

Cover photograph: (left to right) Alba Elia Hurtado, witness of the massacre of 17 peasants by the state security forces on 28 June 1995, in Aguas Blancas, state of Guerrero and Rocío Mesino Mesino, peasant leader, observe the memorial built at the site of the massacre to remember the victims. © AI.

MEXICO

Capital: Mexico City

Area: 1 967 183 km²

Government: Democratic federal republic (31 states and 1 Federal District).

Head of State: President Ernesto Zedillo Ponce de León.

Death Penalty (AI data): Abolitionist for all but exceptional crimes (military legislation and time of war).

Currency: Peso.

Languages: Spanish and up to 90 Indigenous languages and dialects, including Náhuatl, Otomí, Maya, Zapoteca and Mixteca.

Population (1994): 91 800 000 inhabitants (inc. 8 000 000 indigenous peoples from 56 ethnic groups).

Literacy rate: general population: 88.6%; Indigenous population: 57%.

Source: *El estado del mundo 1995, Anuario económico y geopolítico mundial*. Madrid: Ediciones Akal, 1995.

MEXICO

Overcoming fear: Human rights violations against women in Mexico

“Violence against women [in Mexico] is not a recent problem, although it acquires a particular significance in the current context. Violence takes various forms: it is manifested through physical, psychological or sexual aggression; it can be a single act or systematically repeated, and can occur in different areas (privately, publicly, in the work place). In anyone [sic] of its forms, violence assaults the essence of the person and can obstruct development and cause irreversible damage.”¹

INTRODUCTION

During the last twenty years, Amnesty International has documented with concern the human rights situation in Mexico, highlighting the effects of a continuing pattern of gross human rights violations and impunity on the Mexican population². Evidence suggests that although the underprivileged, particularly indigenous peasants, are the most affected sectors of the population, practically all citizens, regardless of occupation, social status or ethnic origin, are at risk of human rights violations.

As the above quote suggests, women in Mexico continue to be the targets of violence not only in the home but also in the public sphere. In recent years, Amnesty International has been able to document an increasing pattern of politically motivated human rights violations against women in Mexico, including torture, rape, political killings and “disappearances”, as the cases described below will illustrate.

Women in Mexico continue to suffer human rights violations for a number of reasons: some are targeted because of their participation in political activism, in community and human rights organizations, peasants unions or simply for demanding that their rights or those of their relatives are respected. Others, such as young or indigenous women who do not speak Spanish, are targeted because they are perceived as being vulnerable.

¹CONAPO / National Coordinating Committee for the IV World Conference on Women, *Mexico: Situation of women, Challenges for the year 2000*, p. 35.

²See *Human rights violations in Mexico: A challenge for the nineties*, AI Index: AMR 41/21/95, published in November 1995; *Mexico: The persistence of torture with impunity*, AMR 41/01/93, published in June 1993; and *Mexico: Torture with impunity*, AMR 41/04/91, published in September 1991.

Women are the main victims of certain abuses committed by government agents, or with their acquiescence, such as rape. As a form of torture, rape is frequently inflicted on women detainees. The United Nations (UN) Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment prohibits “any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted” for purposes such as obtaining information or punishing, intimidating or coercing a person. No government agent should be permitted to commit or tolerate rape and other forms of sexual attack.

Women who have suffered sexual or other abuse at the hands of the security forces in Mexico are often afraid to present a criminal complaint or even make their abuse public, often for fear of reprisals against themselves or their loved ones. However, in the last few months, Amnesty International has received an increasing number of reports relating to human rights violations against women.

While any such report will be of concern to Amnesty International, the fact that women are reporting more of these crimes may indicate that they and the organizations which work with them will not be intimidated by these aggressions and, overcoming their fears, they will work towards justice and the punishment of the perpetrators.

Impunity

The Mexican Government’s challenge is to support efforts to denounce human rights violations against women, men or children, while ensuring both the protection of the population and its most vulnerable sectors against such abuses, and the punishment of the perpetrators of human rights violations.

Despite repeated statements to the contrary by the Mexican Government, impunity for perpetrators of human rights violations continues to prevail. Court sentences punishing those responsible for human rights abuses hardly exist. Government authorities have even acknowledged that officials accused of torture and ill-treatment, or other gross human rights violations, are frequently transferred or even promoted to other jurisdictions or departments.³ In this respect, Mexico seems to have failed to implement international standards contained in ratified treaties such as the UN Convention against Torture, which specify the duty of all state parties to bring those responsible for such crimes to justice.

Mexico has committed itself, without reservations, to the implementation of the Declaration and Platform for Action of the UN Fourth World Conference on Women (WCW), adopted in Beijing, China, on 15 September 1995. Among its most important

³See *Human rights violations in Mexico: A challenge for the nineties*.

points, the Declaration establishes, in paragraph 14, that “women’s rights are human rights” while paragraph 213 of the Platform for Action reaffirms that, as established in the 1993 Vienna World Conference on Human Rights, “...the human rights of women and the girl child are an inalienable, integral and indivisible part of universal human rights.”⁴

The Beijing Declaration and Platform for Action contain a number of recommendations and commitments for the improvement of the human rights of women. Among these are specific recommendations for the protection of women engaged in the defence of human rights and for an effective end to violence against women, “whether those acts are perpetrated by the State or by private persons.”⁵ Amnesty International believes that Mexico can effectively improve the human rights of women in Mexico by fulfilling its commitments to implementing international standards such as the UN Declaration on the Elimination of Discrimination against Women, the UN Declaration on the Elimination of Violence against Women and the Beijing Declaration and Platform for Action.

However, the organization also believes that only a firm political commitment from the Mexican Government to eliminate impunity in all its pervasive forms will make it possible to eradicate human rights violations against women in Mexico and restore the full protection of human rights of all sectors of the Mexican population.

Meeting with Mexican government authorities

An Amnesty International delegation which visited Mexico between 28 October and 18 November 1995, verified an increasing and worrying number of human rights violations against women of the most diverse backgrounds. During the second week of November 1995, the delegation presented their concerns to government authorities, including *Secretario de Gobernación* (Minister of the Interior) Emilio Chuayffet Chemor and high authorities in the Ministry of Defence. Among the cases highlighted by the Amnesty International delegation were those of three Tzeltal indigenous sisters raped and tortured by members of the Mexican army in Chiapas in June 1994⁶ and the rape of a 14-year-old Nahuatl indigenous girl by members of the Cuetzalan municipal police, in the state of Puebla, in November 1995. These cases are described below.

⁴United Nations, Fourth World Conference on Women, A/CONF.177/20, 17 October 1995.

⁵WCW, A/CONF.177/20, paragraph 124, pp. 54-56.

⁶See: *Mexico: Members of the Mexican army rape three Tzeltal women*, AI Index: AMR 41/12/94, published in August 1994. Their case is also highlighted in *Human rights violations in Mexico: A challenge for the nineties*.

TERROR AND INTIMIDATION: THE RAPE AND TORTURE OF WOMEN AND GIRLS

On 2 November 1995, at about 6:30pm, Aurora Nazario Arrieta, then 14 years-old, was walking by the municipal palace in the town of Cuetzalan, state of Puebla, when four municipal police officers, including the Police Commander, came out and grabbed her by the arm. The municipal police has its *Comandancia* (police station) inside the municipal palace, which is in the main plaza in Cuetzalan.

