFADEM).

Enrique Gonzalez Ruiz, an attorney for AFADEM, said at least 150 complaints were filed with FEMOSPP against Lopez Portillo, with most of the violations occurring in Guerrero state. The organization lists 800 unsolved cases of disappearances dating back to the administration of former president Gustavo Diaz Ordaz (1964-1970). Some of those cases are as recent as 1985, when Miguel de la Madrid was president. Some victims' relatives questioned the timing of Nazar's arrest, which occurred a day after Lopez Portillo's death from complications from pneumonia. "I hope that now that Nazar Haro has been arrested justice will be done, because he was protected by former Presidents Luis Echeverria and Jose Lopez Portillo," said Guillermina Cabanas.

In addition to its involvement in torture and disappearances, Lopez Portillo's administration left a negative legacy in other areas. His administration was marred by major corruption scandals and mismanagement of the country's oil resources. When the bottom fell out of the world crude-oil market, the peso had to be devalued three times. "He took some positive actions and made some important errors," said Deputy Manuel Camacho Solis, a long-time PRI member who recently defected to the PRD. "Among the things that did not work out was the economic strategy that his government followed."

The Lopez Portillo legacy left such a bad taste in the mouths of many Mexicans that few mourned his death. Among those absent from his funeral were President Vicente Fox and former President Ernesto Zedillo. "I think 100 years from now, someone will probably find something good to say about Jose Lopez Portillo," said Lorenzo Meyer, a professor at El Colegio de Mexico. "But right now Mexico is not mourning [him] because we still live day to day with some of the results of his failed promises. He promised much and delivered nothing." Former Presidents Echeverria, Miguel de la Madrid (1982-1988), and Carlos Salinas de Gortari (1988-1994) attended the funeral. (Sources: Reuters, Associated Press, The Dallas Morning News, 02/19/04; Agencia de noticias Proceso, 02/17-20/04; La Cronica de Hoy, The New York Times, Los Angeles Times, 02/18/04, 02/20/04; The Washington Post, 02/20/04; Spanish news service EFE, 02/17/04, 02/19/04, 02/22/04, 02/23/04; Unomasuno, 02/20/04, 02/23/04; El Financiero, 02/20/04, 02/23/04; The Herald-Mexico City, El Sol de Mexico, El Universal, 02/19/04, 02/20/04, 02/23/04, 02/24/04; Milenio Diario, 02/20/04, 02/23/04, 02/24/04; La Jornada, 02/19/04, 02/20/04, 02/23-25/04)