

4-26-2006

Attorney General Closes Office Created to Investigate Dirty War Crimes

LADB Staff

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

Recommended Citation

LADB Staff. "Attorney General Closes Office Created to Investigate Dirty War Crimes." (2006). <https://digitalrepository.unm.edu/sourcemex/4981>

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.

Attorney General Closes Office Created to Investigate Dirty War Crimes

by LADB Staff

Category/Department: Mexico

Published: 2006-04-26

The Procuraduria General de la Republica (PGR) has announced plans to shut down the Fiscalía Especial para Movimientos Sociales y Políticos del Pasado (FEMOSPP), a special office created to investigate crimes committed during the government's "dirty war" against leftists in the 1960s, 1970s, and 1980s. The office has operated since 2002 under the direction of jurist Ignacio Carrillo (see SourceMex, 2002-01-06).

Attorney General Daniel Cabeza de Vaca said the office would conclude its operations upon the release of a final report on its findings in April or May. The report was presented to President Vicente Fox on April 15, but has not been released to the public. Some members of Carrillo's research team leaked a draft of the report on the Internet in March (see SourceMex, 2006-03-08). "The special prosecutors' office had only one objective, which was to examine the events of the past," said Cabeza de Vaca. "Now that its principal investigations are concluded, it's time to close down the office and transfer its functions to other units in the PGR."

Duties to be transferred to other units

Carrillo said the closure of the office does not mean an end to the efforts to uncover the truth related to the dirty war. "This historic report allows Mexican society to know the details about the abuse of power by authorities and the resulting crimes against members of social movements and politicians," said the outgoing FEMOSPP director. "This creates a fundamental tool to continue to pursue the responsible parties."

The FEMOSPP was especially useful in helping uncover and support evidence that government officials had a major responsibility in the violent repression of student demonstrators during the administrations of former Presidents Gustavo Diaz Ordaz (1964-1970) and Luis Echeverria Alvarez (1970-1976). Echeverria, who was interior minister in the Diaz Ordaz administration, was closely linked with the infamous massacre of student demonstrators in Tlatelolco in 1968 (see SourceMex, 2003-10-08).

Echeverria is also alleged to have approved the violent repression of students during the Jueves de Corpus incident, which claimed the lives of 12 protestors in 1971. The students were protesting a government plan to privatize higher education in Nuevo Leon state (see SourceMex, 2002-06-19 and 2005-03-02). Many critics view the FEMOSPP as a failure because of Carrillo's inability to obtain any convictions or successful indictments against Echeverria and other high-level officials.

Some former FEMOSPP investigators contend, however, that the data collected by the prosecutors' office helped build a case against officials like Miguel Nazar Haro, Luis de la Barreda, and Juventino Romero Cisneros, former officers in the now-defunct secret police agency (Direccion Federal de

Seguridad, DFS). The DFS played a major role in the disappearance and torture of hundreds of leftists more than a quarter century ago (see SourceMex, 2001-12-05, 2003-11-12 and 2004-02-25). "The documents helped us arrest and bring charges against Nazar and Capt. de la Barreda," said Angeles Magdaleno Cardenas, who helped lead the investigations.

Supreme Court rejects request to reopen probe of 1971 incident

Efforts by Carrillo and others to bring Echeverria to justice received another blow in April, when the SCJN rejected a request to name a commission to reopen the investigation into the Jueves de Corpus incident. Carrillo had pushed to bring charges of genocide against the former president, gaining support for such a move from the high court in June 2005 (see SourceMex, 2005-06-22). The SCJN decision reversed the earlier decision (see SourceMex, 2005-03-02).

The high court did not rule on the merits of the case against Echeverria, leaving that decision to a lower court. In July, a lower-court judge refused to issue an arrest order against the former president, saying there was insufficient evidence that the government actions constituted genocide (see SourceMex, 2005-08-03).

The judge's decision prompted Mexico City Mayor Alejandro Encinas to ask the SCJN to appoint a special investigative commission. In a 7-3 ruling announced in April, the justices turned down Encinas' request, saying the case had already been through several investigations. Chief Justice Mariano Azuela, speaking for the majority, said special commissions should be created only for "urgent" cases in which the fundamental rights of individuals were threatened. Also voting against the commission were Justices Margarita Luna Ramos, Juan Diaz Romero, Jose de Jesus Gudino Pelayo, Guillermo Ortiz Mayagoitia, Sergio Valls Hernandez, and Olga Sanchez Cordero.

Speaking for the minority, Justice Genaro Gongora Pimentel said creating the commission would benefit society at large. "The conclusions would be beneficial not only to the victims and their relatives but for the country as a whole," said Gongora. "We all have the right to know the truth." Justices Juan Ramon Cossio Diaz and Juan Silva Meza joined Gongora in the dissenting vote.

The court's decision, which all but eliminates the possibility that Echeverria will ever be brought to trial, raised strong protests from organizations of survivors and relatives of the victims of the dirty war. "We demand a political trial against the judges who made this decision," said Raul Alvarez Garin of the Comite 68 and Eduardo Martin del Campo, a brother of one of the victims of Jueves de Corpus.

Alvarez and Martin del Campo contend that the justices did not meet their obligations under Article 97 of the Mexican Constitution, which allows for reopening investigations that had been closed. "The justices used a very weak argument [in rejecting the creation of an investigative commission]," said the two critics. (Sources: El Economista, 03/14/06; Associated Press, 03/13/06, 04/04/06; Agencia de noticias Proceso, 03/13/06, 03/14/06, 04/24/06; Spanish news service EFE, 04/24/06; The Herald-Mexico City, 03/14/06, 04/25/06; El Universal, 04/04/06, 04/05/06, 04/20/06, 04/25/06; Reforma, 04/15/06, 04/25/06; El Financiero, 04/20/06, 04/25/06; La Crisis, La Cronica de Hoy, 04/25/06; La Jornada, 03/14/06, 03/19/06, 04/03-06/06, 04/25/06, 04/26/06)

-- End --