

Ten Years of Enforced Disappearance for Political Reasons in Mexico 2006-2016 Report



Produced By

Comité de Familiares de Detenidos Desaparecidos

Hasta Encontrarlos

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Introduction

We present the following report which has been in the works as of the last 6 years thru a systematic effort that originated as members of the Campaña Nacional Contra la Desaparición Forzada (National Campaign Against Enforced Disappearances) in Mexico and now providing updates and monitoring as the Comité de Familiares de Detenidos Desaparecidos Hasta Encontrarlos.

This report informs about Enforced Disappearances that have occurred due to political motives and that have been committed against human rights promoters, activists, and sympathizers during the past ten years, 2006 – 2016.

This report will help demonstrate the worsening of this serious human rights violation and how it has been refined over the years to become what it is today: a State policy developed to spread terror and maintain social control.

With this report we seek to denounce and draw attention to cases of activists and defenders of human rights, because their struggle of defending even a basic human right has led to them to become victims of enforced disappearance.

We consider it necessary for civil society to understand how this serious violation of human rights is being strategically targeted against this sector to end the processes of organization and resistance. Additionally, we seek to contribute to the remembrance of those whom the State wished to forcibly forget; and thus we continue to demand Truth and Justice for all cases of enforced disappearance in the country.

For a clearer understanding, this report is divided into two periods: the presidency of Felipe Calderon, 2006 – 2012 and the current presidency of Enrique Peña Nieto, 2013 – 2016. We have taken this approach in order to briefly describe the context in which enforced disappearances originated within Mexico, show some changes in strategy, as well as characteristics of each one.

Each period has the description of the documented cases which are systematized and illustrated by graphs and tables, as these mediums allow to display the most important data of people who have been victims of this serious violation of human rights.

In addition, this report has a small section that reflects on the case of the enforced disappearance of the 43 students from Ayotzinapa. We have done this in order to reveal how the State operates in a case of such great importance as this one, and the implications that the case has had in changing State strategy.

Subsequently, we provide a brief description about why we consider enforced disappearance as a policy of State Terrorism; we show the impacts that it generates in the family, and the population in general. Thus, we also include the rights that family members have in demanding the reappearance of their loved ones.

We conclude with a brief description of the unresolved changes needed from the State in regards to enforced disappearance, such as the General Law on Enforced Disappearance. It is important and worth mentioning that as we prepared this report, there had been no discussion on the General Law on Enforced Disappearance in the Senate.

We emphasize that this report aims to continue rescuing the life and memory of all those social fighters and activists who have struggled to leave behind a better world. To all of them, because they have left us an example of dignity to continue on this path of defending human rights, we express our commitment to continue in this struggle UNTIL WE FIND THEM!

This report also is a way to remind us that we must continue denouncing and condemning this grave violation of human rights, with accurate data to show that what happens is neither isolated nor accidental, but a State policy that seeks as end result to stop every effort of struggle and resistance.

But above all, this report is for the disappeared, for the relatives of victims who fight every day and resist this crime, for all those who are fighting without being relatives, across town in search of better living conditions. This small effort is a way to draw attention, to act and contribute so that more and more people become informed of the causes and consequences this terrible crime causes on the population, but it is also a way to join forces in the fight for Truth and Justice.

Methodology

The information presented in this report is largely based on the documentation produced since 2010 by the Campaña Nacional Contra la Desaparición Forzada, as well as the systematization and updating of information by the Comité de Familiares de Detenidos Desaparecidos Hasta Encontrarlos.

It is noteworthy that as an organization we only work the issue of enforced disappearance for political reasons, hence the data found in this report specifically addresses cases of enforced disappearance committed against defenders of human rights, activists, and social fighters.

The data found in this report were carefully reviewed to determine their current status and systematized in tables and graphs at the end of each topic, this in order for the data to be consulted with more accessibility.

All information contained in this report is taken from public sources, such as: media, reports from organizations formed of the relatives of victims and human rights, urgent actions, websites, alternative media, and some directly from communication with relatives or members of the organization advocating for the victim.

To systematize and update cases, or supplement information, we have performed follow-up work in digital and print media sources.

Enforced Disappearances

According to Article 2 of *Inter-American Convention on Forced Disappearance of Persons*: **forced disappearance** is considered to be the act of depriving a person or persons of his or their freedom, in whatever way, perpetrated by agents of the state or by persons or groups of persons acting with the authorization, support, or acquiescence of the state, followed by an absence of information or a refusal to acknowledge that deprivation of freedom or to give information on the whereabouts of that person, thereby impeding his or her recourse to the applicable legal remedies and procedural guarantees.ⁱ

Taking into account the above definition, we note three essential elements that make up this serious violation of human rights:

First: the forced disappearance implies the deprivation of liberty, which can either be legal or illegal. In some cases the person who disappeared was already detained, sometimes for legal reasons and in many other cases, the disappearance starts by imprisoning the person in an unofficial place of detention.

Second: the deprivation of liberty is carried out by state agents of any sector or level, or groups of persons acting with the support or acquiescence of the State. When speaking of State agents we refer to all persons and entities whose performance may be linked to the responsibility of the State. People who commit or participate in the disappearances often are individuals or groups hired by the State, which may be soldiers, police or security officers. They can also be other actors operating under instructions of the authorities or state institutions, or have the approval thereof, for example members of the vigilante groups, private militias or other parapolice and paramilitary groups who commit crimes following the instructions of authorities or state institutions.

Third: when government officials refuse to disclose the fate or whereabouts of persons, or acknowledge the deprivation of liberty, outside the protection of the law. The refusal or concealment of information is a substantial element of the crime, so they are not valid statements about the possible death of the victim until there is an official clarification of the facts.ⁱⁱ

Enforced Disappearance is not a minor crime, but rather a serious violation of human rights that infringes on a series of rights. It is classified in the field of human rights as a crime against humanity of **multifaceted character, continuous, imprescriptible, and pluri-offensive**.

When it is said that enforced disappearance is of **multifaceted character** it means that it violates all fundamental human rights of the individual, such as:

- The right to personal integrity
- The right to liberty and security of the person;
- The right not to be subjected to torture and other cruel, inhuman or degrading treatment or punishment;
- The right to life, when the disappeared person is killed;
- The right to recognition everywhere as a person before the law;
- The right to a fair trial and to judicial guarantees;
- The right to protection and assistance to the family;
- The right to an adequate standard of living;
- The right to health;
- The right to truth;
- The right not to be disappeared.ⁱⁱⁱ

Enforced disappearance constitutes a crime of **continuous nature**, because it consumes every moment during the time that the victim remains disappeared. That is to say, the crime does not end until the fate or whereabouts of the disappeared person is determined and this becomes clear. Enforced disappearances are present cases, no matter if they occurred years or even decades ago. The principle of **imprescriptibility** in enforced disappearances means that this offense can not prescribe, ie, that the offense does not lose force or perishes over time. The deadline for the statute of limitations generally continue until the victim is found, dead or alive.

Additionally, enforced disappearance is a **pluri-offensive** phenomenon because it violates the human rights of both the disappeared person and their family, who become indirect victims and suffer permanent anguish of not knowing the whereabouts of their family.

Thus, enforced disappearances have to be sized as a serious violation of human rights, which not only directly harms the victim but the family and the general population; committed by the State, either by commission, omission or acquiescence.

Historical Background

Enforced disappearances started in Latin America during the sixties and seventies in order to combat and eliminate popular and insurgent organizations, social activists, critics and dissidents of the government. During these years, countries like Argentina, Chile, Guatemala, and Brazil implemented this policy as a form of social control, to silence the voices of discontent.^{iv}

In Mexico, enforced disappearances began in the sixties during the period known as the "Dirty War," when enforced disappearances became a counterinsurgency policy to combat dissident groups.

This repressive strategy was first implemented against rural and urban guerrillas who opposed the authoritarian and violent institutional systems, and subsequently, against social and political movements and their leaders.

Between 1969 and 1988, various human rights organizations and committees formed of relatives of victims recorded about 1200 to 1800 cases of enforced disappearances committed against social activists, members of insurgent groups or individuals whom the State believed had relationship with such groups.