Aurora, who is a member of the Nahuatl-speaking community of San Miguel Tzinacapán, near Cuetzalan, was forcefully dragged inside the *Comandancia* and taken to the bathrooms. She was told to get undressed and when she refused, one of the police officers ripped her panties off. She was then drenched with two buckets of water and taken to one of the police cells, where she was forced to lie down on a blanket and to take her blouse off.

Aurora Nazario Arrieta

She was forced to open her legs and told by the police commander that she should "not fear anything because they would wear a condom". Aurora was raped by three of the four officers, all of whom were wearing uniforms. The fourth officer was standing guard outside. During the rape, she was held by the shoulders and told: "[you'll have to] give in, with or without a fight" ("*te dejas, por la buena o por la mala*"). After the three police officers had raped her, one of them told her to take the "medicine" (recorded in the official complaint as the contraceptive pill *levonorgestrel-etinilestradiol*) one of the rapists had given her. As a result of the attack, Aurora Nazario suffered multiple bruising and lacerations. She was threatened with death and retaliation against her family if she told anyone about what had happened. Aurora was then allowed to go.

Aurora Nazario Arrieta worked as a housemaid for Domitila Moreno in Cuetzalan. After leaving the *Comandancia*, Aurora Nazario went to Domitila Moreno's house and at first tried to deny what had happened to her. It was only after much coaxing by Domitila Moreno, that Aurora told her she had been raped. Aurora Nazario and Domitila Moreno

presented a complaint before the *agente del Ministerio Público*, Public Ministry official, in Cuetzalan and a doctor certified Aurora Nazario's rape that same evening.

The complaint was formalized by Aurora Nazario and her father, Miguel Nazario de la Luz, in the morning of 3 November before the Public Ministry official in Cuetzalan and later on before the Public Ministry official in Zacapoaxtla, the district capital.

Earlier in the morning of 3 November, Aurora and Domitila Moreno had been offered money by the three police officers to withdraw their accusations. Aurora Nazario's brother told Aurora and her father that three men, believed to be the accused police officers, had arrived at 12 noon on 3 November at the Nazarios' home in San Miguel Tzinacapán, 3km North of Cuetzalan, and had asked to see Aurora and Miguel Nazario.

The Public Ministry official in Cuetzalan did not order the arrest of the three alleged rapists, despite reports that they were still in Cuetzalan in the morning of 3 November. The three officers remain at large and their whereabouts are not known.

Women accused of having links with the EZLN

Amnesty International has documented human rights violations in Chiapas for many years and has issued several reports and documents, some of which have Chiapas as the focal point.⁷ Although serious human rights violations have persisted in Chiapas for quite a number of years, many of the worst abuses documented there by Amnesty International have followed the Mexican army crackdown on the previously unheard-of and mostly indigenous *Ejército Zapatista de Liberación Nacional*, *EZLN*, Zapatista National Liberation Army, after its uprising on the first of January 1994.⁸

On 1st January 1994, the EZLN took control of a number of municipalities in Chiapas. By the following week the Mexican armed forces that had been sent to the region had regained control of most of the towns occupied by the EZLN. In these first weeks of the conflict, it is estimated that more than 140 people, including soldiers, rebels and civilians, died during the military operations in Chiapas.

⁷See, for example, *Mexico, Human rights in rural areas: Exchange of documents with the Mexican government on human rights violations in Oaxaca and Chiapas* (AI Index: AMR 41/07/86), published in 1986; *Mexico: Torture with impunity* (AI Index: AMR 41/04/91), published in September 1991; *Mexico: Human rights violations against Ch'ol and Tzeltal Indian activists* (AI Index: AMR 41/05/92), issued in 1992; and *Mexico: Continuing human rights violations against members of the Tzeltal indigenous community in Chiapas* (AI Index: AMR 41/05/93), published in August 1993.

⁸See *Human rights violations in Mexico: A challenge for the nineties* for an account of human rights violations allegedly perpetrated by the army as well as the EZLN.

Following an outcry from national and international observers about extensive human rights violations by the army, the then-President Carlos Salinas de Gortari announced the appointment of Jorge Carpizo, former director of the CNDH as Interior Minister and named former Foreign Minister Manuel Camacho Solís, as *Comisionado por la Paz y la Reconciliación*, Commissioner for Peace and Reconciliation. On 12 February 1994, the government announced a cease-fire to begin peace talks with the rebels. An effective cease-fire lasted until February 1995.

On 9 February 1995, President Ernesto Zedillo Ponce de León announced a clampdown on the EZLN and ordered police and army operations to arrest the EZLN leadership and regain full territorial control of remote jungle areas in Chiapas. The army again carried out widespread arrests of civilians and effectively prevented the free access and transit to the region to journalists, human rights monitors and humanitarian medical aid workers.

The reports of abuse triggered a widespread public outcry in Mexico and abroad. On 14 February 1995 President Zedillo halted the operations, although the army remained in the area for many weeks.

Police raids against suspected EZLN members were also reported in other parts of the country, as well as Mexico City, during which dozens were arbitrarily arrested and many suffered brutal torture.

Seven people⁹ were detained in the town of Yanga, state of Veracruz, on 8 February 1995 by approximately 50 members of the security forces, including members of the *Procuraduría General de la República*, PGR, Republic's Attorney General's Office. Among the detainees were two women: Rosa Hernández Hernández and Hermelinda García Zepahua. According to the detainees' testimonies gathered by an Amnesty International delegation which visited the *Reclusorio Preventivo Norte* (a prison in northern Mexico City) in November 1995, three of the seven were first taken to a warehouse and later to a dependency of the PGR in Yanga, where they were interrogated and tortured during several hours. The rest were tortured and interrogated at their house in Yanga.

At approximately 3am on 9 February 1995, the seven were taken by plane to a place believed to be the *Campo Militar No. 1*, Military Camp No. 1, in Mexico City. There, they were reportedly interrogated about the activities of the EZLN and tortured by the security forces. The detainees were forced under duress to sign papers they could not see. On 10

⁹Their names are: Rosa Hernández Hernández, Hermelinda García Zepahua, Álvaro Castillo Granados, Martín Trujillo Barajas, Luis Sánchez Navarrete, Hilario Martínez Hernández and Ricardo Hernández López.

February they were taken to the *Reclusorio Preventivo Norte* where a nurse and doctor superficially checked their wounds. The CNDH interviewed and medically checked the detainees on 14 February.

Rosa Hernández Hernández, in interviews with human rights monitors after her transfer to the *Reclusorio Preventivo Norte*, explained how they were arrested:

“On 8 February 1995, at about 16:45, we were surprised by people who arrested us, jumping over the fences, entering the house [and] forcing us to lie on the floor. Afterwards they tied our hands with chains, put blindfolds on our eyes and began asking questions, while they beat us. They then took me to a pick up truck. I was blindfolded, my feet had been tied with rope and my face was covered with a sack. We were all crushed inside the truck and could not move... we almost died of asphyxia... They took us to [another place] first, then by plane to an unknown place, where we were tortured: first they doused me with cold water, then they undressed me and put a wet sheet on my body and gave me electric shocks. They also threatened me with death. After the torture, they gave me some papers to sign, with my eyes blindfolded. I didn’t know what they were about.”¹⁰

The seven were charged with “rebellion, terrorism, criminal association, illegal possession of firearms, possession of firearms for the exclusive use of the armed forces, manufacturing explosives and harbouring and transporting ammunition and explosives” (*“rebelión, terrorismo, asociación delictuosa, posesión de armas de fuego sin licencia, posesión de armas de fuego de uso exclusivo de las fuerzas armadas, fabricación de materiales explosivos, almacenamiento y transporte de municiones y explosivos”*).

