

Introduction

Each year, thousands of Canadians travel to Mexico to enjoy its beaches, explore sites where ancient cultures flourished and to do business with Canada's NAFTA partner. However, Canadians who visit Mexico are not likely to witness the systemic violence and corruption that is an everyday reality for many Mexicans.

Using a variety of reports on Mexico, this document synthesizes those reports in order to introduce the reader to the ongoing crisis in Mexico and how seemingly different factions ranging from protest movements to drug cartels, government sponsored violence and free trade are interlinked. This document will also touch upon Canadian mining operations in Mexico, human rights violations and corruption embedded in Mexican politics. This report will also offer recommendations for the Government of Canada to act upon as the author believes that the Canadian government and Canadian companies operating in Mexico have, at the very least, a moral obligation to work with Mexican officials to uphold international treaties on human rights that Canada and Mexico have signed.

By no means is this a comprehensive report on Mexico. Rather, the author hopes that this report will motivate the reader to explore its contents to a greater depth in order to better comprehend the connections outlined in the following pages. However, even with the glimpse that this report offers into the tragedy that is unfolding in Mexico, the author urges the reader to send a copy of this report to their MP and/or a company that does business in Mexico to demand that

Canadian officials, both public and private, call upon the Government of Mexico to uphold international human rights treaties or face consequences such as sanctions and freezing assets.

The author also urges readers to send this report to as many candidates as possible to help draw attention to the issue of human rights abuses in Mexico during and beyond the federal election here in Canada and to question candidates about what actions their party will take to address the situation in Mexico.

As previously stated, this report is a synthesis of several reports on Mexico. If the reader wants to delve further into the situation in Mexico, a list of sources is provided at the end of this report.

Ayotzinapa

On September 26, 2014, approximately 100 students in the Mexican state of Guerrero travelled from a town called Tixtla to a town called Iguala, which is also in Guerrero. The students were all from the Raul Isidrio Burgos Teachers' College of Ayotzinapa. Using buses commandeered for their trip, the students were going to Iguala to protest cuts in education they claimed favoured urban schools over rural schools. From Iguala, the students planned to travel to Mexico City to participate in demonstrations commemorating the 1968 massacre at the Plaza of Three Cultures.

According to an investigation by Mexican authorities, the mayor of Iguala, Jose Luis Abarca Velazquez, feared that the students were going to disrupt a speech by his wife, and ordered the police to prevent the students from carrying out their plans. That evening, Iguala police opened fire upon the

students and later, fired on another bus. In all, 6 people were killed and 25 were wounded. However, the police also detained 43 students and handed them over to another police force from a nearby town called Cocula. From there, the students were taken to another town called Pueblo Viejo where police handed them over to a criminal organization called Guerreros Unidos (United Warriors). This organization apparently killed the students and burned their bodies, but the remains of only one student has been identified. As of this date, the other 42 students are still missing.

The killings and the disappearance of the Ayotzinapa students have shaken the Mexican government of Enrique Peña Nieto. However, the state violence that was unleashed upon the students was not the first time that the state has used violence to crush opposition. In fact, state sponsored violence such as killing, kidnapping and torture is a way of life in Mexico.

In its investigation, Mexican authorities established a link between a criminal organization and police officials as the government of Mexico has reported that the students were handed over to the Guerreros Unidos by the police. This link between security officials and organized crime will be discussed later in this report. At this time, however, the reader should consider how incredible that this link exists in the first place and has been confirmed by Mexican officials.

NAFTA

From its inception, NAFTA has been resisted by Mexicans as it was on January 1st, 1994, the day that NAFTA became law, that the Zapatista Army of National Liberation (EZLN) occupied several towns

in Mexico's most southern state of Chiapas. For the Zapatistas, NAFTA erased access to land as in negotiating NAFTA, the government of President Carlos Salinas de Gortari removed Article 27 from the Mexican constitution. This law protected people's rights to communal (ejido) land. Ejido land had its roots in the Mexican revolution. By removing Article 27, NAFTA stripped away a law that was an important ingredient to Mexico's social organization as ejido land was opened to privatization. For many indigenous people of Mexico, land is also part of their cultural identity.

But the concerns over NAFTA run deeper than changing the Mexican constitution. For example, in its February, 2015 report, the Permanent Peoples' Tribunal (PPT) states:

NAFTA and other neoliberal institutions are not designed to promote the social good. NAFTA in particular, is not an agreement between the people of the three North American countries to take advantage of the mutual benefits of exchanging products and services according to their comparative advantages. They are agreements which raise the legal status of major investors and, at the same time, bind the economic power of the State to their interests, whilst eroding the commitment of national States to protecting citizens and their options for doing so.