Hundreds of these cases were committed in the state of Guerrero, where the State sparked a witch-hunt against all those who were connected with these groups or those they suspected were a part of them. More than 40 years have passed and these cases still remain unpunished, with no knowledge of the fate or whereabouts of those who have been disappeared.

Following the public appearance of armed movements like the Zapatista Army of National Liberation (EZLN) in 1994 and the Popular Revolutionary Army (EPR) in 1996, the practice of

enforced disappearances increased again against political dissidents. From 1996 to 1997, 35 social activists were arrested and disappeared, accused of being guerrillas.^v

Thus, in our country, the practice of enforced disappearance has been linked to a counterinsurgency policy targeting armed organizations and social organizations that are considered opponents of the regime.

Since 2006, with the launch of the so-called "War on Drugs," enforced disappearances acquired new dimensions: now they are not only committed against political dissidents, human rights defenders, and activists, but against large sections of the general population.^{vi}

Felipe Calderón Administration: Upsurge in Enforced Disappearances

Since 2006, with the launching of the "War on Drugs"^{vii} under the government of Felipe Calderon, human rights violations were greatly increased. Thousands of soldiers were taken to the streets under the pretext of fighting groups of organized crime,^{viii} which resulted in higher rates of violence, and cases of human rights violations arising from the militarization of internal security, because the armed forces are unprepared to investigate crimes, monitor a crime scene, or come into contact with civilians.

During this period, the National Human Rights Commission (CNDH) recorded 9,228 complaints and 142 recommendations against the armed forces for human rights violations,^{ix} 2,126 cases of enforced disappearances and 24,091 missing persons.^x At the beginning of this current presidential term, the Ministry of the Interior of the Peña Nieto administration informed that under the presidency of Felipe Calderon more than 26,000 people were disappeared, without specifying how many of them were in the form of enforced disappearance.

Meanwhile, organizations formed by relatives of the victims, human rights organizations and grassroots organizations, alleged that during the Calderon administration 10,000 to 30,000 cases of enforced disappearances had been recorded; which demonstrates the serious problem that exists to actually document the number of people who have been victims of this serious violation of human rights, due to a lack of a reliable national registry.

During the period of the "War on Drugs" enforced disappearances were committed not only against activists or human rights defenders, but also against the general population. Thus, most of the victims of enforced disappearance were young, workers, migrants and women, people who do not belong to social movements or political organizations, and whose disappearance was justified by the State as part of the "War on Drugs" and all acts of this nature were attributed to the pervasive organized crime.

In the context of the alleged "War on Drugs," enforced disappearances were converted into "levantones,"^{xi} a euphemism created by the State to stigmatize and criminalize the victims of disappearance and enforced disappearance, to try to link them to organized crime groups and

thus justify their disappearance and with that distance itself from responsibility to investigate, prosecute, and punish those responsible.

In addition to this, during the Calderon administration, enforced disappearances were characterized in many cases, being en masse disappearances; ie, disappearances of more than one person in the same event. It is also symptomatic that they were executed mainly in the states where there was an increased military and police force presence. For example, in the state of Michoacan, where Operation Michoacán began in 2006, dozens of young people from neighborhoods and marginalized areas, were disappeared en masse by Special Operations Groups (GOES) of the State and by the police between 2010-2011.^{xiii}

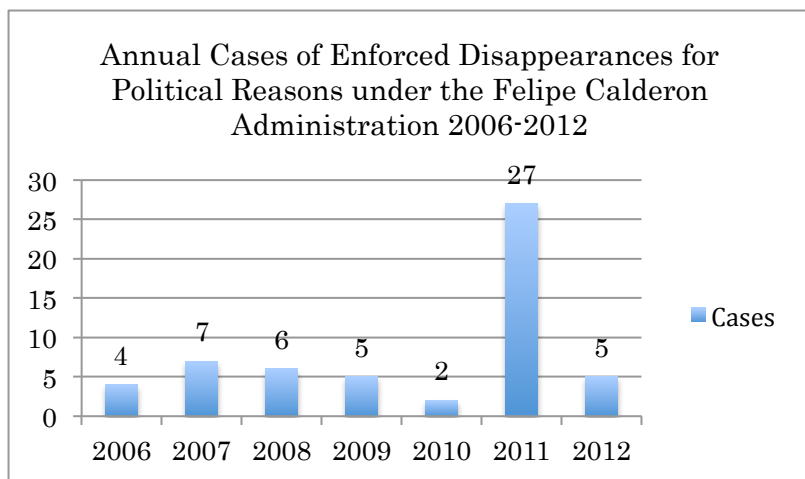
In the course of the Calderon administration, enforced disappearances, aside from being a mechanism for elimination and control of political dissent, became a broader mechanism of social control, to instill fear and terror in society.

Additionally, there wasn't just an increase of enforced disappearances against unorganized sectors, but also against human rights defenders, leaders and directos of grassroots organizations. These were further developed systematically and selectively but have remained overshadowed under the terrible situation of thousands of disappeared persons in the country.

It is for these reasons, this report documents cases of enforced disappearances caused for political motives, which have been removed from official records, as a way to erase them from historical memory and to deny their existence; and just as 40 years ago during the “dirty war,” these crimes continue to be committed against political dissidents and human rights defenders.

Data

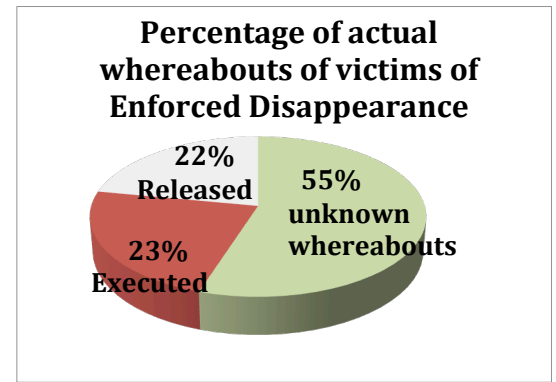
During the Calderon administration, 56 people were forcibly disappeared. Of those fifty-six, 54 were human rights defenders and 2 are persons belonging to an insurgent group.



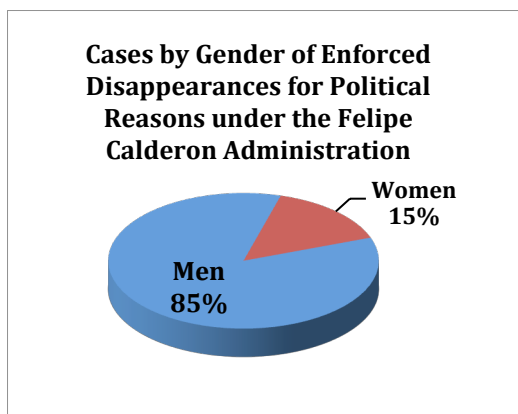
In the graph, we can see enforced disappearance cases committed every year during the Felipe Calderon administration, highlighting 2011 as the year in which more cases were reported. This shows that during this government there was a persecution and criminalization against leaders and directors of grassroots and human rights organizations, in order to disrupt their processes of struggle and resistance.

It is noteworthy that the whereabouts of the majority of the victims of the documented cases under this administration remain unknown.

It should also be noted that none of the 56 documented cases have been investigated or punished those responsible. This impunity gives precedent to continuous persecution against human rights defenders. This also leads to the criminalization and harassment of the victims' relatives who demand justice and the bodies of their loved ones from the State.



A fact that we consider worth mentioning of the documented cases of enforced disappearance during the Calderon administration, most of the victims are leaders or directors of grassroots organizations, which for being independently organized and defending at least a human right, were detained and disappeared.

