

- ▶ develop procedures to inform detainees of their rights immediately and directly at the time of arrest; post those rights in all detention centres, prosecutors' offices and courthouses; and include in the information a clear, simple statement of the provisions of the relevant constitutional and legislative provisions on the prohibition of torture and ill-treatment; and,
- ▶ include in the next report information on: statistics on complaints of human rights violations in general and, in particular, complaints of torture brought before the public human rights commissions, and on the recommendations on torture of those commissions; preliminary investigations of complaints of torture, cases where criminal action has been taken and trials which have resulted in final sentences, whether acquittals or convictions, and, in the latter case, the penalties imposed; and, cases in which the administrative responsibility of public officials accused of torture has been established and the penalties imposed.

Rights of the Child

Signed: 26 January 1990; 21 September 1990.

Mexico's second periodic report was due 19 October 1997.

THEMATIC REPORTS

Mechanisms of the Commission on Human Rights

Arbitrary detention, Working Group on: (E/CN.4/1997/4, paras. 4, 7)

The report notes that nine cases were transmitted and that a response had not been received from the government. No details of the cases were provided.

Disappearances, Working Group on enforced or involuntary: (E/CN.4/1997/34, paras. 3, 12, 231-237)

Five new cases were sent to the government, all of which were reported to have occurred in 1996: they involved two teachers, two peasants and a businessman. Information indicated that those responsible were members of the security forces, army or plain-clothed agents.

The report notes that most of the 319 reported cases of disappearance in Mexico occurred between 1974 and 1981, 98 in the context of the rural guerrilla warfare which was waged in the mountains and villages of the state of Guerrero during the 1970s and the beginning of the 1980s and 21 mostly in the states of Chiapas and Veracruz. The majority of victims were members of Indian, peasant and political organizations. There are 237 cases of disappearance in Mexico which remain to be clarified.

In addition to dealing with cases of disappearances, the Working Group (WG) addressed incidents in Mexico in which relatives of missing persons, or other individuals or organizations which have cooperated with the WG or their legal counsel, were said to have been subjected to intimidation, persecution or other reprisals.

Extrajudicial, summary or arbitrary execution, Special Rapporteur on: (E/CN.4/1997/60, paras. 15, 16, 17, 18, 19, 22, 31, 32, 51, 52, 57, 64, 66, 71, 103; E/CN.4/1997/60/Add.1, paras. 313-346)

There were twice as many reports of threats and intimidation in Mexico as in previous years. For example, 6 urgent

appeals were sent in 1994, 9 in 1995, and 19 in 1996. The victims of these threats were primarily human rights activists, journalists, leaders of peasant and indigenous organizations, and members of political parties or religious communities. The human rights activists included individuals associated in some capacity with the National Network of Civil Human Rights Organizations, the Binational Human Rights Centre, the National Human Rights Commission (CNDH), Coordinación de Solidaridad con las Luchas Alternativas (COSLA), the National Council of the Democratic Revolutionary Party (PRD) and the National Democratic Lawyers' Front. Indigenous rights advocates who were targeted included members of the Southern Sierra Peasants' Organization (OCSS) and the Tepoztecan Unity Community (CUT). Others targeted included individuals who had witnessed, reported on, or criticized the role of the state authorities in incidents such as the Aguas Blancas massacre, as well as journalists and editors involved in stories referring to involvement of state officials in corruption and drug trafficking. The report also notes cases of threats against members of various political parties and members of the Catholic Church. The Special Rapporteur also lists a number of individuals who were extrajudicially, arbitrarily or summarily executed while in detention, during police raids in communities and hospitals, or from random fire by police on a group of youngsters.

The government responses variously indicated that: the person thought responsible for the killing was not a police officer and had been acquitted; investigations were continuing; charges had been laid against members of the police where evidence indicated they were responsible; victims of threats had refused protection; no criminal complaint had been lodged; protection had been provided to several individuals who had requested it; and arrest and/or detention was the result of activities unrelated to political or activist pursuits.

The report notes that the Special Rapporteur requested an invitation from the government to visit Mexico and was informed that the request would be considered following the visit by the Special Rapporteur on the question of torture.

Independence of judges and lawyers, Special Rapporteur on: (E/CN.4/1997/32, paras. 8, 17-18, 20-21, 135-141)

The cases transmitted by the Special Rapporteur (SR) to the government referred to death threats and harassment of human rights lawyers, lawyers involved in the defence of individuals alleged to be members of the Zapatista Army for National Liberation, and lawyers defending the rights of indigenous peoples. In response to the cases involving death threats and harassment, the government informed the SR that they were under investigation and that, in some cases, protection had been provided to the intended victims, despite the fact that none of them had officially denounced the acts of intimidation and the threats.

Racial discrimination, Special Rapporteur on: (E/CN.4/1997/71, para. 34)

The report incorporates information provided by the government related to the situation of Mexican workers entering the United States. Reference is made to incidents in March and April in which Mexican nationals were beaten and several died. The Mexican government protested to the US and