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# amnesty international

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## Mexico

### The arbitrary expulsion of international human rights monitors

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During the third week of April, Mexico arbitrarily expelled two Central American human rights defenders, alleging they were in possession of the wrong type of visa to carry out human rights monitoring.

Vilma Núñez de Escorcía (Nicaraguan national) and Benjamín Cuéllar (Salvadorean national), members of a delegation of the *Federación Internacional de Derechos Humanos* (FIDH), International Federation of Human Rights (based in France), had their visas withdrawn by members of Mexican immigration in Acapulco, state of Guerrero, on 16 April 1997. Vilma Núñez and Benjamín Cuéllar, as well as two other delegates of the FIDH, arrived in Mexico a week earlier, invited by a number of Mexican human rights non-governmental organizations to carry out investigations of human rights violations in the states of Guerrero, Oaxaca and Chiapas.<sup>1</sup>

On the day their visas were withdrawn, the delegation had visited a prison in Acapulco and gathered testimonies from torture victims, including individuals accused of belonging to the *Ejército Popular Revolucionario*, *EPR*, Popular Revolutionary Army, an armed opposition group.

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<sup>1</sup> Vilma Núñez is director of the *Centro Nicaragüense de Derechos Humanos* (CENIDH), Nicaraguan Centre for Human Rights, in Managua, Nicaragua.

Benjamín Cuéllar is director of the *Instituto de Derechos Humanos de la Universidad Centroamericana* (IDHUCA), Central American University Human Rights Institute, El Salvador. He had visited Mexico as an Amnesty International delegate in December 1996, when the organization launched the document *Central America and Mexico: Human rights defenders in the front line* (AI Index: AMR 02/01/96, published on 10 December 1996).

The other two members of the delegation, a French lawyer and a Honduran national, did not have their visas withdrawn. They had not visited imprisoned torture victims in Guerrero.

Vilma Núñez de Escorcía and Benjamín Cuéllar had their appeals to remain in Mexico rejected by the Ministry of the Interior on 18 April and had to leave Mexico at noon on 20 April.

The day before, Vilma Núñez had been visited at 2:30 am by eight members of immigration who requested, in an intimidating manner, that she sign her expulsion order (*acta de expulsión*). They told her that she was being expelled because she was interfering in the internal affairs of the country ("*Venía a inmiscuirse en los asuntos internos del país*").

When applying for visas to visit Mexico as part of the FIDH delegation, both Vilma Núñez and Benjamín Cuéllar had informed the Mexican consulates in their respective countries of the reason for their visit to Mexico. On that basis, the two human rights defenders were issued with tourist visas. Amnesty International considers that the subsequent withdrawal of those visas and the expulsion of the two Central Americans, is an act of bad faith carried out for political reasons by the Mexican authorities.

Furthermore, it contradicts the publicly-stated commitment of the Mexican Government to allow international human rights defenders freedom of access to Mexico.

In a separate case, George Anne Potter, Director of International Programs at the Unitarian Universalist Service Committee, a non-governmental organization based in Cambridge, Massachusetts, USA, had her visa withdrawn by Mexican immigration officials on 21 April 1997 in the city of Oaxaca, state of Oaxaca. George Anne Potter had been visiting local human rights organizations in the area. The immigration officials interrogated her, in an intimidating manner, about the persons she had visited in the state. She was then given an order to leave the country in 72 hours and left Mexico on 25 April.

Amnesty International has condemned the Mexican Government for similarly expelling other human rights defenders in the past. On 23 June 1995, Fathers Rodolfo Izal Erloz (Spanish national), Loren Riebe (US national) and Jorge Baron Gutlein (Argentine national), were arbitrarily arrested and expelled by the Mexican Government. The three were prominent human rights activists in Chiapas (See UA 148/95, AMR 41/12/95, 23 June 1995 and Further information AMR 41/13/95, 26 June 1995. See also *Human rights violations in Mexico: A challenge for the nineties*, AMR 41/21/95, November 1995).

The organization believes that it is the inescapable responsibility of states to guarantee the free exercise of the right to promote and defend human rights. States are fundamentally obliged to protect and promote this right, to prevent it from being threatened, restricted, or suppressed, and to protect the liberties and security of those who exercise it. This right extends to all human rights defenders in Mexico, regardless of their country of origin.

During the official visit of a high-level Amnesty International delegation to Mexico in November 1995, Foreign Affairs Minister José Ángel Gurría stated that Mexico no longer considered international human rights monitoring to be an interference in internal affairs, and had, therefore, adopted an open door policy for any international non-governmental organization who wished to investigate the situation of human rights in Mexico.

Amnesty International calls on the Mexican Government to make effective their purported commitment to guaranteeing the free exercise of the right of all human rights defenders to promote and defend human rights within Mexican territory.