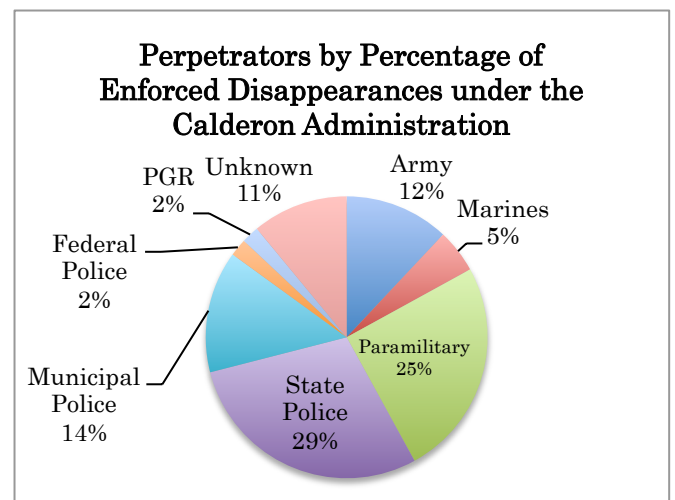


Remember that during the Felipe Calderon administration plans to implement the so-called “Structural Reforms” were initiated. Which, since the beginning were condemned and denounced by various grassroots and human rights organizations for contradicting the fundamental rights of the population. Even given this dissent, the alleged “War on

Drugs” was launched. Militarization increased within the country and the various manifestations of discontent generated by the announcement of reforms were contained. In this context, the detention and disappearances of both men and women leaders occurred.

While the trend of Enforced Disappearances is more directed towards men as the chart during this period suggests, we note that the registered cases of women who were victims of enforced disappearance, were active in defending human rights or linked to independent organizations.

Of the cases documented during this period we can determine, as indicated in the graph, the majority of Enforced Disappearances were committed by local police, followed by paramilitary groups operating with the support and consent of the State.



Cases of Enforced Disappearance for Political Reasons 2006-2012

	Name	Filiation	Place of Disappearance	Date of Disappearance	Perpetrators of the Disappearance	Actual Whereabouts
1	Antonio Peñate Montejo	Members of Viejo Velasco Indigenous Community, Chiapas	Chiapas	November 13, 2006	According to the testimonies: Comuneros from Nueva Palestina and about 300 Public Security Police Officers	Unknown
2	Miguel Moreno Montejo	Members of Viejo Velasco Indigenous Community, Chiapas	Chiapas	November 13, 2006	Comuneros from Nueva Palestina and about 300 Public Security Police Officers	Extrajudicial Execution
3	Mariano Pérez Guzmán	Members of Viejo Velasco Indigenous Community, Chiapas	Chiapas	November 13, 2006	Comuneros from Nueva Palestina and about 300 Public Security Police Officers	Unknown
4	Pedro Núñez Pérez	Members of Viejo Velasco Indigenous Community, Chiapas	Chiapas	November 13, 2006	Comuneros from Nueva Palestina and about 300 Public Security Police Officers	Extrajudicial Execution
5	Jorge Gabriel Cerón	Rostros y Voces and Taller de Desarrollo Comunitario	Guerreo	April 14, 2007	Group of Police Officers	Unknown
6	Edmundo Reyes Amaya	Popular Revolutionary Democratic Party- Popular Revolutionary Army (PDPR-EPR)	Oaxaca	May 25, 2007	Army and Oaxaca Police	Unknown
7	Gabriel Alberto Cruz Sánchez	Popular Revolutionary Democratic Party- Popular Revolutionary Army (PDPR-EPR)	Oaxaca	May 25, 2007	Army and Oaxaca Police	Unknown
8	Francisco Paredes Ruiz	Fundación Diego Lucero and Frente Nacional contra la Represión (FNCR)	Michoacán	September 26, 2007	Family Members accuse the Federal Government	Unknown
9	Virginia Ortiz Ramírez	Movement of Triqui Unification and Struggle (MULT)	Oaxaca	July 5, 2007	Paramilitary Group	Unknown
10	Daniela Ortiz Ramírez	MULT	Oaxaca	July 5, 2007	Paramilitary Group	Unknown
11	Lauro Juárez	Unión de Campesinos Pobres (UCP)- Frente Popular Revolucionario (FPR)	Oaxaca	December 30, 2007	The family has been harassed and received threats from Police Forces and Paramilitaries.	Unknown
12	Javier Torres Cruz	Leader of Organización de Campesinos Ecologistas de la Sierra de Petatlán y Coyuca de Catalán (OCESP)	Guerrero	December 3, 2008	Family is accusing members of the Army's 19th Battalion	Released on December 13, 2008. He showed signs of Torture.
13	Avenicio Reyna Cruz	Frente Nacional de Lucha por el Socialismo (FNLS)	Michoacán	July 4, 2008	Office of the General Prosecutor (PGR)	Released early morning on July 5, 2008
14	Moisés Molina Rodríguez	FNLS	Michoacán	June 12, 2008	Military and Police Suspected	Released on June 26, 2008
15	Bonifacio Barrientos Gaona	Organización Indígena Totonaca (OIT)	Puebla	May 17, 2008	The OIT blames the state government to be the alleged perpetrator	Unknown
16	Lorenzo Fernández Ortega	Organization of the Indigenous Me' Phaa People (OPIM)	Guerrero	February 9, 2008	Paramilitary Group	Extrajudicial Execution on February 10, 2008. Ayutla de los Libres, Guerrero.
17	Rosalino Díaz Barrera	FPR	Oaxaca	January 30, 2008	A Group of Municipal Police Officers	Extrajudicial Execution on January 31. He showed signs of Torture.
18	Ezequiel Aguilar Vida	Ecologist of Coyuca de Catalán	Guerrero	November 11, 2009	Mexican Army soldiers, apparently from the 40th Infantry Battalion	Unknown

	Name	Filiation	Place of Disappearance	Date of Disappearance	Perpetrators of the Disappearance	Actual Whereabouts
19	Alicia Saláiz Orrantia	Asociación Civil Derechos Humanos de Nuevo Casas Grandes	Chihuahua	November 5, 2009	The complaint was filed before the ministerial authorities	Unknown
20	Fermin Mariano Matías	Adviser to Democratic Student League of the Meritorious Autonomous University of Puebla	Unknown	June 23, 2009	After relatives protested outside the state attorney general's office, authorities said they had news of Fermin	Extrajudicial Execution on June 26, 2009. San Juan Totolac, Tlaxcala
21	Raúl Lucas Lucía	Leader of Organization for the Future of the Mixteco People (OFPM)	Guerrero	February 14, 2009	Three armed men who identified themselves as policemen	Extrajudicial Execution on February 21, 2009.
22	Manuel Ponce Rosas	Leader of OFPM	Guerrero	February 14, 2009	Three armed men who identified themselves as policemen	Extrajudicial Execution on February 21, 2009.
23	Víctor Ayala Tapia	President of Frente Libre Hermenegildo Galeana (FLHG)	Guerrero	September 14, 2010	State Police	Unknown
24	Víctor Sánchez	Member of Popular Assembly of the Peoples of Oaxaca (APPO)	Oaxaca	June 21, 2010	Men dressed in black who arrived in the state police cars.	Released by his captors on June 23, 2010. He showed signs of torture.
25	Braulio Sales Aparicio	Purépecha Communer	Michoacán	January 21, 2010	Paramilitary	Unknown
26	Malena Reyes	Human Rights Defender	Chihuahua	February 7, 2011	Paramilitary	Extrajudicial Execution on February 23, 2011 in Chihuahua.
27	Elías Reyes	Human Rights Defender	Chihuahua	February 7, 2011	Paramilitary	Extrajudicial Execution on February 23, 2011 in Chihuahua.
28	Luisa Ornelas de Reyes	Human Rights Defender	Chihuahua	February 7, 2011	Paramilitary	Extrajudicial Execution on February 23, 2011 in Chihuahua.
29	Carlos René Román Salazar	Teacher's Movement	Oaxaca	March 14, 2011	Unknown	Unknown
30	José de Jesús Romero Quintero	Member of the Council of the Fishery Production Cooperative of La Cruz de Loreto, Jalisco (La Cooperativa)	Jalisco	March 24, 2011	Municipal Presidency in cahoots with an Italian businessman	Unknown
31	Jorge Ruiz López	Member of the Council of (La Cooperativa)	Jalisco	March 24, 2011	Municipal Presidency in cahoots with an Italian businessman	Unknown
32	Rafael Espinoza Díaz	Member of the Council of (La Cooperativa)	Jalisco	March 24, 2011	Municipal Presidency in cahoots with an Italian businessman	Unknown
33	Gabriel Antonio Gómez Caña	FPR in Veracruz	Veracruz	March 25, 2011	Unknown	Unknown
34	Gabriela Sánchez Morales	Tzeltal and EZLN Support Base	Chiapas	July 17, 2011	State Preventive Police	Unknown
35	Roberto Gazca Cerritos	"19th of October" Democratic Peasant Front (FCD-19)	Campeche	August 7, 2011	The Marines	Released after four hours of torture
36	Óscar López Sánchez	FCD-19	Campeche	August 7, 2011	The Marines	Released after four hours of torture
37	Silverio Castañeda Ruelas	FCD-19	Campeche	August 7, 2011	The Marines	Released after four hours of torture
38	Isela Hernández Lara	Babysat Marisela Reyes Salazar's 3 year-old grandson, Alberto.	Chihuahua	August 14, 2011	Heavily Armed Men	Unknown
39	Cándido Chávez Gómez	Benito Juárez Popular Movement, National Regeneration Movement (MORENA)	State of México	August 19, 2011	Unknown	Free after 3 months of disappearance