The governmental *Comisión Nacional de Derechos Humanos, CNDH*, National Human Rights Commission, has established that: “From the evidence obtained by the National Commission, there is no doubt that there was torture in this case, even though it would be necessary to decide which of the public servants who took part in the operation were guilty.”¹¹ Rosa Hernández Hernández, Hermelinda García Zepahua and the five men, remain in the *Reclusorio Preventivo Norte*, awaiting trial.

¹⁰The text of the original testimony, taken at the *Reclusorio Preventivo Norte* on 15 February 1996, can be found in the appendix.

¹¹National Commission for Human Rights, *Newsletter*, No. 24, February 1995, p. 9.

At around 6pm on 9 February 1995, eight people¹² were arrested in Cacalomacán, state of Mexico, by the *Policía Judicial del Estado de México, PJE*, state judicial police, as well as members of other police forces and the Mexican army. Among the detainees were four women: Ofelia Hernández Hernández, Patricia Jiménez Sánchez, Brenda Rodríguez Acosta and Celia Martínez Guerrero.

Ofelia Hernández Hernández

Patricia Jiménez Sánchez

¹²Their names are: Ofelia Hernández Hernández, Patricia Jiménez Sánchez, Brenda Rodríguez Acosta, Celia Martínez Guerrero, Fernando Domínguez Paredes, Joel Martínez González, Gerardo López López and Gonzalo Sánchez Navarrete.

Celia Martínez Guerrero

Brenda
Rodríguez
Acosta

According to testimonies gathered by non-governmental human rights organizations, as well as by an Amnesty International delegation which visited the detainees in the prison of Almoloya, state of Mexico, the eight detainees were dragged out of their house and reportedly punched, kicked and beaten. One of the men, Gerardo López López, was shot in the legs during the detention. The women were reportedly sexually molested (“*manoseadas*”) and kicked in the genitals. The detainees were taken, blindfolded, to the offices of the PGR in Toluca, state of Mexico, where they were photographed and remained for approximately an hour. The photographs show the signs of the beatings.

From there they were reportedly taken blindfolded to the *Campo Militar No. 1* where they were held until 11 February. At the *Campo Militar No. 1*, they were interrogated about their alleged connection to the EZLN and tortured: the eight were reportedly beaten, kicked, subjected to mock executions and semi-asphyxiated with a bag over the head (“*submarino seco*”). The women were also beaten with rifle-butts and subjected to the “*teléfono*” (telephone), a method consisting of simultaneous blows to both

ears which can rupture ear-drums and permanently damage the person's hearing. All the detainees were forced to sign papers whose contents they were not allowed to see.

On 11 February they were transferred to the *Reclusorio Preventivo Norte*, where their injuries were examined by representatives of the CNDH. The eight detainees were transferred to the *Reclusorio Estatal de Almoloya de Juárez*, a state prison in the state of Mexico, on 31 March 1995. There have been serious problems in the administration of justice in this case including: the use of torture to extract "confessions" – including the torture of a minor, Gonzalo Sánchez Navarrete – and the reported statement made by a member of the PJE which would indicate the illegal participation of members of the army in the detention and interrogation of the detainees. The Cacalomacán detainees have been charged with the same crimes as the seven detained in Yanga, as well as "conspiracy" (*conspiración*) and "homicide" (*homicidio*). All eight are at the *Almoloya* prison, awaiting trial.

María Gloria Benavides Guevara

María Gloria Benavides Guevara was detained on 8 February 1995 in Mexico City by members of the *Policía Judicial Federal, PJE*, federal judicial police, without showing an order for her arrest. She was reportedly held in incommunicado detention for two days, interrogated about her alleged links to the EZLN, prevented from sleeping by playing very loud music and forced to sign a confession under duress. Her interrogators reportedly told her that they were also holding her eighteen-month old son and that they would harm him if she did not sign the confession. María Gloria Benavides was charged with rebellion, terrorism, criminal association and possession of unauthorized weapons (*rebelión, terrorismo, asociación delictuosa y posesión de armas de fuego para el*

uso exclusivo de las fuerzas armadas). On 14 July 1995, a judge dropped terrorism charges and she was allowed to leave prison on bail. On 1 November 1995, she was acquitted of all charges, although an appeal against her acquittal by the Mexican Government is pending.

Three Tzeltal sisters raped by Mexican soldiers in Chiapas

María Teresa Méndez Santiz (20), Cristina Méndez Santiz (18) and María Méndez Santiz (16), Tzeltal Indians, were tortured and raped on 4 June 1994 by soldiers of the Mexican army near Altamirano, in the state of Chiapas. They were detained at a military roadblock while returning with their mother to their community of Santa Rosita Sibaquil.

The soldiers detained them and took them to a nearby building where they were accused of supporting the EZLN. The soldiers reportedly beat the women with their weapons and kicked them to extract information. They were then reportedly raped by about 10 soldiers before being released free of charge on that same day.

María Teresa Méndez Santiz, Cristina Méndez Santiz, and María Méndez Santiz.

Local human rights monitors filed the women's complaints, which were accompanied by medical reports certifying the injuries, with the local public ministry on 30 June 1994. Weeks later, the human rights monitors received death threats for taking up this case. The public ministry reportedly failed to carry out any investigation into the complaints.

The Mexican army has continued to deny the accusations of torture and rape against the three Tzeltal women. On 1 July 1994 the *Secretaría de Defensa Nacional* (SEDENA), Defence Ministry, rejected charges made against military personnel in the case and threatened to file criminal complaints against those who, the army claimed, had slandered the institution. In September 1994 the case was transferred to military jurisdiction, but as of March 1996 no one had been brought to justice, nor had the victims received any compensation. In a meeting with Amnesty International delegates in November 1995, military authorities from the SEDENA explained that the three women had failed to answer summonses from the military court overseeing the case to ratify their testimonies.

Amnesty International believes that, in this case, the Mexican government has allowed a virtual impunity to be granted to those responsible for these crimes by failing to “ensure that women defendants, victims and/or witnesses are not revictimized or discriminated against in the investigation and prosecution of crimes”, as established in paragraph 232(l) of the Beijing WCW's Platform for Action.

Other cases of rape and attacks against women in Chiapas

Despite the Mexican government commitments, before and after the Beijing WCW, to protect women from violence, sexual attacks and other abuses against women seem to be on the increase in Chiapas. In many of these cases, indigenous and non-indigenous women have reportedly been the victims of sexual abuse by unidentified, armed and masked men

who attack them by the roadside and rape them. According to reports, some of the attacks are carried out by *guardias blancas* (white guards), paramilitary groups operating in the region. Although there may be no evidence of direct involvement by government agents, the frequency and brutality of these attacks seem to continue unchecked.

Three nurses participating in a vaccination program were reportedly raped on 4 October 1995, by approximately 25 masked men carrying weapons in the vicinity of the community of Cristobalito, municipality of San Andrés Larráinzar. That evening, a total of seven women and three men were travelling in an official *brigada sanitaria* (sanitary brigade) vehicle on their way to Tenlesostetic, when they had to make a stop to remove some stones that were blocking the road. A group of armed men attacked the three men and sexually assaulted three of the seven women. Two of the women had to be hospitalised as a result of the aggression. To Amnesty International's knowledge, no one has been brought to justice for these crimes.