In its 2007 report, Briefing Note on Human Rights issues in the Canada-Mexico Relationship, the Americas Policy Group writes that NAFTA's economic agenda “has sidelined human rights, leading to increased disparity and marginalization of Mexico's poor, massive migration, militarization, particularly of borders and ongoing human rights violations that continue with impunity.”

One of the industries that has greatly benefited from NAFTA is Canadian mining.

According to a MiningWatch Canada and United Steelworkers report, Canadian mining companies account for 70% of all foreign mining operations in Mexico. However, the relationship between Canadian mining companies and the Canadian government with Mexicans and their communities has been plagued by controversies. In its February, 2015 report *Unearthing Canadian*

Complicity: Excellon Resources, the Canadian Embassy, and the Violation of Land and Labour Rights in Durango, Mexico, the authors write that

[d]ocuments obtained from the Canadian Department of Foreign Affairs, Trade and Development (DFATD) under an access to information request directly implicate the Canadian Embassy in Mexico in Toronto-based Excellon Resources' efforts to avoid addressing the violations of its agreement with the agricultural community (Ejido) on whose land it operates the La Platosa mine in the state of Durango. This included Embassy tolerance of, and even support for, violent state repression against a peaceful protest at the Ejido La Sierrita during the summer of 2012.

The MiningWatch report also offers glimpses into other incidences where there has been conflict between Canadian mining companies and local communities. One such example took place in the state of Oaxaca between January and June of 2012 when two opponents of the Vancouver based Fortuna Silver mine were shot and killed.

The Permanent Peoples' Tribunal and MiningWatch concerns on how NAFTA is affecting Mexico are echoed in a letter to Canadian Prime Minister Stephen Harper, U.S. President Barack Obama and Mexican President Enrique Pena Nieto by various organizations such as the Washington Office on Latin America (WOLA). The letter, titled Rethinking NAFTA after 20years, is dated February 18, 2014 and was sent when the above leaders were preparing to meet in Mexico for the sixth North American Leaders' Summit. It was written because the organizations were concerned “over the deterioration of natural resources, the growing marginalization and poverty in Mexico, and labor rights violations that have occurred during NAFTA's implementation.” In particular, Canadian mining companies were singled out for causing environmental damage and that “economic priorities have been placed above social stability and the respect of the human rights of the people of Mexico.”

The War on Drugs

Upon becoming President of Mexico in 2006, Felipe Calderon declared a war on drugs. Six years later, his successor and current Mexican President Pena Nieto acknowledged that Mexican security forces had abused their powers. However, this abuse of power by Mexican security forces is also evident in the case of the disappearance of the 43 students from Ayotzinapa. Moreover as Dr. John M. Ackerman of the Institute of Legal Research at the Autonomous University of Mexico (UNAM) writes in his article titled Mexican Hope, “[t]he only way for the drug cartels and local police to be able to operate with such incredible impunity during the Iguala massacre is if they were actively protected by the federal police and the military.”

A glimpse into the extent of this collaboration between Mexican security forces and drug cartels is given by one Guillermo Eduardo Ramirez-Peyro who was involved with the Juarez Cartel, but became an informer for the U.S. Immigration and Customs enforcement. In a United States court of Appeal document, there is a record of Ramirez-Peyro's assertions during a 2005 hearing before a U.S. Immigration judge that every law enforcement agency in Mexico has connections with drug cartels including Mexico's Federal Agency of Investigation. In August of that year, the immigration judge found that Ramirez-Peyro was a credible witness.

But the connections between drug cartels and Mexico's security forces are only one aspect of the corruption in Mexico as corruption often reaches into the highest tiers of Mexico's political elite.

For example, there is the case of Genaro Garcia Luna who Forbes magazine named as one of Mexico's ten most corrupt politicians in 2013. In her book *Narcoland*, Mexican journalist Anabel Hernandez writes that Garcia Luna, who was the Secretary of public security during the administration of Felipe Calderon, and his men protected the Sinaloa Cartel during the so called war on drugs that Calderon launched in 2006. Hernandez also writes that during his term as secretary between December 2006 until August 2012, twelve of Garcia Luna's sixteen closest associates were killed, jailed, taken to court, or forced to resign due to accusations of working with drug traffickers.