	Name	Filiation	Place of Disappearance	Date of Disappearance	Perpetrators of the Disappearance	Actual Whereabouts
40	Benjamín Bautista Gutiérrez	Purépecha Communer	Michoacán	September 18, 2011	Paramilitary	Unknown
41	Herculano Morales Andrés	Professor of Sector IX Pre-School of Indigenous Education, Section XVIII, Democratic Teachers of Michoacán	Michoacán	October 8, 2011	Paramilitary	Unknown
42	Eleuterio Salmerón Baltasar	Purépecha Communer	Michoacán	October 8, 2011	Paramilitary	Unknown
43	Porfirio Alejo Andrés	Purépecha Communer	Michoacán	October 8, 2011	Paramilitary	Unknown
44	Mario Mejía	FNLS	Michoacán	October 20, 2011	Municipal Police	Released
45	Domingo Morales García	FNLS	Michoacán	October 20, 2011	Municipal Police	Released after 12 hours with signs of torture
46	Leobardo Reyes Meza	FNLS	Michoacán	October 20, 2011	Municipal Police	Released after 12 hours with signs of torture
47	Santiago Silva Hernández	FNLS	Michoacán	October 20, 2011	Municipal Police	Released after 12 hours with signs of torture
48	Alonso López Luna	EZLN Support Base	Chiapas	December 4, 2011	Paramilitary	Unknown
49	Trinidad de la Cruz Crisóstomo	Santa María Ostula Communer and member of the Mexican Indignados Movement	Michoacán	December 6, 2011	Paramilitary	Extrajudicial Execution on December 7, 2011
50	Marcial Bautista Valle	President of Organización Campesina Ecologista de la Sierra de Petatlán y Coyuca de Catalan A.C (OCESP)	Guerrero	December 8, 2011	Army and State Police	Unknown
51	Eva Alarcón Ortiz	Coordinator of OCESP	Guerrero	December 8, 2011	Army and State Police	Unknown
52	Hugo Cesar Vázquez Bahena	Student of Political Science and Urban Management at the Autonomous University of Mexico City (UACM)	Guerrero	January 24, 2012	Was disappeared after filing a complaint to the Federal Police	Extrajudicial Execution on February 18, 2012
53	Efraín Bahena Hernández	Mechanic	Guerrero	January 24, 2012	Was disappeared after filing a complaint to the Federal Police	Extrajudicial Execution on February 18, 2012
54	Sergio González Santillán	Movimiento Ambiental Pro Salud	Hidalgo	February 29, 2012	Federal Police	Unknown
55	Alejandro Cristóbal Ávila García	Teacher's Union Delegation XXII	Oaxaca	June 19, 2012	Unknown	Unknown
56	Celedonio Monroy Prudencio	Náhuatl member of the Council of Elders	Jalisco	October 23, 2012	An unknown group of armed men	Unknown

The table indicates the number of total cases documented during the Calderon administration. In it we can see that of the **56 reported cases**, **31 individuals** are still disappeared, while in **13 cases** the disappearance culminated in an extrajudicial execution, and in **12 cases** individuals were released after being tortured.

Enforced Disappearances by Entity
2006-2012

Location	Cases
Campeche	3
Chiapas	6
Chihuahua	5
Guerrero	11
Hidalgo	1
Jalisco	4
Michoacán	13
Oaxaca	9
Puebla	1
State of México	1
Veracruz	1
Unknown	1
Total:	56

During the government of Felipe Calderon, the practice of enforced disappearance increased at alarming rates, not only against human rights defenders but also against the general population. This originated an atmosphere of confusion and anguish within the population for it not being clear, about who was responsible at first. The State alleged that disappearances were being committed by organized crime groups as a result of the “War on Drugs.” However, towards the end of the six-year period it was evident that the sole responsible agents for enforced disappearances had been the State, mainly State Police.^{xiii} Thus, in this context, those who were strongly repressed and invisibilized were activists and human rights defenders. This repression towards these groups was selective and systematic throughout the six years. Year after year, human rights defenders were victims of this terrible violation of human rights that so far until this date, remains unpunished.

The Return of the PRI: Enforced Disappearance as State Terrorism Policy

The return of the Institutional Revolutionary Party (PRI) on December 1, 2012 after 12 years of not having been in power confirmed what many human rights organizations and popular organizations had anticipated: the continued violation of human rights; thus continuing the same security policy initiated by Calderon’s administration.

The 2016 report by the Inter-American Commission notes that "despite the change in government on December 2012, there were no substantial changes in relation to security policies. This has significantly diminished enjoyment and respect of human rights."^{xiv}

As we noted in the previous section, the Calderon administration implemented a National Security Policy supposedly aimed to “fight the drug cartels,” as well as a series of reforms that were later consolidated under the PRI.

The approval of the so-called “structural reforms” such as: Energy, Labor, Health, Telecommunications and Broadcasting, and Educational Reforms, among others, have generated popular discontent and a series of demonstrations by the most affected sectors, since they violate the rights to health, housing, education, land, and labor rights, just to name a few.

Such reforms are part of the process of deepening neoliberalism in the country, they have generated a context of “growing violence, imposition of megaprojects, forced displacement, enforced disappearances, torture, extrajudicial executions, criminalization of social protest and the right to freedom of expression.”^{xv} Alongside these reforms, the continuation of the alleged

“War on Drugs” has generated greater human rights violations due to the persistence of the armed forces in the streets.

In the context of counternarcotics and constant militarization of many areas of the country, various authorities like the police in its distinct levels (federal, state, and municipal), members of the military, and even government ministries have been linked to alleged serious human rights violations that still remain unpunished.^{xvi}

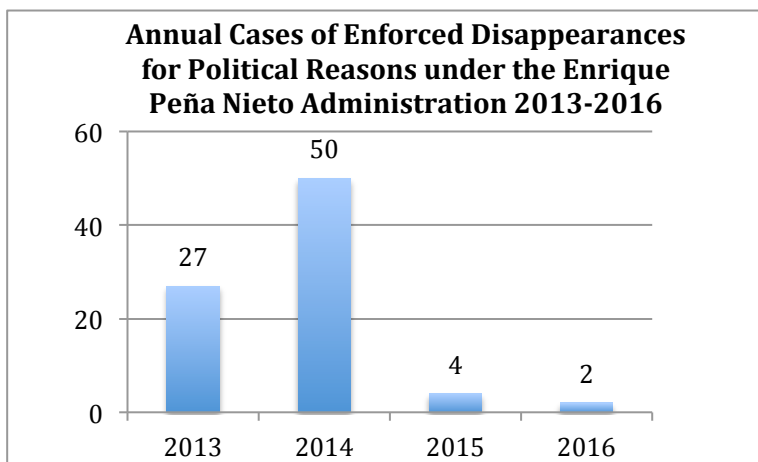
During the current EPN administration, human rights violations increased considerably relative to the Calderon administration. According to the National Human Rights Commission (CNDH) over the past year the number of complaints of human rights violations in the country increased by 18 percent to 9,980 cases compared to 8,455 in 2014.^{xvii}

In 2015, only 327 files on the disappearance of 453 people were opened. The Armed Forces accumulated 2,212 complaints to the CNDH during the first 2 years of the EPN administration, who although not formally declared, continued the Security Policy developed by Calderon and continues to employ the military for public security. This figure is higher than 1,671 complaints that were recorded against the CNDH at the beginning of the Calderon administration.^{xviii}

In this context, the defense of human rights and the actions of demanding truth and justice are limited and even stigmatized and criminalized by the State.