Cecilia Rodríguez, a US citizen and official representative of the EZLN in the United States, was reportedly assaulted and raped by four masked men on 26 October 1995 in the proximities of the Montebello lagoons, in the state of Chiapas. Cecilia Rodríguez filed a complaint with the US Embassy in Mexico City on 31 October 1995. To date, no one has been brought to justice for this crime. To AI's knowledge, there is no conclusive evidence that Cecilia Rodríguez was attacked as a result of her connection to the EZLN.

Amnesty International has no information which would indicate that cases like these are vigorously investigated by the Mexican Government in order to establish responsibility and bring the perpetrators to justice.

Agression against sister Norberta López García

In the morning of 26 January 1996, Norberta López García (25), a sister from the Dominican Order in the state of Chiapas, was walking with two children towards the community of Tzacbatul, municipality of Ocosingo. According to reports, the three encountered along the way a group of approximately ten people who asked them where they were going. After answering that they were heading to Tzacbatul, they continued on their way. Moments later, three armed men whose faces were covered with ski masks allegedly attacked Norberta López, hitting her in the back. Two of the men reportedly took the children and a third grabbed Norberta López who was told to "shut up or we'll shoot you" ("*cállate o te damos un plomazo*").

The men forcibly dragged the three towards a wooded area where they forced Norberta López on the ground. After telling them she was a nun, one of the masked men said: "Ah, a nun, you'll give yourself to me" ("*ah, religiosa, te vas a entregar a mí*"). While

one of the aggressors was trying to undress her, the other was reportedly sitting on her face to prevent her from struggling. A bus that was passing nearby scared the three men away, who fled after kicking Norberta López in various parts of her body. A forensic doctor examined her injuries, which were found to be consistent with her claims. Norberta López presented a criminal complaint before the office of the Public Ministry in Ocosingo on 27 January 1996. Although her aggressors are believed to be members of a local community, at the time of writing, no one has been brought to justice.

Sister Norberta López García works closely with the Diocese of San Cristóbal de las Casas and Bishop Samuel Ruiz, president of the *Comisión Nacional de Mediación*, National Mediation Commission, seeking a resolution to the Chiapas armed conflict. Bishop Samuel Ruiz and other members of the Diocese of San Cristóbal de las Casas have suffered death threats and intimidation in the past for their work with indigenous communities in Chiapas.

Land disputes and the torture and rape of Julieta Flores Castillo

On 15 December 1995, a number of peasants belonging to the *Unión Campesina Popular Francisco Villa*, (UCPFV), Francisco Villa Popular Peasants' Union, staged a roadblock near the village of Nueva Palestina, municipality of Ángel Albino Corzo, state of Chiapas, demanding the release of a number of members of the UCPFV accused of illegal land invasions. The demonstrators were also asking for the resolution to a long-running land tenure dispute with the owners of a large coffee plantation.

During the afternoon of 15 December, the peasants had stopped three cars trying to go past the roadblock and did not allow the occupants (five people in total) to go through. The peasants alleged that they wanted the five men to remain with them at the roadblock to help emphasize their claims.

At five thirty in the morning of 16 December, scores of members of the *Policía Judicial Federal*, federal judicial police, *Policía Judicial del Estado*, state judicial police, *Policía de Seguridad Pública*, public security police, and the Mexican army, arrived in Nueva Palestina and began to throw teargas against the population. They arrested Julieta Flores Castillo (18), her father Enrique Flores González (65) and Martín Gómez Castillo. The CNDH office in San Cristóbal de las Casas was reportedly alerted about the three detentions by a member of the community, Reyes Penagos Martínez.

At 11am, during another raid by members of the security forces, including soldiers and police officers, seven other peasants were arrested, among whom was Reyes Penagos Martínez.

Julieta Flores Castillo while giving testimony to Yax'kin, a non-governmental human rights organization, on 14 January 1996 (© Yax'kin).

According to Julieta Flores Castillo's testimony, the detainees were taken to a cellar reportedly used by the Mexican army, in Jaltenango, municipality of Ángel Albino Corzo, where some of the detainees were interrogated about the leaders of the UCPFV. All detainees, except Julieta Flores, Ernesto Flores, Martín Gómez and Reyes Penagos, were taken to the prison of Cerro Hueco, in Tuxtla Gutiérrez, that day.

At approximately four in the afternoon, the four remaining prisoners were allegedly taken to the offices of the *Procuraduría General de Justicia del Estado, PGJE*, State Attorney General's Office, in Tuxtla Gutiérrez. At the PGJE they were all reportedly tortured during interrogation:

“At 1am, they were taking us [out of the cells] one by one. The first one was my dad, his name is Enrique Flores González, he is 65 years' old. Then they took me and they hit me; I had bruises on my arms and face, and in the front of my legs. They also hit me on the back. And they also gave me electric shocks. They asked me who was organizing the people, if they were from the EZLN, how many they were and where were the weapons given to the organization Francisco Villa. But, because I don't know about those things, the only thing I said was that they should kill me, that it was better than being tortured.”¹³

Julieta Flores was raped, had electricity applied to her nipples and legs, was nearly asphyxiated by submerging her head in a vat full of water, had carbonated mineral water and chilli powder forced into her nose and was beaten all over her body. She was blindfolded throughout her ordeal.

On 17 December, the relatives of Reyes Penagos Martínez, Julieta Flores Castillo and Ernesto Flores González went to the offices of the PGJE and asked to see them, but were told that they were not being held there. However, an employee at the PGJE showed them a register of names of those being held there, where they found their names. The

¹³See appendix for the original text in Spanish.

relatives were also able to hear the detainees' names being called out for food. Despite this, the PGJE continued to deny holding them there.

In the morning of 17 December, the detainees were taken to an unknown open air destination, where she witnessed the torture of Reyes Penagos by members of the security forces. Reyes Penagos was reportedly forced to confess to the kidnapping of Doctor José Rito Solís, a member of the *Partido Revolucionario Institucional, PRI*, Institutional Revolutionary Party, in September of 1995. Enrique Flores and Martín Gómez were also tortured again.

According to her testimony, at this time Julieta Rodríguez was also threatened with torture if she did not confess to these crimes, but when she broke down crying and again denied any knowledge of these events, the Commander of the judicial police who was reportedly in charge, said that he would believe her, because she was badly beaten up and because if the authorities found out that "they had beaten up a woman, where would they themselves end up?".¹⁴

Julieta Flores Castillo last saw Reyes Penagos Martínez at 5am on 18 December 1995, when the police officers took him away from his cell. At 4pm that same day, the officers returned to Julieta Flores' cell to tell them that Reyes Penagos had died in an armed confrontation. When Julieta Flores questioned the veracity of this statement, she was threatened with remaining in prison for the rest of her life: "Shut up; I'm going to find out what you are charged with and you'll never come out of Cerro Hueco [prison]" ("*Señora, cállese, que voy a averiguar de que está acusada y nunca va a salir de Cerro Hueco*").

On 19 December, the PGJE announced that the previous day, members of the state judicial police had been ambushed in the village of Nueva Palestina, while trying to rescue the remains of Dr. Rito Solís. The communiqué indicated that two police officers as well as Reyes Penagos Martínez, had been killed during the incident.

