

General allegation

101st session (4–13 November 2013)

Mexico

86. On 13 September 2013, the Working Group transmitted a general allegation to the Government.

87. The Working Group received information from credible sources concerning reported obstacles encountered in the implementation in Mexico of the Declaration on the Protection of All Persons from Enforced Disappearance.

88. Sources reported that a list allegedly established by the Attorney General's Office (Procuraduría General de la República) of Mexico had been released on 20 December 2012, putting the number of missing persons, including persons who had been forcibly disappeared, at 20,851 over the past six years. According to the sources, in February 2013, the Government published sections of the same database, which, at the time of publication of the sections, included 16,121 entries.

89. The sources added that the list may be not complete or precise; some of the missing may have returned to their homes and some families may have never reported disappearances. Additionally, the list as compiled reportedly contains a broad spectrum of cases, making no distinction between those who have been forcibly disappeared and missing persons, victims of common crime such as kidnappings, persons who may have voluntarily absented themselves, and those who were not able to recall their identities. Additionally, persons who subsequently reappeared have not always been removed from the aforementioned list, while many cases of enforced disappearance documented by human rights organizations were not included therein. The sources added that, even with all its problems, the list provided clear evidence that thousands of Mexicans had been forcibly disappeared and that the Government knew about them.

90. According to the sources, the list provides details for each missing or disappeared person, including age, gender, the date and location of disappearance, the clothes they were wearing, their jobs and a few other brief details. The list, recorded in Microsoft Excel columns, was allegedly compiled by the Attorney General's Office with data submitted by state prosecutors and vetted by the federal Government.

91. The sources added that the list appears to confirm the number of disappearances and problems with the identification process documented by other institutions. They assert that, according to the National Commission on Human Rights, more than 7,000 people killed in Mexico in the past six years lie unidentified in morgue freezers or common graves. The Commission indicated that between 2006 and mid-2011 more than 18,000 Mexicans were reported missing.

92. According to the sources, the Mexican Congress passed a law creating the National Registry of Missing and Disappeared Persons (Registro Nacional de Datos de Personas Extraviadas o Desaparecidas). The law requires the Government to establish a national database, which could be used to help track cases of disappearance. According to the sources, the regulations of such a registry took several months to be adopted and have not yet been fully implemented.

93. The sources also alleged that the list demonstrated the failure of the authorities to apply a clear methodology and procedures to gather reliable nationwide data on reported enforced disappearances. According to the sources, that failure undermined the effective investigation of enforced disappearances and the capacity to locate and identify the victims.

94. Finally, the sources indicated that the Government had made a commitment to remove from the list records not relating to ongoing cases of disappearance, although the methodology to be applied remains unclear and no results have been shown.