Consequently, enforced disappearances strongly increased in the first 2 years of the EPN presidency, even more than in the Calderon administration; as indicated by documented cases against human rights defenders, activists, and cases committed against the general population.

During the first 22 months of the EPN presidency, 9,384 persons were disappeared, equivalent to 40% of the 23,272 disappearance cases officially registered between January 2007 and October 2014.^{xix} However, this figure does not specify how many of these cases can be of enforced disappearance, because there exists no proper classification or documentation of these cases.



The graph shows the cases of enforced disappearances committed against activists and human rights defenders during the first 4 years of PRI rule, up until March 2016. In it we see that 2014 was the year in which more enforced disappearances occurred for political reasons, highlighting the case of the 43 enforced disappeared students from Ayotzinapa. This case demonstrated the persistence and consistency of enforced disappearances in the country.

The Case of the 43 Students from Ayotzinapa

The enforced disappearance of 43 young students from the Raúl Isidro Burgos Rural Teachers' College in the state of Guerrero, which occurred on the 26th and 27th of September 2014, is undoubtedly one of the most terrible cases of enforced disappearance ever committed in the history of our country. The seriousness of the case is not only because of the collective disappearance of 43 young people belonging to the Federation of Socialist Peasant Students (FECSUM), but by the clear involvement of State elements in the commission of this grave violation of human rights and the constant and blatant refusal from the State to take on responsibility for its actions.^{xx}

The disappearance of these students unmasked the way the State operates and how paramilitary groups operate with their support and consent. Additionally, this case seriously demonstrates the unfortunate situation of enforced disappearances taking place in our country, which has been denounced for years by various groups and relatives of victims of enforced disappearance, yet had remained invisible.

This case confirmed the lack of political will from the State to conduct an effective investigation, as well as the unfortunate structural and systematic impunity confronting these crimes.

We see that although there is evidence of the direct responsibility by State agents: the municipal and state police of Guerrero, and now we know that the armed forces are also implicated, the case is not being investigated as a crime of enforced disappearance and those responsible have not been prosecuted. The Ayotzinapa case also revealed the perversity of the State as it tried to impose a series of manufactured lies as truths. This is characteristic of enforced disappearances, the State invents a series of lies and denies responsibility in hopes that over time, families and the general population lose confidence, forget, and stop fighting for Truth and justice.

The Ayotzinapa case also allowed to bring awareness of an alarming and growing wave of thousands of enforced disappearance cases in various parts of the country and the discovery of hundreds of clandestine graves where the State had buried dozens of people whose identities have not yet been confirmed. This is because the relatives who had remained anonymous, viewed the context of Ayotzinapa as a time of significant coverage to speak out for their disappeared.^{xxi}

A week after the disappearance of the 43 students from Ayotzinapa, in September 2014, 11 mass graves with a total of 39 bodies were found. Also, in January and April 2015 at least 10 mass graves were discovered each month. From October 2015 to May 2016, 60 mass graves with 129 bodies of persons reported as disappeared were found in Mexico City, of which 112 were males and 20 women.^{xxii}

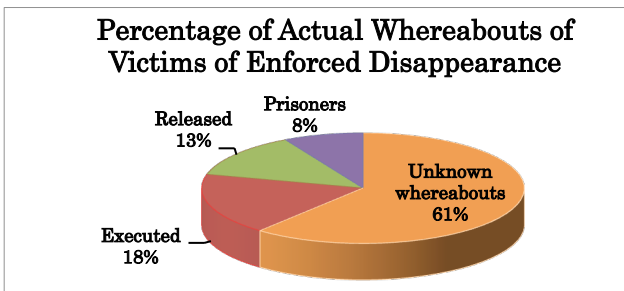
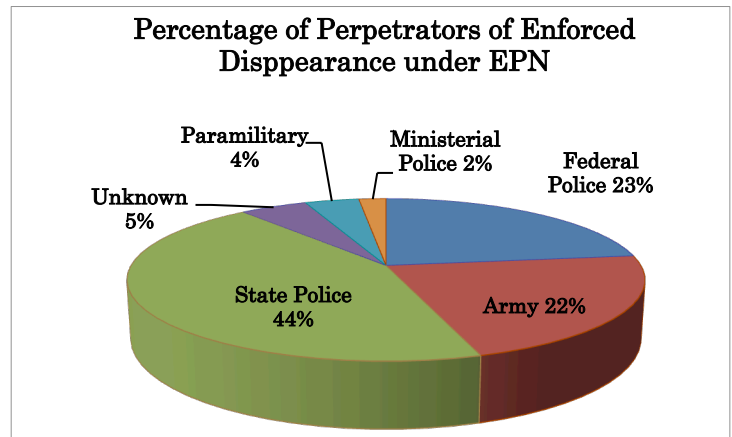
As we can see, the situation of violence and serious human rights violations during the EPN administration were not reduced, on the contrary, cases of enforced disappearance and disappearances in general increased at an alarming rate.

Data

During the first four years of the Peña Nieto administration, there have been 83 human rights defenders and activists that have been forcibly disappeared for political reasons. This indicates a higher percentage of enforced disappearances than that of the Calderón administration.

The graph shows that of the total cases documented during this period, the actual whereabouts of 61% of the victims remains unknown, 18% of cases of enforced disappearance led to an extrajudicial execution, while 13% people were released, and 8% are imprisoned. This proves the State remains withholding the actual whereabouts of the majority of the victims.

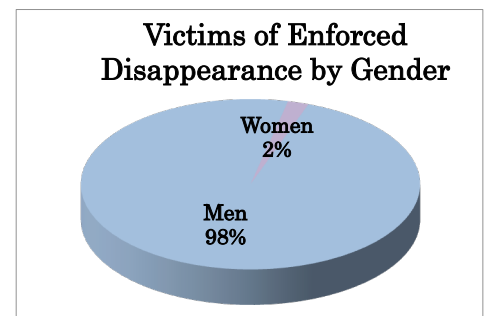
This evidences that during this current administration, enforced disappearances are continuing as a social control policy, where activists, leaders, and human rights defenders continue to be selectively persecuted and disappeared, as a way to disband their organizational processes.



Despite the magnitude of the problem and the international pressure that came with the disappearance of the 43 students, the EPN administration, still does not recognize that enforced disappearances are a part of state policy.

In the context of enforced disappearances for political reasons, the percentage of disappeared men is still higher than that of women. So far, of the **83** missing persons, only **2** are women; but, as in the case of men, their disappearance was due to their active participation in the defense of human rights.

Despite the State's refusal to recognize the persistence of enforced disappearances and participation of State agents in their commission, in this report we can link the documented cases with their direct participation. In the chart below we can see that in 44% of cases, the state police is the most responsible for committing enforced disappearances, followed by the federal police and the army.



It should be noted that, although, in the first years of the EPN administration (2013-2014) politically motivated enforced disappearances increased, the past two years have remained stable. However, this stability does not come from the will of the State, but from the national and international impact of the enforced disappearance of the 43 students from Ayotzinapa and the presence of the Interdisciplinary Group of Experts of the Inter-American Commission for Human Rights, somehow forcing the State in the cases of human rights defenders and cases of enforced disappearance not to increase as much as in other years.

Enforced Disappearances by Entity
2013-2016

Location	Cases
Sonora	1
Mexico City	4
Morelos	1
Guerrero	58
Michoacán	3
Oaxaca	4
State of México	4
Veracruz	4
Chiapas	4
Total:	83

However, this does not mean that this policy is no longer selectively practiced against activists and Mexican states where they are resisting the implementation of the reforms.