Human rights organizations denounced the extrajudicial execution of Reyes Penagos before the CNDH. Julieta Flores Castillo, Ernesto Flores González and Martín Gómez Castillo were transferred to Cerro Hueco prison at 1am on 19 December 1995. Julieta Flores Castillo was released free of charge on 9 January 1996. Ernesto Flores and Martín Gómez have also been released. To date, no one has been brought to justice for the torture and rape suffered by Julieta Flores Castillo, nor has she been compensated for her injuries. In the case of Reyes Penagos Martínez, those responsible remain at large.

¹⁴ "...que si se enteraban que habían golpeado a una mujer, ¿dónde iban a parar ellos?"

PERSECUTION OF WOMEN HUMAN RIGHTS DEFENDERS

The World Conference on Women (WCW) celebrated in Beijing, in September 1995, established, in its Platform for Action, that “[w]omen engaged in the defence of human rights must be protected. Governments have a duty to guarantee the full enjoyment of all rights set out in the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights by women working peacefully in a personal or organizational capacity for the promotion and protection of human rights” (paragraph 228).

However, the last year has seen a huge increase in harassment against human rights defenders in Mexico, most of whom are being targeted for their work on behalf of indigenous minorities, women and other under represented groups.¹⁵

On 24 January 1996, Patricia Ibarra Torres, a student at the *Colegio de Ciencias y Humanidades*, College of Science and Humanities, and teacher of literacy, was harassed by four unidentified men travelling in a car, outside her family home in the municipality of Los Reyes La Paz, in the outskirts of Mexico City. The men began to take photographs of her house as she was leaving her home. They also took pictures of other neighbours' houses and repeatedly asked the neighbours about the Ibarra Torres family in what has been described as an aggressive and intimidatory manner. Later on that day the four men returned and waited in their car for an hour in front of the house.

Patricia Ibarra Torres' mother, Verónica Ibarra Torres, is the treasurer of the non-governmental *Comité Nacional Independiente Pro-defensa de Presos, Perseguidos, Detenidos-Desaparecidos y Exiliados Políticos*, CNI, National Independent Committee for the Defence of Prisoners, Persecuted Persons, "Disappeared" Detainees and Political Exiles. The CNI has been active in the denouncement of human rights violations in several regions of Mexico. The events of 24 January are the latest in a series of recent threats against the organization and its members.

On 15 January 1996 Lourdes Felguerez, researcher at the *Centro Bi-nacional de Derechos Humanos, CBDH*, Bi-national Centre for Human Rights, received a series of threatening phone calls at their office in Tijuana, state of Baja California Norte, referring to Víctor Clark Alfaro, head of CBDH and to herself. The threats were allegedly made in connection to their work on a case involving three members of the *Policía Judicial del Estado, PJE*, state judicial police, accused of torture.

¹⁵The harassment of government critics and human rights monitors is one of Amnesty International's main concerns in Mexico at present: see *Human rights violations in Mexico: A challenge for the nineties*.

The anonymous caller indicated that they had been watching them, were looking for Víctor Clark Alfaro and that they knew he had not been at the CBDH that day. The caller is reported to have told Lourdes Felguerez: "Listen to me you bitch, you and this fag homosexual Víctor Clark are going straight to bloody hell because you are defending some shameless rats...." (*Oyeme hija de tu chingada madre, tú y ese joto homosexual de Víctor Clark se los va a cargar su chingada madre, porque se están metiendo mucho en defender unas ratas sinvergüenzas*).

The CBDH had been working since September 1995 on the case of the alleged torture of five young people, including two minors, by three members of the PJE in Tijuana. In judicial proceedings brought against them, the three PJE members were found guilty of torture, and the court called for their dismissal. In December 1995, when the three were still in service, the CBDH pressed for a meeting with the *Procurador de Justicia del Estado*, State Attorney General, in Tijuana. This meeting led to the dismissal of the three agents. This is the first time that the CBDH has been able to bring to justice members of the PJE accused of torture, even though they have documented 425 cases of torture in Baja California since 1987.

On 12 January 1996, Rocío Culebro, coordinator of *La Red Nacional de Organismos Civiles de Derechos Humanos "Todos los Derechos para todos"*, National Network of Non-governmental Human Rights Organizations "Full Rights for Everyone", based in Mexico City, received a series of anonymous phone calls at her home. In a call at 8pm the caller reportedly told her precise details about her home and the people who were with her at that moment. He then threatened her, saying that he would go to her home immediately to harm her.

The threats came the day before Rocío Culebro was due to travel to the *Comisión Interamericana de Derechos Humanos*, Inter-American Commission on Human Rights of the *Organización de los Estados Americanos*, Organization of American States, in Washington DC, in order to present the National Network's third report on the massacre of *Agua Blanca*, state of Guerrero, on 28 June 1995 in which 17 peasants were killed by members of the security forces (see below).

Graciela Zavaleta Sánchez (46), president of the *Comisión Regional de Derechos Humanos "Mahatma Gandhi"*, CRDHMG, Mahatma Gandhi Regional Human Rights Commission, situated in Tuxtepec, state of Oaxaca, has reportedly suffered threats and harassment for several months.

The CRDHMG carries out prison visits, provides legal advice to Chinantecs, Mazatecs and Zapotecs indigenous groups and promotes human rights' awareness in the Tuxtepec area of Oaxaca. It also denounces cases of maladministration of justice and human rights violations in the context of judicial investigations.

Between the end of 1994 and November 1995, when she was interviewed by a member of an Amnesty International delegation, Graciela Zavaleta Sánchez received at least four threatening phone calls in which the speaker told her: “we know where you are, we’ll give you hell” (“*ya sabemos donde andas, te vamos a dar en la madre*”). During the last threatening phone call, around the month of September 1995, she was told: “we know your steps and what you’re up to, take care of yourself” (“*ya sabemos donde caminas, ya sabemos lo que haces, cuídate*”).

Sabino Cruz Carrasco, a lawyer working with CRDHMG, has also been the subject of threats. In the early hours of 14 November 1995, at least two men who were travelling in a pick up truck, fired weapons of a high calibre against his house in the city of Tuxtepec, leaving a number of bullet holes on the external and internal walls, doors and windows of the house. Sabino Cruz Carrasco was not home at the time. His wife and three children who were sleeping inside were not hurt.

Despite presenting criminal complaints before the appropriate authorities, no one has been brought to justice for the harassment and threats suffered by Graciela Zavaleta Sánchez and Sabino Cruz Carrasco.

On 9 November 1995, a previously-unknown group, calling themselves *Patria Primero* (Fatherland First), issued a communiqué in which it accused Emilia González de Sandoval, member of the *Comisión de Solidaridad y Defensa de los Derechos Humanos de Chihuahua, COSyDDHAC*, Commission for Solidarity and the Defence of Human Rights of Chihuahua, of “belonging to the extreme right” (sic) which was trying to “destabilize the country” and of “having links with the Chiapas armed groups”. COSyDDHAC has been active in the defence of human rights in the state of Chihuahua for many years, often coming into conflict with local authorities because of their complaints against abuses allegedly committed by the state security forces.

Lourdes Sáenz, member of *Ciudadanos en Apoyo a los Derechos Humanos, A.C., CADHAC*, Citizens for Human Rights, based in the town of Guadalupe, state of Nuevo León, was threatened with death on 29 September 1995. The threat was left in her answering machine at her home and said: “you’re going to go to hell, f*** your mother, I’ve already told you I’m going to blow you up [with a bomb]” (“*se los va a llevar la chingada, chinguen a su madre, ya les dije que les voy a poner una bomba*”).

