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Fox Administration Comes Under Fire for Poor Efforts to Fight Torture

by LADB Staff

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President Vicente Fox's administration received stinging criticisms from international and domestic human rights organizations for its poor record on combating the practice of torture in Mexico. The UN Committee against Torture and Mexico's Comision Nacional de Derechos Humanos (CNDH) said the Fox government has looked the other way or failed to conduct thorough investigations in several high-profile cases of human rights violations during its six-year term in office.

The UN committee, which is under the auspices the UN Office of the High Commissioner for Human Rights (OHCHR), presented its criticisms to Mexican representatives during a hearing in Geneva in early November. One major criticism was that the Mexican government was failing to investigate the vast majority of cases of torture because the party issuing a complaint was not able to meet stringent requirements of proof set by the government.

The committee recommended to Mexican authorities that they treat torture as a serious human rights violation and not as a simple abuse of power. "The committee said Mexico's efforts against torture have not been effective, and authorities have a mistaken perception on how torture should be proven," said the Mexico City daily newspaper Excelsior.

For example, the government in most cases does not allow complainants to present medical examinations as proof that torture has occurred. "Torture is not something that is practiced in front of a notary public," said Chilean Claudio Grossman, the member of the committee who has responsibility for Mexico. "Someone then explain to me how then you can prove torture if medical reports cannot be considered as evidence."

Furthermore, the committee noted several deficiencies in Mexico's legal codes related to torture. For example, it cited a lack of uniform legal definitions of torture in Mexico, with states using different criteria. Additionally, the panel pointed to the absence of a section on torture in the country's military code.

Questions raised about Juarez murders, police repression

Committee members also criticized the Fox government's "paralysis" in failing to fully resolve the murders of hundreds of women in Ciudad Juarez and in allowing state and local authorities to torture detainees during demonstrations in Guadalajara in June 2004 and in Atenco in Mexico state in May 2006.

In the Juarez situation, Mexico has yet to resolve the murders of hundreds of women since the early 1990s. For many years, the federal government stayed out of all but a handful of the investigations, taking the position that these cases were the responsibility of Chihuahua state authorities (see SourceMex, 2004-06-23 and 2005-02-09).

The government took a more active role in 2004 with the appointment of a special prosecutor (see SourceMex, 2004-02-04, 2005-06-01 and 2006-03-01). Even with these efforts, most of the murders remain unresolved. The Guadalajara incident has also received considerable attention, as municipal and Jalisco state police officers were accused of stripping and beating detainees and depriving them of sleep. The demonstrators were protesting global trade policies (see SourceMex, 2004-06-16).

Many human rights advocates have blamed the repression of demonstrators in Guadalajara in 2004 on outgoing Gov. Francisco Ramirez Acuna, a member of the governing Partido Accion Nacional (PAN).

The Fox government was also faulted for its failure to conduct a more extensive investigation into the police treatment of detainees following a riot in the community of San Salvador Atenco in Mexico state in May 2006. Riot units from the Mexico state police and the federal law-enforcement agency (Policia Federal Preventiva, PFP) were called after a mob assaulted several municipal officers and beat them into unconsciousness. The mob was protesting the removal of flower vendors from the sidewalk outside a local market (see SourceMex, 2006-05-17).

Sexual abuse, rape alleged in Mexico state crackdown

Mexico state police, who arrested 200 individuals in connection with the Atenco riot, were accused of clubbing several detainees in revenge for the beatings of the police officers outside the flower market. The images of the beatings were shown on television. Additionally, seven women claim they were raped and 16 others said they were sexually abused shortly after being taken into custody. The rape allegations caused an international outcry, with human rights organizations like Amnesty International (AI) calling on state and federal authorities to conduct a thorough investigation and punish those responsible.

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