Enforced Disappearance as State Terrorism Policy

As discussed earlier in this report summary, enforced disappearances are a serious violation of human rights, which not only directly harms the victims, but also their families and society in general. These acts also establish a state of fear, terror and societal control, so that the populous does not organize and express its dissatisfaction with the series of imposed economic policies that could harm it.

Consequently, since the dirty war, enforced disappearance was used as a tool of terror in our country, to contain and disband armed movements, as did the Southern Cone dictatorships. This system, over time, has been systematized and refined, and is still practiced as a policy of control and terror against the general population.

It is for these reasons that enforced disappearances are considered the most aberrant and perverse expressions of *State Terrorism* and a serious violation of human rights because, as established by international treaties: the perpetrators are State officials, who instead of protecting and ensuring the safety of the population, overturn its structure and security apparatus to suppress and violate it.

Therefore, *State Terrorism* is characterized by developing a series of repressive policies and excessive violence against the population or against a particular group, threatening lives, fundamental rights and other values of people, implementing terror as a mechanism of social control and restraint.

Consequently, enforced disappearances constitute in this policy of *State Terrorism*, designed, planned and systematized in order to make the people succumb, without resistance, to the so-called structural reforms that deny respect for human rights of the population.

State Terrorism is, in short, "A planned and executed policy whose goal is to combat social struggles through illegal means, paralyze or destroy political or ideological opposition and/ or

annihilate the armed opposition and/ or whose goal is to justify the suspension of constitutional guarantees, the establishment of a states of exception and violation of human rights."^{xxiii}

Currently, the State uses every means at its disposal to spread and normalize violence and repression, while sending a clear message of what can happen to anyone if they organize or disagree with their policies. The State develops various mechanisms to maintain impunity of the violations committed, which has resulted in the null clarification of these, the impossibility of access to justice, and repetition of the crimes.

Cases of Enforced Disappearance for Political Reasons 2013-2016

	Name	Filiation	Place of Disappearance	Date of Disappearance	Perpetrators of the Disappearance	Actual Whereabouts
1	Luis Enrique Granillo Martínez	National Council of Frente Popular Campesino Revolucionario Francisco Villa	State of México	February 15, 2013	They blame the Mexican Army	Unknown
2	Tirso Madronio Pérez Antonio	National Council of Frente Popular Campesino Revolucionario Francisco Villa	State of México	February 15, 2013	They blame the Mexican Army	Unknown
3	Santiago Benítez	National Council of Frente Popular Campesino Revolucionario Francisco Villa	State of México	February 15, 2013	They blame the Mexican Army	Unknown
4	Honorio Benítez	National Council of Frente Popular Campesino Revolucionario Francisco Villa	State of México	February 15, 2013	They blame the Mexican Army	Unknown
5	Teodolfo Torres Soriano	Member of the urban agriculture project "El Terreno" and adherent to the Sixth Declaration of the Lacandon Jungle	Mexico City	March 23, 2013	Likely enforced disappeared for witnessing the aggression against Kuy Kendall by the federal police outside Congress on December 1, 2012	Unknown
6	Héctor Arroyo Delgado	Frente de Unidad Popular (FUP)	Guerrero	May 30, 2013	They blame the then mayor of Iguala, Jose Luis Abarca Velazquez	He escaped from his captors and is alive
7	Nicolás Mendoza Villa	FUP	Guerrero	May 30, 2013	They blame the then mayor of Iguala, Jose Luis Abarca Velazquez	He escaped from his captors and is alive
8	Jimmy Castrejón	FUP	Guerrero	May 30, 2013	They blame the then mayor of Iguala, Jose Luis Abarca Velazquez	He escaped from his captors and is alive
9	Efraín Amate Luna	FUP	Guerrero	May 30, 2013	They blame the then mayor of Iguala, Jose Luis Abarca Velazquez	He escaped from his captors and is alive
10	Gregorio Dante Cervantes	FUP	Guerrero	May 30, 2013	They blame the then mayor of Iguala, Jose Luis Abarca Velazquez	He escaped from his captors and is alive
11	Rafael Balderas Román	FUP	Guerrero	May 30, 2013	They blame the then mayor of Iguala, Jose Luis Abarca Velazquez	Extrajudicial Execution
12	Ángel Román Ramírez	FUP	Guerrero	May 30, 2013	They blame the then mayor of Iguala, Jose Luis Abarca Velazquez	Extrajudicial Execution
13	Arturo Hernández Cardona	FUP	Guerrero	May 30, 2013	They blame the then mayor of Iguala, Jose Luis Abarca Velazquez	Extrajudicial Execution
14	Herón Sixto López	Representative of Centro de Orientación y Asesoría a Pueblos Indígenas	Oaxaca	July 15, 2013	Unknown	Extrajudicial Execution on July 20, 2013

	Name	Filiation	Place of Disappearance	Date of Disappearance	Perpetrators of the Disappearance	Actual Whereabouts
15	Juan José Carrillo Vázquez	National Coordination of Education Workers (CNTE)	Veracruz	September 24, 2013	Unknown	Extrajudicial Execution on September 29, 2013
16	Daniel Ruano García	Popular Organization of Producers of the Costa Grande (OPPCG)	Guerrero	October 29, 2013	Federal Ministerial Police and the Secretariat of National Defense (SEDENA)	Imprisoned for political reasons on October 31, 2013
17	Uriel Ruano García	OPPCG	Guerrero	October 29, 2013	Federal Ministerial Police and SEDENA	Imprisoned for political reasons on October 31, 2013
18	Rey David Galeana Pastrana	OPPCG	Guerrero	October 29, 2013	Federal Ministerial Police and SEDENA	Imprisoned for political reasons on October 31, 2013
19	Salvador del Carmen Vázquez	OPPCG	Guerrero	October 29, 2013	Federal Ministerial Police and SEDENA	Imprisoned for political reasons on October 31, 2013
20	Gabino García Avilés	OPPCG	Guerrero	October 29, 2013	Federal Ministerial Police and SEDENA	Imprisoned for political reasons on October 31, 2013
21	Irving Alor Santander	CNTE	Veracruz	October 31, 2013	Federal Ministerial Police	Extrajudicial Execution on October 31, 2013
22	Álvaro Morales Silva	CNTE	Veracruz	November 1, 2013	Unknown	Extrajudicial Execution on November 4, 2013
23	Ignacio Martínez de la Cruz	Board of Directors of the indigenous community of Aquila	Michoacán	November 25, 2013	Organized crime with the consent of the authorities	Extrajudicial Execution, found on June 8, 2014
24	Francisco Javier Ramos Walle	Board of Directors of the indigenous community of Aquila	Michoacán	November 25, 2013	Organized crime with the consent of the authorities	Extrajudicial Execution, found on June 8, 2014
25	Carlos Zapién Díaz	Board of Directors of the indigenous community of Aquila	Michoacán	November 25, 2013	Organized crime with the consent of the authorities	Extrajudicial Execution, found on June 8, 2014
26	Salomé García López	The Coordinator of the United Peoples of Ocotlán Valley (CPUVO)	Oaxaca	December 5, 2013	Federal Ministerial Police	Imprisoned for political reasons on December 10, 2013
27	Olegario Víctor Ruiz Martínez	CPUVO	Oaxaca	December 5, 2013	Federal Ministerial Police	Imprisoned for political reasons on December 10, 2013
28	Ramiro Rodríguez Sántiz	FNLS	Chiapas	January 17, 2014	Paramilitary	Released on January 21, 2014
29	Manuel de Jesús Vázquez Hernández	Organización Campesina del Poder Popular (ONPP)	Chiapas	February 15, 2014	Unknown	Extrajudicial Execution on February 18, 2014
30	Juan Vázquez Sánchez	Unión Campesina Democrática	Chiapas	July 25, 2014	Municipal Police	Released
31	Abel García Hernández	Federation of Socialist Peasant Students (FECSM)	Guerrero	September 26, 2014	Military and Municipal, State and Federal Police	Unknown
32	Abelardo Vázquez Peniten	FECSM	Guerrero	September 26, 2014	Military and Municipal, State and Federal Police	Unknown
33	Adán Abrajan de la Cruz	FECSM	Guerrero	September 26, 2014	Military and Municipal, State and Federal Police	Unknown
34	Antonio Santana Maestro	FECSM	Guerrero	September 26, 2014	Military and Municipal, State and Federal Police	Unknown
35	Benjamín Ascencio Bautista	FECSM	Guerrero	September 26, 2014	Military and Municipal, State and Federal Police	Unknown