The following day, 30 September, a piece of music from the film *The Sting (El Golpe)* was recorded on the answering machine of Sister Consuelo Morales, director of CADHAC. The same music has been used in the context of the continuous harassment of human rights activists in the recent past. In November 1995, members of CADHAC received phone calls from unidentified individuals threatening them with "disappearance".

Consuelo Morales, director of CADHAC

Earlier in the year, on 27 April 1995, Sister Consuelo Morales, Amelia Zabala and another person, all members of CADHAC, were twice followed by a car as they were leaving their offices. On the second occasion, the driver of the car followed them into a restaurant, sat nearby and threatened them, showing them his gun. A member of the governmental CNDH, who was visiting the CADHAC offices at that time, witnessed the threats.

Two days earlier, on 25 April, a piece of music from *The Sting* had been left in Consuelo Morales' answering machine. On the night of 9 April 1995, the CADHAC offices had been raided by unidentified individuals and information, material and money were taken. On 18 March 1995, the office windows were found to have been tampered with.

Following an international campaign condemning these actions, there have been no new threats against CADHAC. Although an investigation is believed to have been opened into the case, no results have been made public and to Amnesty International's knowledge, no one has been brought to justice.

Targeted for speaking out: journalist Ninfa Deandar

On 2 February 1996, Ninfa Deandar and her family, owners of the independent daily newspaper, *El Mañana de Nuevo Laredo*, in the state of Tamaulipas, reportedly received telephone death threats at her home. The caller stated that Ninfa Deandar would be killed with a single shot to the forehead and also threatened harm to her four sons, three of whom work at the paper. On 20 February 1996, unidentified individuals distributed a leaflet carrying a photo of Ninfa Deandar around the Nuevo Laredo town hall. The leaflet claimed that Ninfa Deandar was the "*mercenaria, gangster and prostituta del periodismo*", "mercenary, gangster and prostitute of journalism".

On 13 February Raymundo Ramos, a reporter for the paper, reportedly received an anonymous phone call, in which the caller said that he wanted to meet with Raymundo to

give him a warning (“*una advertencia*”). As he was leaving the offices of the newspaper later that day, Raymundo Ramos was forced into a car by two men and driven around for two hours, during which time he was warned to stop writing critical articles about the Governor of Tamaulipas.

On 27 December 1995, Jesús López Tapia, editor of the paper, also received threats over the phone.

The threats are believed to be connected to the paper's reporting of alleged local government corruption. Ninfa Deandar has denounced the threats and harassment to the press and non-governmental organizations, as well as making an official complaint before government authorities, so far without response.

Ninfa Deandar has suffered threats and violence against her before: in 1976, one of her sons was killed in unclarified circumstances and the editor of *La Voz de Nueva Laredo* was killed in a bomb explosion at its offices.

Working with indigenous women: harassment of advisers to artisan women's cooperative

During December 1995, Yolanda Castro Apreza and Nellys Palomo Sánchez, advisers working with the *Unión Regional de Artesanas J'pas Joloviletik*, Regional Union of Artisan Women J'pas Joloviletik, based in San Cristóbal de las Casas, state of Chiapas, received threatening phone calls in which the theme tune of the film *The Sting*, was left in their answering machines at their homes. On 29 November 1995, the offices of the Artisans' Union were burgled by unidentified individuals and on 7 December, Nellys Palomo Sánchez's car was stolen from her home.

The Artisans' Union works with indigenous women in the state of Chiapas to promote their handcrafts and culture.

HUMAN RIGHTS VIOLATIONS AGAINST MEMBERS OF PEASANT ORGANIZATIONS

Guerrero state security forces ambushed and killed 17 peasants and wounded 19 others on 28 June 1995, near the place known as *Agua Blanca*. The victims were among a large number of unarmed peasants, including women and children, who were travelling in lorries

to Atoyac de Álvarez to participate in a demonstration to demand the release of Gilberto Romero Vásquez, a peasant activist who had “disappeared” in Atoyac on 24 May 1995. Many of the victims belonged to the *Organización Campesina de la Sierra del Sur, OCSS*, Southern Sierra Peasant Organization.¹⁶ An investigation opened into the case continues and at least 14 people have been detained in connection to the massacre. Following allegations of irregularities in the post-mortem on the bodies of the 17 victims, Judge Adolfo Van Meeter Roque, assigned to the case, ordered their exhumation to try to verify the cause and manner of death, but continued to oppose the participation of independent observers as requested by the relatives. By March 1996, the exhumation of bodies had not taken place.

Dozens of members of the OCSS and other peasant organizations in Guerrero have been killed in the context of disputes over peasants’ rights since the creation of the OCSS in 1994.

On 8 February 1996, Paula Galeana Balanzar, widow of Amado Sánchez, one of the 17 peasants massacred in *Aguas Blancas*, was reportedly visited at her home in the village of Paso Real, state of Guerrero, by three men claiming to belong to the *Dirección de Gobernación de Guerrero*, state office for internal affairs. The three men took photographs of Paula Galeana Balanzar and told her she would be “sorry because she was making things more difficult” [for them] (“*se va a arrepentir porque está haciendo más difíciles las cosas*”). Paula Galeana Balanzar has been outspoken about the state government’s failure to fulfil their promises to build new homes and provide financial assistance to the relatives of the victims of the massacre.

On 7 February 1996, Rocío Mesino Mesino, leader of the OCSS, was followed in the streets of Acapulco, state of Guerrero, by three unidentified men in a car who attempted to kidnap her. Rocío Mesino told an Amnesty International delegation that she had received numerous death threats because of her activism in the OCSS and their public denunciation of the role of the state in the June 1995 massacre.

Alba Elia Hurtado, a witness to the June 1995 massacre, was reportedly assaulted in a bus near Atoyac de Álvarez, on 28 January 1996, when three unidentified men tried to force her off the bus. The bus driver and other passengers helped her fend off the attackers.

¹⁶See *Human rights violations in Mexico: A challenge for the nineties*, pp. 35-37.

Rocío Mesino Mesino

Alba Elia Hurtado

On 6 December 1995, 23-year-old María del Rosario Martínez López, was reportedly kidnapped by three unidentified men, while she was waiting for a bus near her home in the district Ampliación Altamira, in Acapulco. María del Rosario Martínez had been a supporter of the *Comité de Madres y Familiares de Presos, Perseguidos y Desaparecidos Políticos*, Committee of Mothers and Relatives of Imprisoned, Persecuted and “Disappeared” Persons, in Guerrero, where she had met lawyer José Sánchez Sánchez a few years earlier.

The three men who approached her asked about José Sánchez Sánchez, one of the lawyers in the case of the June 1995 massacre. When she did not answer their questions, she was bundled into a car where three other men were waiting. She was taken to the outskirts of Acapulco and interrogated about José Sánchez’s activities. When she did not answer the questions, she was reportedly shown a photo album containing picture of members of the *Comité de Madres* and of “disappeared” prisoners and told that if she did not collaborate, she would end up there [in the photo album] (“...que si no colaboraba ahí podía estar ella”). She was then showed photographs of her eight-year-old son and also told that “they could ‘disappear’ and kill him” (“...que lo podían desaparecer y matar”) if she did not help them. María del Rosario Martínez had not seen José Sánchez Sánchez for several months and had not participated in the mobilizations for justice in the case of the massacre of Aguas Blancas. She was allowed to go that same day, unharmed.

