

<b>From:</b>	(b)(6)
<b>To:</b>	
<b>Subject:</b>	FW: Mexico: Lopez Obrador Administration has Mixed Results on Human Rights
<b>Date:</b>	Sun, 9 Feb 2020 15:14:29 -0500

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**From:** SMART Core  
**Sent:** Wednesday, February 05, 2020 3:50 PM  
**Cc:** (b)(6)  
**Subject:** Mexico: Lopez Obrador Administration has Mixed Results on Human Rights

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**Info Office:** SHR\_DIR

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**MRN:** 20 MEXICO 368  
**Date/DTG:** Feb 05, 2020 / 052045Z FEB 20  
**From:** AMEMBASSY MEXICO  
**Action:** WASHDC, SECSTATE *ROUTINE*  
**E.O.:** 13526  
**TAGS:** PGOV, PREL, PHUM, SMIG, KTIP, MX  
**Captions:** SENSITIVE  
**Reference:** A) 18 Mexico 307  
B) 19 Mexico 3428  
C) 19 Mexico 3804  
**Subject:** Mexico: Lopez Obrador Administration has Mixed Results on Human Rights

1. (SBU) **Summary:** President Lopez Obrador demonstrated his commitment to human rights at the outset of his administration by launching numerous initiatives, including reopening the investigation into the disappearance of the 43 Ayotzinapa students (Ref A). The administration took steps to incorporate human rights training into its training for the National Guard, showed some progress on

trafficking in persons (TIP) prosecutions, and worked to address its forensics crisis. Several U.S. programs have been instrumental to that progress. Still, Mexico struggled to show concrete progress on other issues in 2019. States and the federal government continued to lag in combatting the use of torture, and Mexico remained one of the most dangerous countries for human rights activists and journalists. **End summary.**

### **(SBU) New Focus on Disappearances**

2. (SBU) When Lopez Obrador took office, he prioritized the tasks of locating and identifying missing persons (estimated at the time to exceed 40,000 people) and said his government had “no financial ceiling” for these efforts. He reestablished the National Search System (SNB), invited help from international organizations, and created a digital missing persons platform. He increased the SNB budget for 2020 to USD 38.2 million, an 80 percent increase from 2019. The government announced a National Disappearances Plan and a National Forensics Plan. States also made progress on establishing search commissions as the 2017 Disappearances Law required – 29 states now have commissions, up from 20 in 2018. INL, in conjunction with FBI, is in the process of donating Combined DNA Index System (CODIS) hardware and software to the Federal Prosecutor General’s office and five pilot states to assist in building a DNA database for both criminal investigations and the identification of missing persons.

3. (SBU) These initiatives are still in their early phases, but have shown results. Authorities located 873 clandestine graves with 1,124 bodies in the first 13 months of the administration. Of these, authorities identified 395 bodies (35 percent of those found) and returned 243 remains to their families. In January 2020, the national search commissioner released updated numbers of missing persons, bringing the total to 61,637. The announcement was an important step forward in improving data accuracy and transparency, but underlines the enormous scope of the problem. Families of the disappeared appreciate the government’s increased focus on the issue, but express frustration that the government seems no closer to solutions.

### **(SBU) Renewed Spotlight on Ayotzinapa Case**

4. (SBU) In September 2014, a group of 43 college students from Ayotzinapa disappeared in Iguala, Guerrero (Ref A). The Pena Nieto government concluded perpetrators executed and incinerated the students at a trash dump, but an international forensics team disputed this finding. Lopez Obrador’s first

presidential decree promised “there will be no barriers, no obstacles to arriving at the truth” and created a Truth and Justice Commission. The Truth Commission created interagency commissions at federal and state levels, but has not yet made much progress in the case. In 2019, the government also invited the return of international experts coordinated by the Inter-American Commission on Human Rights.

5. (SBU) In parallel, the Prosecutor General’s office created a new unit in 2019 to renew the investigation, but has made no visible progress in holding perpetrators accountable for the disappearances. In September, a judge ordered the release of “El Gil,” the highest-profile detainee in the case, along with 43 other suspects after finding the evidence was insufficient for conviction and authorities obtained their testimonies through torture. El Gil’s release and the government’s slow progress frustrated families of the disappeared, who have been increasingly vocal in their criticism of the Lopez Obrador administration.