	Name	Filiation	Place of Disappearance	Date of Disappearance	Perpetrators of the Disappearance	Actual Whereabouts
36	Bernardo Flores Alcaraz	FECSM	Guerrero	September 26, 2014	Military and Municipal, State and Federal Police	Unknown
37	Carlos Iván Ramírez Villarrea	FECSM	Guerrero	September 26, 2014	Military and Municipal, State and Federal Police	Unknown
38	Carlos Lorenzo Hernández Muñoz	FECSM	Guerrero	September 26, 2014	Military and Municipal, State and Federal Police	Unknown
39	César Manuel González Hernández	FECSM	Guerrero	September 26, 2014	Military and Municipal, State and Federal Police	Unknown
40	Christian Alfonso Rodríguez Telumbre	FECSM	Guerrero	September 26, 2014	Military and Municipal, State and Federal Police	Unknown
41	Christian Tomas Colón Garnica	FECSM	Guerrero	September 26, 2014	Military and Municipal, State and Federal Police	Unknown
42	Cutberto Ortiz Ramos	FECSM	Guerrero	September 26, 2014	Military and Municipal, State and Federal Police	Unknown
43	Dorian González Parral	FECSM	Guerrero	September 26, 2014	Military and Municipal, State and Federal Police	Unknown
44	Emiliano Alen Gaspar de la Cruz	FECSM	Guerrero	September 26, 2014	Military and Municipal, State and Federal Police	Unknown
45	Everardo Rodríguez Bello	FECSM	Guerrero	September 26, 2014	Military and Municipal, State and Federal Police	Unknown
46	Felipe Arnulfo Rosas	FECSM	Guerrero	September 26, 2014	Military and Municipal, State and Federal Police	Unknown
47	Giovanni Galindes Guerrero	FECSM	Guerrero	September 26, 2014	Military and Municipal, State and Federal Police	Unknown
48	Israel Caballero Sánchez	FECSM	Guerrero	September 26, 2014	Military and Municipal, State and Federal Police	Unknown
49	Israel Jacinto Lugardo	FECSM	Guerrero	September 26, 2014	Military and Municipal, State and Federal Police	Unknown
50	Jesús Jovany Rodríguez Tlatempa	FECSM	Guerrero	September 26, 2014	Military and Municipal, State and Federal Police	Unknown
51	Jonas Trujillo González	FECSM	Guerrero	September 26, 2014	Military and Municipal, State and Federal Police	Unknown
52	Jorge Álvarez Nava	FECSM	Guerrero	September 26, 2014	Military and Municipal, State and Federal Police	Unknown
53	Jorge Aníbal Cruz Mendoza	FECSM	Guerrero	September 26, 2014	Military and Municipal, State and Federal Police	Unknown
54	Jorge Antonio Tizapa Legideño	FECSM	Guerrero	September 26, 2014	Military and Municipal, State and Federal Police	Unknown
55	Jorge Luis González Parral	FECSM	Guerrero	September 26, 2014	Military and Municipal, State and Federal Police	Unknown
56	José Ángel Campos Cantor	FECSM	Guerrero	September 26, 2014	Military and Municipal, State and Federal Police	Unknown
57	José Ángel Navarrete González	FECSM	Guerrero	September 26, 2014	Military and Municipal, State and Federal Police	Unknown
58	José Eduardo Bartolo Tlatempa	FECSM	Guerrero	September 26, 2014	Military and Municipal, State and Federal Police	Unknown
59	José Luis Luna Torres	FECSM	Guerrero	September 26, 2014	Military and Municipal, State and Federal Police	Unknown
60	Jhosivani Guerrero de la Cruz	FECSM	Guerrero	September 26, 2014	Military and Municipal, State and Federal Police	Unknown
61	Julio César López Patolzin	FECSM	Guerrero	September 26, 2014	Military and Municipal, State and Federal Police	Unknown
62	Leonel Castro Abarca	FECSM	Guerrero	September 26, 2014	Military and Municipal, State and Federal Police	Unknown

	Name	Filiation	Place of Disappearance	Date of Disappearance	Perpetrators of the Disappearance	Actual Whereabouts
63	Luis Ángel Carrillo Abarca	FECSM	Guerrero	September 26, 2014	Military and Municipal, State and Federal Police	Unknown
64	Luis Ángel Francisco Arzola	FECSM	Guerrero	September 26, 2014	Military and Municipal, State and Federal Police	Unknown
65	Magdaleno Rubén Lauro Villegas	FECSM	Guerrero	September 26, 2014	Military and Municipal, State and Federal Police	Unknown
66	Marcial Pablo Baranda	FECSM	Guerrero	September 26, 2014	Military and Municipal, State and Federal Police	Unknown
67	Marco Antonio Gómez Molina	FECSM	Guerrero	September 26, 2014	Military and Municipal, State and Federal Police	Unknown
68	Martín Getsemany Sánchez García	FECSM	Guerrero	September 26, 2014	Military and Municipal, State and Federal Police	Unknown
69	Mauricio Ortega Valerio	FECSM	Guerrero	September 26, 2014	Military and Municipal, State and Federal Police	Unknown
70	Miguel Ángel Hernández Martínez	FECSM	Guerrero	September 26, 2014	Military and Municipal, State and Federal Police	Unknown
71	Miguel Ángel Mendoza Zacarías	FECSM	Guerrero	September 26, 2014	Military and Municipal, State and Federal Police	Unknown
72	Saúl Bruno García	FECSM	Guerrero	September 26, 2014	Military and Municipal, State and Federal Police	Unknown
73	Alexander Mora Venancio	FECSM	Guerrero	September 26, 2014	Military and Municipal, State and Federal Police	His remains were identified on December 2014
74	Eliot César Pérez Serrano	Student at School of Baccalaureate (COBACH)	Mexico City	November 27, 2014	Unknown	Released on November 30, 2014 with signs of torture
75	Julio Reynoso Bustamante	Student	Mexico City	December 8, 2014	Federal District Police and persons dressed as civilians	Released the following day, December 9, 2014 with signs of torture
76	Patricia Almeida Quintana	Yaqui	Sonora	October 12, 2014	Unknown	Unknown
77	José Manuel Esquer Gutiérrez	Student at Metropolitan Autonomous University (UAM)	Mexico City	December 15, 2014	3 Unknown Suspects	Released early morning in Toluca
78	José Merino Fernández	MULT	Oaxaca	January 14, 2015	Unknown	Extrajudicial Execution on January 17, 2015
79	Gustavo Alejandro Salgado Delgado	FPR	Morelos	February 3, 2015	They blame overloads (caciques) and the governor of Morelos, Graco Ramirez.	Extrajudicial Execution on February 4, 2015
80	Héctor Jaimes Abarca	Centro Morelos	Guerrero	March 18, 2015	Paramilitary	Unknown
81	Gilberto Abundis Sánchez	Documentarian	Guerrero	March 30, 2015	Paramilitary	Extrajudicial Execution, found on May 21, 2016
82	Fidencio Gómez Sántiz	FNLS	Chiapas	March 5, 2016	Paramilitary	Unknown
83	Claudia Ivon Vera García	Enforced Disappearance Activist	Veracruz	March 23, 2016	Armed Group	Unknown

During the government of EPN, we note that 83 persons human rights defenders and social activists have been victims of enforced disappearance, of which 51 cases even his whereabouts are unknown, in 15 cases the disappearance culminated in extrajudicial executions and 10 cases people were released hours after the disappearance and in 7 cases people are in prison.

Effects of Enforced Disappearances and Family Rights

Among the most important topics that we want to highlight in this report are the effects caused by enforced disappearance on the individual and the family. As previously discussed, enforced disappearance not only harms the victim, but transcends and affects every family member, and the general population.