María del Rosario Martínez had not denounced the incident to the authorities for fear of reprisals against her family. However, after the men who had abducted her were

seen at her place of work and near her home at the end of December 1995, she decided to make public her case. To date, no one has been brought to justice for this incident.

Santa Manzanares Vásquez (23), leader of the *Movimiento 6 de Marzo*, “Sixth of March” Movement, in her community of Chacalapa, municipality of San Marcos, state of Guerrero, was kidnapped on 17 September 1995 by at least ten men after her afternoon bath in the river, near her home. The men forced her into a truck and blindfolded her.

Santa Manzanares Vásquez

Santa Manzanares was interviewed by Amnesty International delegates in November 1995, when she explained that she had been taken to a house in an area called *El Playón* and interrogated about her activities in the organization. She was told that she should leave the *Movimiento 6 de Marzo* because “she would suffer if she continued with her activities” (“*le iba a ir muy mal si seguía en lo que andaba*”). She was not beaten or abused. When Santa Manzanares woke up the following morning, she was alone in the house and decided to return home. Three days after her detention, the local Commander of the *Policía Judicial del Estado, PJE*, state judicial police, went to see her and offered his help, “should anything happen to her” (“*por si algo le pasaba*”). The *Movimiento 6 de Marzo* has been active in peasant demands for better access to agricultural inputs, such as fertilizers and seeds.

GAGGING THE OPPOSITION: THE KILLING OF MARTHA MORALES

Martha Morales Vásquez (42), leader of the *Partido de la Revolución Democrática, PRD*, Revolutionary Democratic Party (a party of the opposition), in the municipality of Tecpan de Galeana, state of Guerrero, was shot in the neck by two unidentified men on 14 October 1995, at her home in San Luis de la Loma, near Tecpan. She worked as a medical doctor, had four children and was very active in her criticism of governor Ruben Figueroa Alcocer, widely believed to be responsible for ordering the massacre of *Aguas Blancas* (see above).

According to reports, in the evening of 14 October, Martha Morales had just returned home from a PRD meeting in Coyuca de Benítez, when two men approached her outside the doorstep of her house and asked if she was Doctor Morales Vásquez. Thinking that one of the men, who was covering one of his hands with a cap, was injured, she approached them and at that moment she was shot in the neck with a firearm. Her husband, Reynaldo Javier Soria, president of the PRD municipal committee in Tecpan, was shot in the leg as he tried to escape into their house. A friend of the couple, Baldomero

Galeano Lagunas, was shot four times. Both Martha Morales and Baldomero Galeano Lagunas were taken to a hospital in Acapulco, where Martha Morales died on 6 November 1995.

The CNDH is believed to have opened an investigation into the killing, which a Guerrero government spokesperson tried to suggest had been a crime of passion and had no connection to her political activities. At the time of writing no one has been brought to justice for the killing of Martha Morales and the wounding of Baldomero Galeano.

IMPUNITY IN CASES OF PAST HUMAN RIGHTS VIOLATIONS AGAINST WOMEN

Many past human rights violations against women in Mexico remain unresolved: most perpetrators of these crimes continue to be at large and the victims and their families have not been adequately compensated. Although in some prominent cases some progress has been made, such as the case of Norma Corona Sapién, investigations into most cases have produced poor results.

The killing of Norma Corona Sapién

Norma Corona Sapién was gunned down in a “death-squad”-style killing in Mexico on 21 May 1990.

She was President of the independent *Comisión para la Defensa de los Derechos Humanos en Sinaloa*, Commission for the Defence of Human Rights in the state of Sinaloa. At the time of her murder she was investigating the case of a Mexican lawyer and three Venezuelan university professors who were reportedly abducted by federal judicial police agents. The bodies of the four men, all showing signs of torture, had been found near Culiacán, state capital of Sinaloa, in February 1990. Norma Corona immediately started investigating the killings. Soon after, she began receiving death threats which she believed came from federal police agents. She was murdered shortly after presenting complaints against these threats.

Her killing triggered a wave of national and international criticism of the Mexican Government's human rights record. The government promised that “things would change”, and shortly afterwards created the *Comisión Nacional de Derechos Humanos, CNDH*, National Human Rights Commission, whose first major task was to investigate the murder of Norma Corona. Although several officials, including a federal judicial police commander, have been arrested and charged with her murder, judicial proceedings have been marred with irregularities, such as the torture of some of the detainees to extract confessions. The federal judicial police commander accused of her murder has remained in prison without

sentencing despite the lack of any substantial evidence to link him with the murder. This has raised well-founded suspicions that they may have been used as scapegoats for the unresolved murder of Norma Corona Sapién.

Temporary “disappearance” and torture: the case of Minerva Armendáriz Ponce

Minerva Armendáriz Ponce was 16 years-old when she was detained by members of the (now disbanded) *Dirección Federal de Seguridad Nacional, DFSN*, Federal Directorate of National Security, on 18 October 1973. She was taken from her house in the city of Chihuahua to the *Quinta Zona Militar*, Fifth Military Zone, in the state of Chihuahua, with two other students. She was interrogated under duress about her political activism. Minerva Armendáriz was active in the student movement at the time and was a member of the *Movimiento Armado Revolucionario, MAR*, Revolutionary Armed Movement.

Following her detention, Gloria Ponce, Minerva’s mother, mobilized a number of students at Minerva’s school, who organized a demonstration demanding her immediate release.

Minerva Armendáriz was brutally tortured while in detention at the Fifth Military Zone. During interrogation, she was shown photographs of people who had been tortured and was told that she would look like that. She was later taken by plane to Mexico City by members of the DFSN and held in a clandestine centre for four weeks. Minerva was, to all purposes, “disappeared” for that time.

She was held in a seriously overcrowded cell with 16 other women. They were frequently made to stand naked and then showered with hoses while the guards looked on. All detainees were systematically tortured while in detention. Minerva Armendáriz has testified to an Amnesty International delegation that a number of doctors were present in the torture sessions and used to explain to the prisoners what was going to happen to them. Minerva Armendáriz was subjected to electric shocks, beaten and threatened with rape. Although unknown to her then, she was pregnant at the time.

Thanks to her mother’s efforts and the student demonstrations demanding her release, Minerva Armendáriz was “reappeared” and presented before the press in November 1973. She was charged with “subversion, criminal association and incitement to rebellion” (*subversión, asociación delictuosa e incitación a la rebelión*), transferred to a juvenile detention centre (*Consejo Tutelar para Menores Infractores*) and held there until the end of December 1973. She was then placed under the guardianship of two adults and had to present herself at the *Consejo Tutelar* every month until the age of 18. She was not allowed to return to Chihuahua for five years.

Carlos David Ornelas Armendáriz, Minerva Armendáriz's son, was born on 18 July 1974 in Mexico City. Minerva and her son have endured a number of health problems in the past years, believed to be a consequence of the torture she suffered while in detention.

None of those responsible for the torture and temporary "disappearance" of Minerva Armendáriz Ponce have ever been brought to justice. Minerva Armendáriz has not received any compensation for the suffering she and her son Carlos Ornelas Armendáriz were subjected to.

