

MEXICO

During 2002, EAAF continued its consultancy work in Mexico. Between June 18th and 20th, EAAF member Luis Fondebrider traveled to Mexico to participate in an international seminar titled “Truth Commissions: Torture, Reparations, and Prevention.” The event was co-organized by the Swiss organization Association for the Prevention of Torture, the Miguel Agustín Pro Juárez Human Rights Center (Mexico), the Human Rights Commission of the Federal District (Mexico City), and the Chilean Human Rights Promotion and Defense Corporation. Recently, EAAF was asked to assist a new Special Prosecutor investigating cases of people disappeared for political reasons during the 1960’s and 1970’s.

HISTORICAL BACKGROUND

During the 1960’s, Mexico’s single-party government faced growing opposition from students, teachers, and independent labor organizations. In the prelude to the 1968 Olympics, hosted by Mexico, peaceful student protesters and their supporters were met with increasingly forceful police tactics. On October 2, 1968 a large number of students and local residents — possibly



Photo courtesy of Archivo El Proceso Magazine, Mexico.



Mexico City, October 2, 1968. Students in underwear being held at gunpoint in an apartment building in Tlatelolco housing complex. Paramilitary forces hired to provide security during the Olympic Games reportedly took part in a massacre of protesters.

hundreds — were massacred in the Tlatelolco housing complex, near the center of Mexico City, in an event that is widely understood as a turning point in Mexican politics. Many protesters simply disappeared, and until quite recently, authorities denied both the scale of the episode and any knowledge of the victims' whereabouts. No investigation was ever permitted. On June 10, 1971 — Corpus Christi Day — demonstrating students were attacked by an anonymous unit that allegedly belonged to a paramilitary group called *Los Halcones* — one of the groups accused in the Tlatelolco incident. The Corpus Christi massacre left over thirty dead. Mexican human rights groups have long claimed that from 1968 through the mid-1980's, a secret government initiative led to the disappearance of over 500 political dissidents in throughout the country.ⁱ

Civic groups worked through the 1970's and 80's to open the Mexican political system, and to access official records on Mexico's "Dirty War," both from Mexico City and from Washington. These efforts slowly bore fruit. Seriously contested national and local elections in the late 1980's were accompanied by continued state violence. But in the early 1990's, several states elected and inaugurated opposition-party governors, and major electoral reforms in Mexico City led to the inauguration of an elected, opposition-party mayor, Cuauhtemoc Cardenas, in 1997. Demands for investigations into the "Dirty War" escalated. In 1998, on the thirtieth anniversary of the Tlatelolco massacre, the Federal Attorney General rejected a criminal case filed by survivors of the massacre, citing a thirty-year statute of limitations on genocide prosecutions. Finally, in 2000, Mexico inaugurated its first opposition party president, Vicente Fox.

Shortly before leaving office, Fox's predecessor, Ernesto Zedillo, invited the UN High Commissioner on Human Rights to visit Mexico. In 1999, Special Rapporteur on Extrajudicial, Summary, or Arbitrary Execution, Asma Jahangir, met with groups in the states of Guerrero, Chiapas, and Baja California to gather information about alleged human rights abuses committed during the 1990's. Later that year, High Commissioner Mary

Robinson visited Mexico and offered the Zedillo administration a Technical Assistance "package," which would have entailed further field investigations by international experts. Zedillo declined the package, but signed a Memorandum of Intentions, agreeing to collaborate with the UN in drawing up improved policies.

Not surprisingly, then, many groups looked to the administration of President Fox with great anticipation. On December 2, 2000, one day after taking office, Fox signed the Technical Cooperation agreement with the UN.ⁱⁱ The High Commissioner's Office would work closely with the National Commission for Human Rights (CNDH), a government body, and welcome the participation of NGOs through a special UN liaison, Begoña Anton.