Human Rights

Whether discussing Ayotzinapa, NAFTA and Canadian mining in Mexico, or the so-called war on drugs, a pattern of human rights violations emerge that implicate Mexico's federal, state and municipal authorities whether they be police officers, members of the armed forces or politicians. In a memorandum to Mexico's President Enrique Pena Nieto dated February, 2014, Amnesty

International writes:

Mexico continues to face serious challenges to the rule of law and respect for human rights. The alarming security situation in many parts of the country and the consequences of militarized combat of organized crime and drug cartels, initiated by the previous administration, has increased insecurity and violence in many regions, leaving many communities unprotected and at the risk from all sides of the conflict. Reports of human rights abuses committed by police and security forces, including enforced disappearances, torture and arbitrary detention continue and impunity for all crimes remains the norm. Human rights defenders and journalists, who often try to support victims and expose abuses, face increasing attacks. Women, Indigenous peoples and migrants face discrimination and violence, but their chances of redress are slim. The justice system continues to fail victims, accused and society.

These are just some of the human rights problems that people have to face in their daily lives, but so far the government has not responded to this critical situation.

Human Rights Watch is also critical of the Pena Nieto administration regarding human rights abuses. In their World Report 2015: Mexico, the organization writes that “Mexico's security forces have participated in widespread enforced disappearances since former President Calderon (2006-2012) launched a “war on drugs.”

While the exact number of disappearances may never be known, the Permanent Peoples' Tribunal points out that in 2012, Mexico's government acknowledged that over 26,000 people disappeared in Mexico between 2006 and 2012.

Between April 21 and May 2, 2014, UN Special Rapporteur Juan E. Mendez visited Mexico. In his report, dated December 29, 2014, Mr. Mendez writes that he was made aware of “the frequent use of torture and ill-treatment in various parts of the country by municipal, state and federal police, state and federal ministerial police and the armed forces.” Mr. Mendez also notes that he received reports where victims died from being tortured and that torture also “occurs in conjunction with extrajudicial executions and enforced disappearances.”

The issue of state violence in Mexico is not, however, an issue that has suddenly appeared in that country. In fact, Mexico has a history of human rights abuses attributed to Mexico's security forces. The following list, which can be corroborated by books on Mexico's politics, is a partial list of massacres by government forces, and/or massacres that Mexico's government tried to whitewash:

- October 2, 1968, a week before Mexico was to host the Olympic games, students were gunned down in the Plaza of Three Cultures. Government officials put the number of dead at 43, but

the exact number of those killed in the Tlatelolco massacre, according to witnesses, were probably in the hundreds;

- June 28, 1995, Aguas Blancas, 17 farmers were killed in an ambush by state police;
- December 22, 1997, Acteal, Chiapas: 46 people, mostly women and children gunned down while police looked on;
- June 30, 2014, 22 Tlatlaya massacre, San Pedro Limon, Tlatlaya, Michoacan: 22 civilians killed by government troops;
- September 26, 2014 Ayotzinapa massacre (mentioned earlier in this report);
- January 6, 2015, Apatzingan massacre, Apatzingan, Michoacan: 16 civilians gunned down by federal police outside Apatzingan city hall.

While the above is an abbreviated list, it displays a pattern of violence that is perpetrated and encouraged by Mexico's security apparatus and political elite. This violence has created one of the most dangerous cities in the world: Ciudad Juarez, a city across from El Paso, Texas. Over the past few decades, hundreds of women have been murdered or have simply disappeared – but arrests are far and few between – even after former president Calderon sent some 6,000 troops into the city. Journalists have also been targeted. According to a free speech organization called Article 19, 88 journalists have been killed in Mexico since 2000. Often, these journalists are killed because of their reports are seen as threatening to expose organized crime, the drug trade – and the political corruption embedded in these criminal activities.

Conclusion

Since former President Calderon declared a war against drugs in 2006, over 26,000 people have disappeared while, according to a report by Laura Carlsen for CounterPunch (December, 2014) over 100,000 people have been killed. The violence is brought into sharp focus when examining Ayotzinapa. The Permanent Peoples' Tribunal (PPT) came to this conclusion in its February 2015 report which concludes that Ayotzinapa clearly shows a Mexico in which “there are murders with no murderers, torture with no torturers, sexual violence with no abusers” and that the Government of Mexico is responsible for these crimes.