The difficulties faced by families are varied and immense. At a personal level, the absence of a loved one and the uncertainty of their fate, generates physical, emotional, and psychological fatigue. In addition, relatives of the disappeared person become forcibly stigmatized and face many economic, material, physical and emotional difficulties, which generate a series of changes in the family dynamic, in the way of life of each of its members. Given these conflicts, family members face a very difficult dilemma: find their loved ones while facing all this, or get on with their life and forget about their loved ones.

The very nature of enforced disappearance does not allow for a break, the uncertainty is permanent and thus, there is an alteration in the grieving process, because the relative is not dead but there is no certainty that they are alive. As a result, until the actual whereabouts of the person are known, the family will always live in unfinished mourning and permanent anguish.

The relatives of those who have been victims of enforced disappearance, on top of experiencing anguish for not knowing the whereabouts of their loved ones, find themselves with the need to learn things that used to be foreign to them: legal issues, human rights, anthropology, history and anything useful that helps them continue searching for their loved ones. The uncertainty is such that sometimes they come to make decisions that endanger the physical and psychological integrity of the family itself, this is due to a lack of political will by the State to fulfill its responsibility to seek and investigate cases of people who have been disappeared.

Family members become researchers, lawyers, and conduct their own fieldwork given the refusal of the authorities to look for their disappeared relatives. This has led to the demarcation by the State from its responsibilities and thus has “washed its hands,” delegating its obligations to the families, even though by law, they correspond to the State.

Although it is important for families to actively participate in the investigations to find the whereabouts of their loved ones, is not their responsibility but that of the State. Therefore, it is up to the State to perform all the necessary search procedures.

It is necessary to size the State’s strategy; by allowing relatives to perform the tasks of the search, it brings further problems such as lack of access to truth and justice, this is derived from the argument that the State could make as to the methods or procedures of how the search is being performed.

The State takes advantage of the uncertainty and despair of the families as they try to find their disappeared relatives, and thus fosters and encourages them to be the ones who investigate and make the search. This not only exposes the family members to constant risk, but thereby dilutes the responsibility from the State.

Since the State does not recognize in any "official" way the actions and tools relatives of victims of enforced disappeared make use of and the organizations that support them. The findings and searches they perform are interpreted by the State as "altered" and without legal validity. Therefore, it is necessary to take a series of measures into account before starting the search process, to avoid contributing to the irresponsibility of the State.

Keep in mind that in order to clear a crime as serious as enforced disappearance, there needs to be Truth, Justice, Reparations and Guarantees of Non-Recurrence. This can only be achieved by ending the prevailing impunity in these cases and by bringing to trial and punishing those responsible. Do not forget that there is no truth without justice and no justice without truth. So we must not allow the State to continue perpetuating impunity by only providing a part of the truth and denying justice.

- Families have the right to **Truth**: requires that states adequately investigate the crime and provide individuals and communities with the results of its investigation.
- Families have the right to **Justice** and the State has a duty to investigate, prosecute, and adequately punish perpetrators found guilty of the crime.
- Families have the right to **Reparations**: requires that the State provide access to redress and compensation for violations.
- Families have the right to **Guarantees of Non-Recurrence**: requiring the State to take concrete measures to prevent similar violations from occurring in the future.^{xxiv}

Reparations not only means to try and alleviate the suffering affecting individuals and communities, but to overcome the causes of the human rights violation. State crimes can only be integrally Repaired if the truth of what happened has been made publicly known and if those responsible have been punished for their actions.

These rights must be established in the General Law on Enforced Disappearance, which is yet to be discussed, so that nothing is left to the interpretation of the authorities, and the State does not dilute its responsibility of preventing, investigating, punishing, and repairing this serious human rights violation.

The Pending Law

Although in Mexico it is within the obligations of the State to create an appropriate legal framework up to international standards that addresses the serious problem of enforced disappearances in the country, as has been recommended on several occasions by international organizations such as the Working Group on Enforced or Involuntary Disappearances of the UN Committee on Enforced Disappearance^{xxv} and recently by the Inter-American Commission on Human Rights^{xxvi}, yet the necessary measures have not been taken to create a General Law on this matter.

State inaction continuously pushes victims and human rights organizations to be the sole promoters of citizens' initiatives to demand the investigation and punishment of enforced disappearance.

In this conjuncture we presented the **General Law to Prevent, Investigate, Punish and Redress Enforced Disappearances and Disappearance of Persons Committed by Individuals** an initiative presented before the Senate by members of the National Campaign Against Enforced Disappearances in Mexico, on September 3, 2015.^{xxvii}

The unwillingness of the State is evident. As we prepared this report, the General Law had not yet been discussed, which is a concern because the Senate is not considering this issue a priority, even after receiving observations and inputs by families and organizations.

Given this, as a collective integrated in the National Campaign Against Enforced Disappearance, we have reiterated that we will not accept any law that does not meet the demands made before the Senate and that does not include the proposed civic law we presented.

Additionally, we note that the draft on the General Law should be reviewed carefully and must adhere to international standards. If approved as is, the draft will not help eradicate enforced disappearances, since this current draft is designed and focused on disappearances committed by individuals, not the State. Therefore, this draft, as is, would guarantee the continuity of impunity, and thus leaving aside the State's responsibility in the commission of enforced disappearances. The way this General Law is structured will not allow the relatives of victims to truly access to **Truth, Justice**, and much less obtain full **Reparations** and **Guarantees of Non-Recurrence**.

Finally, we note that while a General Law on Enforced Disappearances would be an important tool that can help eradicate this crime, it is impractical if the Mexican government does not have the political will to end this terrible practice, search for the thousands that have been disappeared, and prosecute and punish those responsible.

Conclusion

As can be seen in this report summary, Enforced Disappearances, and particularly the disappearances committed against human rights defenders and activists, have been committed in our country continuously since the seventies to present day as part of a State policy planned and designed by the government.

This practice worsened considerably from year to year, with the launch of the alleged War on Drugs developed by Felipe Calderon, where enforced disappearances went from being a strategy of political persecution against leaders of popular organizations and human rights to a broader policy that not only disappears people with political participation but people from the general population. This is done in order to create fear and social terror, so that society remains immobilized.

Using the “War on Drugs” as pretext, resulted in the militarization and paramilitarization of the country and increased enforced disappearances among the general population and especially targeted dissidents who are organized and defended their rights.

But in the midst of so many disappeared, thousands all across the country, the latter victims have unfortunately remained invisible and even disappeared twice, having been removed from official records. We note that the 139 cases documented since 2006 up until the current EPN administration, do not appear in any official records.

Enrique Peña Nieto’s administration continued Calderon’s security policy and also deepened neoliberal reforms. Consequently, cases of enforced disappearances increased in his first two years at the helm. In this period 77 people were disappeared for political reasons, and the case of the 43 students of Ayotzinapa gained great relevance due to international and domestic pressure being exerted by human rights organizations and the overall population.

The Ayotzinapa case allowed to demonstrate how the entirety of State structures operate: to cover and protect the perpetrators and masterminds of enforced disappearances. Making it clear that enforced disappearances are not isolated events or the responsibility of a few corrupt police officers, but a State policy.

Pressure and international scrutiny undoubtedly damaged the political image of the State, forcing it months after the disappearance of the students of Ayotzinapa to legislate a General Law on matter, as announced by EPN on December 2015.

The apparent willingness of EPN has not been reflected in the adoption of the Law or the eradication of this serious violation of human rights. Disappearances among activists have decreased, but have not stopped. Enforced disappearances continue to be selectively committed and continuously against leaders of grassroots organizations, human rights defenders, and against the general population. This shows a clear and continuous trend of the usage of this serious violation as a mechanism of social control.

The terrible impunity that prevails in the cases of enforced disappearance since the Dirty War to present day, have allowed for the achievement of this abhorrent practice. In order to eradicate it, there must exist a real political will from the State to stop disappearing its population, search for the disappeared, and prosecute and punish all those responsible.

As the State maintains the status quo, family organizations, human rights organizations, and the general population, through collective organizing, manifestations and the gathering of information, can help eradicate this practice. One of the goals this report seeks to accomplish is to keep the public informed about this evil that plagues the Mexican people.

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