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Mexico: Civilian authorities must investigate pattern of serious abuses by military

New evidence of serious human rights violations carried out during military operations to combat organized crime and drug cartels in Mexico has been unveiled in a report published by Amnesty International today.

“There is a disturbing pattern of crimes committed by the military in their security operations, abuse that is being denied and ignored by both the civilian and the military authorities in Mexico,” said Kerrie Howard, deputy director of Amnesty International’s Americas programme.

In its report, Mexico: Human rights violations by the military, Amnesty International accuses the authorities of failing to fully probe allegations of abuses committed by the military, including enforced disappearances, extrajudicial and unlawful killings, torture, ill treatment and arbitrary detentions.

By the end of June 2009, almost 2,000 complaints of abuse by the military had been received by the National Human Rights Commission in Mexico since the start of 2008. Only 367 were received in 2007 and 182 in 2006.

Amnesty International believes that this information does not fully reflect the extent of abuses being carried out but that it is indicative of a growing trend of abuses.

A human rights organization in Nuevo Laredo, Tamaulipas, told Amnesty International they had received 70 complaints involving arbitrary detention, torture and other ill-treatment by the military between January 2008 and September 2009. But only 21 individuals lodged legal complaints. The rest feared that threats against them would transform into attacks.

“The cases that we have been able to investigate are truly shocking. But what is more shocking is that we know that this is only the tip of the iceberg. We are able to go into specific detail on a number of cases whilst the government continues to deny that there are cases of human rights abuses that need to be investigated,” said Kerrie Howard.

Amnesty International’s report goes into detail on five cases of serious human rights violations committed by the military against 35 individuals between October 2008 and August 2009 in the states of Chihuahua, Tamaulipas and Baja California.

On 21 October 2008, witnesses saw 31 year-old Saúl Becerra Reyes and five other men arrested by soldiers in a car-wash in Ciudad Juárez, Chihuahua state.

Five days later, the five men arrested with Saúl were transferred from a military base to the Federal Attorney

General's Office and charged with drug and firearm offences. Saul's detention was never acknowledged and he was never seen alive again.

Several official complaints were made about Saúl's disappearance but none led to an effective investigation by the authorities. Despite a petition from a federal judge, civilian and military authorities repeatedly denied knowledge of Saul's whereabouts.

Saúl's body was found in March 2009. His death certificate said he died one day after his detention of a cerebral hemorrhage from head trauma. The authorities carried out no further autopsy. The federal judge closed the case and passed it to the Chihuahua state prosecutor's office to be investigated as an ordinary murder with no reference to evidence of military involvement.

"Mexico is facing a major public security crisis and the government has a clear responsibility to combat organized crime and drug cartels by all legal means," said Kerrie Howard.

"This is a difficult and dangerous job, but the severity of a crisis should not be used as a pretext for turning a blind eye when abuses are committed."

Amnesty International also complained that the few cases of military abuse that are taken forward are dealt with in virtually closed military courts where victims and their relatives have no access to information or status on which they can challenge judicial or court proceedings.

The lack of independence and impartiality of military prosecutors and courts has repeatedly resulted in the denial of justice to victims and impunity for perpetrators.

"The abuses we have seen contribute to the deterioration of the security situation in Mexico," said Kerrie Howard.

"By failing to take action to prevent and punish serious human rights violations the Mexican government could be seen to be complicit in these crimes."

Amnesty International urged the Mexican authorities to recognize the seriousness and scale of the reports of human rights abuses committed by members of the military as well as the level of complicity of civilian authorities in covering up these abuses and to make the issue a government priority.

The government must take immediate steps to ensure prompt and impartial investigations by the civilian authorities so those responsible are brought before the civilian courts and victims receive reparations.