

7-21-2004

Administration Gives Conflicting Signals on Prosecution of Dirty War Crimes

LADB Staff

Follow this and additional works at: <https://digitalrepository.unm.edu/sourcemex>

Recommended Citation

LADB Staff. "Administration Gives Conflicting Signals on Prosecution of Dirty War Crimes." (2004).
<https://digitalrepository.unm.edu/sourcemex/4768>

This Article is brought to you for free and open access by the Latin America Digital Beat (LADB) at UNM Digital Repository. It has been accepted for inclusion in SourceMex by an authorized administrator of UNM Digital Repository. For more information, please contact amywinter@unm.edu.

Administration Gives Conflicting Signals on Prosecution of Dirty War Crimes

by LADB Staff

Category/Department: Mexico

Published: 2004-07-21

President Vicente Fox's administration is offering conflicting statements regarding possible prosecution of perpetrators in the federal government's "dirty war" during the 1960s, 1970s, and early 1980s. Two separate incidents in particular are associated with the dirty war: the massacre of demonstrators in Tlatelolco in 1968 (see SourceMex, 2003-10-08) and the murder of several student leaders in the infamous Jueves de Corpus crackdown on June 10, 1971, which coincides with the Christian feast day of Corpus Christi (see SourceMex, 2003-10-08).

Government officials and military officers are also linked with murders of dissidents in Guerrero and other states during the dirty war (see SourceMex, 2002-10-16 and 2004-02-25). In late June and early July, some administration officials proposed a controversial plan to grant amnesty to military personnel who participated in the repression of leftist dissidents. At the same time, the administration suggested in mid-July that it was set to move forward with the possible prosecution of some high-level officials involved in the crackdown, including former President Luis Echeverria Alvarez (1970-1976).

Some officials recommend amnesty for military personnel. The proposal to grant amnesty to military personnel was first mentioned by Defense Secretary Gen. Ricardo Clemente Vega Garcia during a speech in Mexico City. Vega said the prosecution of military personnel, many of whom were just following orders, would create unnecessary conflicts in society. "This is a time for reconciliation," Vega said.

"We have to learn to forgive." In a press conference a day later, deputy attorney general Jose Luis Santiago Vasconcelos echoed Vega's statements, saying many of those accused of wrongdoing recently had been unfairly "forced" to combat suspected guerrilla forces by any means necessary. "What has been discussed is a pardon, that we let go of this anger and resentment that we have been carrying for so long," said Santiago Vasconcelos, who heads the organized-crime unit of the Procuraduria General de la Republica (PGR).

The comments from the two officials immediately came under fire from human rights organizations and opposition politicians. "I don't see how the application of the law is going to create any conflicts in our country," said Cuauhtemoc Cardenas, one of the founders of the center-left Partido de la Revolucion Democratica (PRD).

Cardenas called on Vega to clarify his statements regarding a possible conflict. "I am asking that he clarify the situations in which he sees a risk," said Cardenas, who has hinted that he will seek his party's presidential nomination for a fourth time in 2006.

Jose Luis Soberanes Fernandez, president of the semi-autonomous Comision Nacional de Derechos Humanos (CNDH), was more forceful in his criticisms of comments by the officials from the Fox government. He called on the administration not to even consider amnesty until the full truth about the repression of the 1960s and 1970s is uncovered. "A country that forgets its history is condemned to relive it," said Soberanes. "History must not be forgotten."

Ignacio Carrillo Prieto, the special prosecutor appointed by Fox to prosecute crimes related to the dirty war, attempted to justify the statements of the defense secretary. "Vega's comments were not a suggestion that we forget the atrocities committed during the dirty war," Carillo Prieto said in an interview with the Agencia de noticias Proceso (apro). "On the contrary, this is an appeal to remember the lessons from history and not allow them to become forgotten."

Government completes report on 1971 massacre

In contrast to the statements from Vega and Santiago Vasconcelos, the Fox administration is talking tough about prosecuting officials in the Jueves de Corpus incident, including former President Luis Echeverria Alvarez, ex-interior secretary Mario Moya Palencia, ex-attorney general Julio Sanchez Vargas, and Gen. Manuel Diaz Escobar, who allegedly trained the elite Halcones (Falcons) unit that attacked the demonstrators. The possible prosecution of the former officials follows the completion of a 30-month study of the events conducted by the PGR, which was released on June 10, the 33rd anniversary of the incident.

In late 2003, Mexico's highest court (Suprema Corte de Justicia de la Nacion, SCJN) opened the doors to the prosecution of Echeverria and other officials by throwing out a statute of limitations that had been in place before then (see SourceMex, 2003-11-12). In June of this year, the SCJN followed that decision with a ruling that unsolved cases of forced disappearance can be brought to trial if the victims remain missing. Until the ruling, charges could not be applied to hundreds of cases of victims who vanished at the hands of security forces in the last three decades.

Carillo Prieto, who heads the Fiscalia Especial para Movimientos Sociales y Politicos del Pasado (FEMOSPP), is expected to make the final decision on when to proceed with charges against the former officials. He recently traveled to Washington to interview Eduardo Valle, who was working for the US Central Intelligence Agency (CIA) in Mexico City during the crackdown. Mexico's government never acknowledged a part in the massacre. At the time, US diplomats called Mexico's handling of the tragedy a "whitewash," although they did not issue any protests in order to maintain friendly relations with the Echeverria administration, US State Department records show.