Other cases of "disappearances"

Some of those detained with Minerva have "disappeared" and their whereabouts remain unknown.

Non-governmental human rights organizations in Mexico, especially those working with relatives of the "disappeared", estimate that there were at least 400 "disappearances" in Mexico during the 1970s and 1980s. Although the number of new cases of "disappearances" has substantially decreased in recent years, there has been no significant progress – such as bringing those responsible to justice or establishing the whereabouts of the "disappeared" – in the clarification of a large number of past cases where the victims were reportedly targeted for their political activism.

Alicia de los Ríos Merino was born in San José de Bachíniva, state of Chihuahua, on 22 September 1954. She was a member of the *Juventud Comunista de México*, Mexican Communist Youth and the *Liga Comunista 23 de Septiembre*, "23rd September" Communist League. She was married to Guillermo Enrique Pérez de la Mora, also a political activist. Alicia de los Ríos was detained on 6 January 1978 in Mexico City by members of a paramilitary force.

Minerva Armendáriz Ponce (left) and Marta de los Ríos Merino (right), speaking to Amnesty International delegates visiting Chihuahua in November 1995.

Witnesses claim to have seen her alive at the *Campo Militar No. 1*, Military Camp No. 1, in Mexico City and later at a Military Camp in the state of Guerrero during 1978.

Despite the lack of news about her whereabouts and the inability of the Mexican authorities to bring those responsible for her "disappearance" to justice, Alicia de los Ríos

Merino's relatives have continued their search. Her sister, Marta de los Ríos Merino, who is a member of the *Grupo de Madres de los Desaparecidos Políticos del Estado de Chihuahua*, Group of Mothers of Political "Disappeared" Prisoners, in Chihuahua, has reportedly suffered threats due to her active search for her sister and all other "disappeared" people in Chihuahua.

Local authorities have allegedly told her that "something could happen to her when crossing the street" ("*Martita, a Ud. le puede pasar algo cuando cruce la calle*"). There have also been threats against her son, Gilberto Sandino Aquino de los Ríos (16), who allegedly escaped a car trying to run him over at the end of October 1995.

CONCLUSIONS

As can be seen from the examples described above, the number and frequency of reported human rights violations against women in Mexico is increasing. Moreover, if taking into consideration that a significant number of abuses go unreported for fear of reprisals, shame or other cultural considerations such as the often-held belief that if a woman is raped it is her own fault, the cases presented here would only represent the tip of the iceberg of a much larger and worrying pattern of abuse directed against women.

Although Mexico has made much progress in recognizing, at least in theory, the need to strive towards the equality of women¹⁷, it is clear that little effective action has been taken so far to implement these stipulations.

Amnesty International recognizes the importance of steps taken so far by Mexico to try to resolve some of these problems, including legislation against sexual abuse in Mexico City's penal code and the creation of specialized offices in the *Ministerio Público*, Public Ministry, to deal with sexual offenses in Mexico City and several states, as well as a specific "women affairs" program within the National Human Rights Commission (CNDH). Moreover, the organization welcomes President Ernesto Zedillo Ponce de León's recently stated commitment to create a National Women's Program "that will permit advancement in the tasks directed to promote women's full participation in society with equal opportunities as men"¹⁸.

Amnesty International believes, however, that the implementation of programs and legislative changes aimed specifically at improving the condition of women in Mexico should go hand in hand with a political commitment to effectively end impunity for the perpetrators of human rights violations in Mexico.

¹⁷Mexico ratified both the UN Convention on the Elimination of all Forms of Discrimination against Women and the UN Convention on the Political Rights of Women on 23 March 1981.

¹⁸CONAPO / National Coordinating Committee for the IV World Conference on Women, *Mexico: Situation of Women: Challenges for the year 2000*, p. 10.

RECOMMENDATIONS

Amnesty International calls on the Mexican Government to:

- Fulfil its stated commitments to ensure that women's human rights are protected: human rights violations such as torture, including rape, extrajudicial executions and harassment and death threats against women activists, must be brought to an end. This would be in line with the government's constitutional obligations to ensure that women gain full participation and equality in Mexican society and is an essential first step if such a goal is to be reached;
- Conduct prompt, thorough and impartial investigations into all reports of "disappearances", extrajudicial executions and torture, including rape and sexual abuse, as well as death threats and harassment;
- Take effective steps to ensure that those responsible for extrajudicial execution, "disappearance", torture, including rape and sexual abuse, and harassment and death threats against women, are brought to justice;
- Ensure that cases of such human rights violations perpetrated by members of the security forces are investigated and tried under civilian jurisdiction and not by the military courts, which have been responsible for ensuring the virtually complete impunity of members of the security forces responsible for human rights violations;
- Ensure that victims of rape, sexual abuse and other torture or ill-treatment, together with relatives of victims of "disappearance" or extrajudicial execution, receive fair and adequate compensation and appropriate medical care;
- Ensure that law enforcement personnel and other government agents receive adequate training on national and international standards which protect the human rights of all women, and instruction on how to enforce them properly. Law enforcement personnel and other government agents should be instructed that rape of women in their custody is an act of torture and will not be tolerated;
- Guarantee that women activists and members of non-governmental organizations working peacefully for the promotion and protection of human rights can carry out their legitimate activities without risk of intimidation, harassment or physical attack;
- Ensure that special steps are taken to uphold the UN Declaration on the Elimination of Violence against Women and other relevant international standards, including the UN Convention against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment. These steps should include a clear prohibition of gender-based violence.

APPENDIX - TESTIMONIES IN SPANISHTestimony of Rosa Hernández Hernández

page 7

“El 8 de febrero de 1995 siendo a las 16.45 horas de la tarde que nos fueron, sorprendidos, por personas que nos detubieron, brincándose las bardas, al entrar a la casa obligándonos a tirarnos al suelo, y después nos amarraron las manos con cadenas nos vendaron los ojos a todos los que estuvimos ahí y después nos empezaron a hacer el interrogatorio y golpiándonos a todos y después me llevaron adentro de una camioneta, con los ojos vendados y los pies amarrados con hilo y tapandonos la cara con lona y aplastados adentro de la camioneta no pudimos ni movernos... por poco nos asfiamos. Después de traernos al otro lado nos trasportaron en el avión donde nos llevaron a un lugar desconocido, nos estuvieron torturando, primero me bañaron con agua fría después me quitaron la ropa me pusieron una sabana mojada en el cuerpo y después me pusieron toques eléctricos, amenaza de muerte. Después de la tortura me dieron de firmar unos papeles con los ojos vendados, que ni siquiera se de que se trataba.”

Testimony of Julieta Flores Castillo

pages 13-14

“...de la una de la mañana uno por uno nos fueron sacando. Que el primero que sacaron ahí fue mi papá. Se llama Enrique Flores González, tiene 65 años, fue el primero que sacaron de ahí. Y de ahí me sacaron a mí, que también ahí si me golpearon, tenía yo todavía morados los brazos y la cara y aquí (el frente) en esta parte de las piernas. También me golpearon en la espalda. Y ahí fue que me hicieron también unos toques eléctricos. Ellos me preguntaban ‘quién es el que viene a organizar aquí a la gente’, que si es del EZLN, que cuántos vienen y que dónde está el armamento que recibieron los de la organización Francisco Villa. Pero como yo desconozco de todo eso, no se yo, lo único que les decía yo, que me mataran, que mejor no me estuvieran haciendo la tortura.”