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Public Statement

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Mexico: Enforcing human rights for all

Respecting, protecting, promoting and guaranteeing human rights for all in Mexico is an international obligation on the part of the Mexican state and an essential step in its transformation.

President Felipe Calderón Hinojosa's new government has still not publicly stated how it will fulfil these obligations. The government must show the necessary political will to achieve concrete and measurable advances in human rights. The way in which it handles the Oaxaca crisis will be a clear signal of its commitment in this regard.

The state and federal authorities have a responsibility to guarantee public order and prosecute those implicated in acts of violence. The measures taken must always respect human rights, however. According to information obtained by Amnesty International, state, municipal and, in some cases, federal authorities are involved in human rights violations without any investigations having been initiated to bring those responsible to justice. These violations – such as arbitrary arrests, incommunicado detentions, ill-treatment, torture, groundless prosecutions and murders – are serious abuses of international standards and must be investigated and punished, with compensation awarded. The federal government must take concrete measures within the human rights framework to achieve a lasting and just solution to the crisis and to ensure that impunity does not prevail in these abuses.

The new Minister of the Interior (Secretario de Gobernación), who is responsible for handling the situation in Oaxaca, must do so - without exception - within the context of human rights obligations. The Minister cannot perform his new role with the same lack of commitment to human rights that he previously demonstrated as governor of Jalisco.

The violations that took place in Guadalajara in 2004, including arbitrary detentions, torture and unfair trials went unpunished. Despite evidence presented by the National Human Rights Commission (Comisión Nacional de Derechos Humanos) and other national and international organizations, the Jalisco government of the day defended its position that no human rights violations had been committed. A similar position in the Oaxaca crisis would be unacceptable and would send a clear message regarding the government's lack of real commitment to human rights.

In March 2006, Amnesty International wrote to the presidential candidates regarding the importance of making concrete commitments to human rights and conducting a substantive dialogue with civil society in order to promote human rights protection in all spheres. And yet the lack of any such commitment throughout the campaign and to date is of serious concern to the organization.

Amnesty International considers it extremely urgent that the new government places the strengthening of human rights at federal, state and municipal levels - without exception – at the heart of its political agenda, backed up with concrete commitments. The organization urges immediate action in the following six areas:

- Deal with the Oaxaca crisis in line with international human rights standards. Ensure that municipal, state and federal officials implicated in human rights violations are tried before impartial courts.
- Ensure full constitutional recognition of the obligations to respect, protect, promote and guarantee human rights in line with the provisions of international treaties.
- Implement reforms in the system of criminal justice and public security that guarantee the international human rights standards. Guarantee effective access to justice and accountability in order to bring impunity to an end.
- Guarantee effective mechanisms to prevent and combat violence against women of all ages and social origins, and ensure their right to live free from violence or discrimination. Ensure access to justice and integral reparation for the women of Ciudad Juárez and Chihuahua, and for the recent victims of sexual violence in San Salvador Atenco in May 2006.
- Take immediate and progressive measures to respect, protect and fully enforce economic, social and cultural rights, without discrimination, prioritizing the needs of the most vulnerable, such as indigenous peoples.
- Guarantee that human rights defenders, journalists and activists in marginalized communities throughout the country are able to carry out their legitimate and necessary work without being subjected to intimidation or judicial persecution on the basis of fabricated crimes.
- Bring impunity for past human rights violations to an end. The lack of results on the part of the Special Prosecutor for Social and Political Movements of the Past (Fiscalía Especial para Movimientos Sociales y Políticos del Pasado) demonstrates that the systematic human rights violations that took place during the so-called “dirty war” still remain unpunished.

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