But the war on drugs, the violence it has spawned along with corruption that stretches from security forces to local politicians and officials in the highest offices have created a human rights crisis in Mexico that cannot be separated from NAFTA. Indeed, this trade agreement has virtually wiped out Mexico's agricultural independence and traditions. As control over land changes from local to an industrialized model geared towards export, people move to cities looking for work, or try to reach the United States. In its August, 2007 report, the Americas Policy Group writes that “[i]n 2006 the U.S. Border Patrol arrested 1.2 million undocumented migrants trying to cross the Mexico-U.S. Border.” Officials also acknowledged that “over 90% of these people are pushed across the border by economic desperation.” As this desperation grows, it is not difficult to see how undoing Mexico's (or any other country's) economic and social fabric leads to increased crime and gang activity. With the drug trade worth billions of dollars, it should not be difficult to understand how other sectors of Mexican society

such as its government and security forces become inter-wound with criminal activities

Meanwhile, in analyzing investments and industrial developments that have taken place in Mexico, such as Canadian mining operations, MiningWatch Canada concludes “that Canadian missions abroad are promoting and protecting the interests of Canadian mining companies to the detriment of the individual and collective rights of affected communities.” The MiningWatch report continues by writing that the Canadian Embassy in Mexico failed to act despite knowing about state sponsored repression at a community where a Toronto owned mine was operating.

Recommendations

While the crisis in Mexico may seem out of control, perhaps even hopeless, the reader needs to begin asking why economic rights take precedence over human rights not only through examining NAFTA, but also by examining treaties that Mexico and Canada, among other countries, are currently negotiating such as the Trans Pacific Partnership (TPP). It is the view of this report that Canadians need to become informed about human rights versus economic rights in order to direct our federal government to pressure and to work with Mexican officials to create government agencies that are free from corruption, that investigate human rights abuses and prosecute perpetrators of human rights violations. It is also important to note that Mexico and Canada have signed numerous international treaties such as the Rome Statute and the International Covenant on Civil and Political Rights. It is the view of this paper that Mexico has an obligation to uphold those treaties – and that

Canada has a moral, if not legal, responsibility to take action should those treaties be violated.

In its August, 2007 report, the Americas Policy Group makes numerous recommendations. For example, the Canadian government should urge the Government of Mexico to implement reforms to combat corruption, violence and unprofessional conduct of its judicial and security forces. In its report, MiningWatch Canada recommends such actions as legislation that regulates Canadian companies overseas so that they comply with international laws regarding human rights, Indigenous rights and environmental rights. In his report, U.N. Special Rapporteur Mendez also calls upon “the international community to assist Mexico in its efforts to end torture and ill-treatment, end impunity and guarantee victims comprehensive redress.”

The above are but a sample of the recommendations the Permanent Peoples' Tribunal, the Americas Policy Group, MiningWatch Canada and U.N. Report outline at the conclusion of their investigations into the ongoing and systematic human rights violations that are taking place in Mexico. Yet with even such a small sample of recommendations, it is important for the reader to note that actions should and can be taken to address the strife in Mexico. For this process to begin, however, one needs to know what Mexico and Mexicans are facing. It is hoped that this report has given the reader a glimpse into Mexico's reality and that the reader will investigate these issues at a deeper level and then consider ways to help bring about change to what is occurring in Mexico today.

Postscript:

September 7, 2015, BBC News: The Inter-American Commission on Human Rights has issued a report rejecting the Mexican government's account of what took place in Iguala, Guerrero, after police

opened fire on the students from the Ayotzinapa teachers' college. Moreover, the Commission accuses authorities of covering up alleged involvement of high-ranking officials and the military in the disappearance and probable killing of 43 of the Ayotzinapa students.

Primary sources for this report

- Final ruling, Permanent Peoples' Tribunal: Chapter Mexico, February 2015;
- Briefing Notes on Human Rights Issues in the Canada-Mexico Relationship, Americas Policy Group, August, 2007;
- Unearthing Canadian Complicity; Excellon Resources , the Canadian Embassy. and the Violation of Land and Labour Rights in Durango, Mexico: MiningWatch Canada and United Steelworkers, February, 2015;
- Rethinking NAFTA after 20 Years: The Washington Office on Latin America, February, 2014;
- Genaro Garcia Luna: Wikipedia;
- Human Rights Challenges Facing Mexico: Amnesty International Memorandum to President Enrique Pena Nieto, February, 2014;
- Human Rights Watch World Report2015:Mexico;
- Report to the U.N. General Assembly by Special Rapporteur Juan E. Mendez: Mission to Mexico, December 29, 2014;

- CounterPunch: Mexico's Youth Under Siege, Laura Carlsen, December, 2014;
- Narcoland: Anabel Hernandez, updated paperback edition 2014;

The Author of this report

Tim Boulton has been interested in Mexico politics since his first trip to Mexico in 1998. As a member of the Victoria Central Support Committee, and the Building Bridges Human Rights Project in Chiapas, Tim was a human rights observer in 3 Zapatista communities in Chiapas. He also witnessed the Zapatista March of Indigenous Rights in 2001.