The contents of the report have not been widely disseminated to the public, but officials said some serious charges could be brought against key officials. "Nobody should be surprised if the crime of genocide appears [in the report]," the PGR said just before the release of the report. Former President Echeverria could face prosecution Carrillo said charges would be filed against those who ordered the massacre as well as those who carried it out, the Halcones. "No one is excluded, regardless of how high their position was," Carrillo said.

Legal representatives for Echeverria and other officials, anticipating that the PGR will seek to prosecute their clients, have asked Carrillo's office to present in writing any specific charges that will be applied. Echeverria's lawyer Juan Velazquez, who studied the report, said the government has

no case against his client. "In the investigation, there is no evidence of our criminal responsibility," said a letter dated July 5 from Echeverria's attorney to Carrillo. As part of their defense, legal representatives for Echeverria, Moya Palencia, and Sanchez Vargas plan to show that the Halcones unit acted independently from the Secretaria de Gobernacion (SEGOB) and other agencies in the Echeverria administration.

The three officials recently sent a letter to Carrillo contending that they cannot be legally charged with the crime of genocide because no proof exists of their participation in the violent repression of the students in 1971. "Such a letter does not offer sufficient evidence to presume innocence of an individual or individuals under investigation," said Sen. Jose Alberto Castaneda Perez, secretary of the military-affairs committee (Comision de Defensa) in the upper house. "The only way to determine responsibility is with verifiable and concrete evidence." Sen. Castaneda is a member of Fox's center-right Partido Accion Nacional (PAN).

PRI accuses Fox government of playing politics

The former governing Partido Revolucionario Institucional (PRI) has accused the Fox government of using the report for political ends. "This is a political act, not a legal one," said David Penchyna Grub, secretary of the PRI's governing council (comite ejecutivo nacional, CEN). "This administration is stuck in the past as opposed to looking toward the future. Looking at the past doesn't get us anywhere."

Similarly, PRI president Roberto Madrazo said the prosecution of Echeverria coincided with the recent decline in the political fortunes of the PAN. "The Fox government has been stumbling without direction, and this has led to the attacks against the PRI," said Madrazo, who has made no secret of his intention to seek his party's nomination in the 2006 election. "The administration is instead promoting issues that place the governability of the country at risk."

The PRI's CEN also chided the Fox government for proceeding with the case. "While the country urgently needs political reconciliation to find solutions to grave national problems, the government plans a new provocation that will inevitably create divisions among the Mexican people," the PRI said in a statement.

The PRI leaders said the prosecution of Echeverria could damage the institution of the presidency. "We are not speaking only about a specific ex-president," the PRI CEN said in a statement. "We are speaking about the chief of the Mexican state, of the presidential institution, of historical legitimacy that gave political stability to the country for more than 70 years."

Human rights organizations said the staunch defense of Echeverria is a sign that the PRI is not ready for change. "Official impunity was a hallmark of the PRI regime," said Daniel Wilkinson of Human Rights Watch (HRW). "What we see now really suggests that they haven't changed, it's the same old attitude from the past."

Responding to the PRI's charges, Interior Secretary Santiago Creel denied that there was any political motivation in the prosecution of Echeverria. "This is not a political matter," said Creel. "This is strictly a legal issue." Similarly, Attorney General Rafael Macedo de la Concha said his

office would not cave in to pressure from the PRI. "We will take action against anyone who is responsible for these crimes," said Macedo. "We have the law on our side." The administration's prosecution of the perpetrators of the 1971 crackdown appears to have strong popular support. Several hundred demonstrators participated in a rally in Mexico City on June 10 of this year to commemorate the 33rd anniversary of the massacre. Among other things, the demonstrators including survivors of the 1971 crackdown demanded that Echeverria and other officials face charges for the murders. (Sources: Reuters, 06/10/04, 06/29/04, 07/13/04; Associated Press, 06/10/04, 07/01/04, 07/13/04; Milenio Diario, 07/01/04, 07/06/04, 07/13/04, 07/15/04; The Washington Post, 07/15/04; Spanish news service EFE, 06/10/04, 06/12/04, 07/20/04; El Financiero, 06/11/04, 06/17/04, 07/01/04, 07/02/04, 07/06/04, 07/14/04, 07/20/04; The Herald-Mexico City, 06/11/04, 07/01/04, 07/02/04, 07/14/04, 07/15/04, 07/19/04, 07/20/04; Notimex, 07/05/04, 07/12-15/04, 07/19/04, 07/20/04; La Jornada, 06/10/04, 06/11/04, 07/02/04, 07/06/04, 07/12-14/04, 07/16/04, 07/19-21/04; El Universal, 06/11/04, 07/01/04, 07/06/04, 07/12-16/04, 07/20/04, 07/21/04; Unomasmuno, 07/02/04, 07/21/04; La Cronica de Hoy, 07/02/04, 07/07/04, 07/13-16/04, 07/19-21/04)

-- End --