### **(SBU) New National Guard Sparks HR Objections**

6. (SBU) Another signature initiative by the Lopez Obrador administration, the National Guard, triggered strong opposition from civil society and international organizations who claimed the use of what they characterized as a militarized security force for domestic security violated international human rights laws. In an effort to address these concerns, the government signed an agreement with the United Nations High Commissioner to assist with training Guard forces in human rights. Despite initial fears, the deployment of the Guard has not impacted human rights. The National Human Rights Commission (CNDH) received roughly the same number of complaints of violations by security forces in 2019 as it did in 2018, prior to the force’s establishment.

### **(SBU) Efforts to Reduce Trafficking in Persons...**

7. (SBU) Trafficking in persons (TIP) has seen some progress during the first year of the administration. Accusing the prior administration of mismanaging funds for TIP victims, Lopez Obrador’s government announced it would stop financing anti-trafficking organizations and instead directly run shelters and provide victim care. (Note: INL is funding the UN Office on Drugs and Crime to work with the Mexican government on developing accreditation standards for TIP shelters. End note.) In July 2019, the government released a draft 2019-2024 national action plan, but the final version is still pending. The U.S. Department of Justice (DOJ/OPDAT), with Merida Initiative funds, helped train federal and state



prosecutors in TIP investigation and prosecution, resulting in several successful prosecutions (ref B). The Executive Secretariat of the National System on Public Security (SESNSP) reported identifying 644 victims of trafficking in persons in 2019, compared with 572 in 2018, a 12.6 percent increase. State authorities also initiated 515 trafficking related cases in 2019, up from 385 in 2018, an increase of almost 34 percent.

### **(SBU) ...but Little Attention to Torture**

8. (SBU) When Lopez Obrador entered office, he stressed there would “never again be repression and torture” in Mexico. In 2019, the CNDH received 240 complaints for inhumane treatment and 103 for torture by investigative and police officers. Authorities continue to investigate these cases, but none have reached conclusion. In 2018, only 17 torture cases reached a verdict, with only two resulting in a guilty verdict. Prominent civil society organization Center Prodh said weak investigations are a key underlying cause for the lack of torture convictions. The General Law on Torture required each state to create a specialized prosecutors’ unit for torture, or at least a specialized unit to investigate torture allegations. Three years later, only 10 states have specialized prosecutors’ offices, 10 states have specialized investigation units, and 12 states lack either.

9. (SBU) The Mexican government supported CNDH efforts to promote and apply United Nations Standard Minimum Rules for the Treatment of Prisoners (Mandela Rules) in Mexican prisons. With Merida Initiative support, CNDH created competency standards to train and certify correctional personnel on more humane treatment of Mexican prisoners. In September 2019, the first 48 correctional officers obtained their certification. INL plans to support the certification of 200 additional correctional officers in 2020.

### **(SBU) Violent Environment for Human Rights Defenders and Journalists**

10. (SBU) The government recognized the need to provide better protection to journalists and human rights defenders, but attacks on them remained a serious concern. The Washington Office on Latin America reported killings of 23 human rights defenders and 12 journalists in Mexico in 2019. The Committee to Protect Journalists said Mexico was the deadliest country in the world for journalists in 2019. Mexico’s key federal mechanism to protect human rights defenders and journalists covers 1,039 beneficiaries with only 35 staff members to handle cases. In 2019, three individuals under the protection mechanism were killed. The government announced it will restructure the mechanism to strengthen prevention

measures, apply proper protection measures, and ensure access to justice and to integral reparations.

**(SBU) Controversy over Elected Human Rights Ombudsman**

11. (SBU) The CNDH has played an important role overseeing government institutions and safeguarding human rights since its inception in 1992. However, in a controversial move and in the midst of allegations about a fraudulent process, the Senate voted to install Rosario Piedra, a close ally to President Lopez Obrador, as ombudsman on November 12. Civil society and academics widely view her commission as Lopez Obrador’s attempt to influence the institution (Ref C).

12. (SBU) **Comment:** Lopez Obrador’s willingness to acknowledge the severity of the human rights situation in Mexico is a welcome departure from previous governments. Still, the magnitude of the human rights challenges facing Mexico is immense. His government will need to strengthen institutional frameworks, better coordinate government and civil society efforts, implement control mechanisms for security forces, and step up protection mechanisms for victims to deliver the results Mexicans desire.

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**Dissemination Rule:** DIR\_SHR\_DIR

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