EAAF's Participation

It was in this context that the High Commissioner's Office contacted EAAF. In 2001, together with Dr. Maria Cristina de Mendonça, of the Legal Medical Institute of Portugal, EAAF members drafted a protocol and practical guidelines for the investigation of cases involving human remains. Later that year, team members Luis Fondebrider and Silvana Turner also gave training courses in Mexico City and Guadalajara, as part of the administration's plan to institutionalize the protocol across the country, and disseminate improved techniques.ⁱⁱⁱ At the time of this writing, the protocol, called the Model Protocol for the Forensic Investigation of Suspicious Deaths Resulting from Human Rights Violations, is in the process of being approved by the government so that it can be proposed as law. It is unclear how long the process will take.

In the interim, however, EAAF members returned to Mexico for a different kind of project, following interesting policy developments. In November 2001, CNDH director José Luis Soberanes presented a 3000-page report officially unveiling new evidence about political disappearances. The report states that 532 political dissidents disappeared in the 1970's and early 80's were indeed kidnapped, by federal, state, or

municipal officials, and in most cases, also tortured. The document also outlines the practices of the now-defunct Federal Security Directorate (DFS), implying the involvement of high-level officials, though, notably, it did not mention individual names.^{iv} With the release of this report, calls for a Truth Commission increased, both within Mexico and internationally. At the time of this writing, none has been created. Instead, in the wake of the CNDH's report, Fox appointed Ignacio Carrillo Prieto, a law professor from the National Autonomous University, as Special Prosecutor for Social and Political Movements of the Past, mandated to further investigate the disappearances of the 1970's and early 80's. Carrillo has requested EAAF's assistance with specific cases.

On June 18-20, 2002, EAAF member Luis Fondebrider traveled to Mexico City to participate in a joint seminar with the Association for the Prevention of Torture (Switzerland), the nongovernmental Miguel Agustín Pro Juárez Human Rights Center (Mexico), the Human Rights Commission of the Federal District (Mexico City), and the Chilean Human Rights Promotion and Defense Corporation. The goal of the event was to develop recommendations for Truth Commissions in general, to optimize their impact in dealing with evidence of torture and with aspects of reparations and prevention. The recommendations were based on evaluation of accomplishments and difficulties encountered by commissions in Argentina, Chile, El Salvador, Guatemala, and South Africa.

Over 100 participants, including fifteen foreign presenters, discussed the experiences of the countries mentioned, as well as those of currently active Truth Commissions, such as Peru and Sierra Leone. There was also broad discussion of the situation in Mexico specifically, and of the challenges and potentials for organizing a Truth Commission there.

At the present, there are substantial public debates over the classification of specific crimes, and about whether a Truth Commission is necessary in Mexico. Parties to the debate largely agree that much will depend on what the Special Prosecutor accomplishes during 2003.

FOOTNOTES

- i. For updates and more contextual information on Mexico's human rights situation, see the website of the Miguel Agustín Pro Juárez Human Rights Center at www.sjsocial.org/PRDH. Though it does not cover more recent developments, a helpful book in English on events in the 1970's is Judith Adler Hellman's 1978 *Mexico in Crisis*, published by Holmes and Meyer (New York).
- ii. During the same week, he also ratified the InterAmerican Convention on Forced Disappearance of Persons, but with the reservation that cases of disappearance may be tried by military courts. See Amnesty International's Press Release of June 28, 2002, available via their website as AMR 41/025/2002.
- iii. For more information about EAAF's work in Mexico, and the context in which it was requested, please see EAAF's 2001 Annual Report.
- iv. The document, *Informe Especial sobre las Quejas en Materia de Desapariciones Forzadas en la década de los 70 y principios de los 80*, can be viewed at the Commission's website: www.cndh.org.mx/Principal/document/informe/index.html
The report was criticized by families of the disappeared and other human rights groups. See, for example, the comments of Rosario Ibarra, spokeswoman for *Comité Eureka*, in the November 25, 2001 issue of *La Jornada*, www.jornada.unam.mx.