

The Observatory on Disappearances and Impunity in Mexico

The 2014 disappearance of 43 students from the Normal School in Ayotzinapa in Mexico drew international attention to the grave situation of forced disappearances in the country. The shocking crime also shook popular conceptions that explained away disappearances as a consequence of powerful drug syndicate which the government was taking measures to control. Three years later, despite consistent domestic and international pressure, the Mexican Government has not found the students or identified those responsible for their disappearances. Unfortunately, this horrendous case was not an isolated one: with nearly 28,000 persons officially registered as “missing” between 2007 and January 2015, few have been investigated, and only six of these cases resulted in convictions.

In response to this crisis, researchers at three universities -- the University of Minnesota, Oxford University and the Latin American Faculty of Social Sciences (FLACSO-Mexico) -- established the Observatory on Disappearances and Impunity in Mexico. The aim of the Observatory is to decrease disappearances and impunity by increasing knowledge and public visibility about the patterns of disappearances. By coding NGO files and local media stories, along with interviewing local journalists, victims’ groups, and families of the disappeared, researchers are developing an objective and systematic set of information points about the disappeared that fills in gaps in existing information.

Barbara Frey, J.D., Director of the Human Rights Program, and Paula Cuellar, PhD Candidate in History, are leading the Observatory’s research team at the University of Minnesota. The Minnesota team, consisting of bilingual student researchers, are building a database of information on disappearance found in Mexican media articles. The research is state-based; students have coded approximately 100 disappearances in each of three Northern Border States -- Coahuila, Nuevo Leon and Tamaulipas. In addition, Paula Cuellar spent six weeks in Mexico in summer 2017 conducting interviews with journalists, local NGOs and victims’ groups, and families of the disappeared. She focused on how local press plays a role in portrayals of enforced disappearances.

Cuellar’s interviews helped explain many of the journalists language choices in reporting disappearances. Narcotics officers, for example, originally coined the term *levanton* -- the Spanish word for “lift” -- to describe disappearances in a way that connoted narco-on-narco violence. When the press first began reporting on disappearances, they embraced the term and their reporting therefore reflected one of the “myths” put forward by the Mexican government -- that those who are disappeared must have “done something.” However, through the concerted efforts of local NGOs and victims’ families, the press began to utilize the term “enforced disappearances,” which does not reflect an assumption that disappeared persons are criminals. Indeed, Cuellar says, the vast majority of people who disappear are targeted not because of any affiliation with cartels or organized crime, but for many reasons, such as their skills or

occupations, their refusal to be corrupted or simply because they were in the wrong place at the wrong time. “Anyone can be a victim,” emphasized Cuellar.

There is another critical facet to the use of the term “enforced disappearances”— a crime defined as one in which state agents consented or acquiesced, either through direct action or conscious omission of action. Cuellar found that the local press in Coahuila, Nuevo León, and Tamaulipas had an inconsistent understanding of this specific definition of the crime of enforced disappearance. Reporters seldom investigated or wrote about the role of municipal police or other state agents in the crimes. Without making the link to state agents, the press were reporting on these cases as if they were isolated criminal cases, and not a pattern of human rights violations.

That is, if the cases were reported on at all. Cuellar found a pervasive culture of fear suffusing each state, that only seemed to heighten as she went further north. Many of the journalists she interviewed stated that they wouldn’t report on disappearances for fear of retribution from cartels. In 2010, the drug cartel Los Zetas killed 29-year-old journalist Valentín Valdés in the state of Coahuila, as a way to intimidate the press into silence. It worked.

“It was a very powerful experience,” Cuellar says, referring to interviewing journalists. She recalls the experience of one particular journalist in Coahuila who broke down in tears, recounting his experience of being kidnapped by the cartels for a couple days. “You could feel their fear.”

Cuellar argues that understanding the underlying complexities of portrayals of enforced disappearances in Mexico’s local press is vital to helping both the press and society understand the nature of enforced disappearances, that the victims are not criminals and that these disappearances necessarily involve the state. “I hope that we can understand better how the press portrays enforced disappearances, so they can improve their reporting and change the false narrative offered by Mexican officials,” Cuellar says of the project as a whole. **“Society is reluctant to feel sympathy for the victims of enforced disappearances. The press needs to tell the full story, which will create sympathy for these victims.”**

Human Rights Program Director, Barbara Frey, oversees a group of undergraduate and graduate students who have been coding newspaper articles on disappearances to look for patterns of information about the violations, focusing on details about the victims and perpetrators, the act of the disappearance itself, and the state’s role in investigating the crimes. The work of the Minnesota team mirrors work by researchers at FLACSO-Mexico, funded by the Open Society Foundation, to code the client files of local NGOs.

On June 16, 2017, the teams held a press conference to release their initial findings on the State of Nuevo Leon. Based on information already coded by the Mexico Team from CADHAC (Ciudadanos en Apoyo de Derechos Humanos), an NGO based in Monterrey, Nuevo León, **the Mexico Project has already found a set of startling findings that counter common assumptions about disappearances in Mexico:**

-92% of victims of disappearances were not connected to organized crime.

-Almost half (47.5%) of all disappearances were found to have state agent involvement and -- of those cases -- half were committed at the state and federal level, indicating a far more systemic involvement in enforced disappearances than local collusion. These findings were broadly reported across media outlets in Mexico, (see [here](#), [here](#), and [here](#), for example), and were the focus of an August 2 resolution by the Commission on Government, Constitution and Justice of the state legislature of Nuevo Leon calling for further investigation of enforced disappearances in the State.

The US Team has coded 100 cases from newspaper articles. The work is arduous, as “the information on each case from the media is shallow,” Frey noted. These difficulties in gathering information, Frey said, was all the more reason for their work to continue. **“We’re trying to address the vacuum of info, and ascertain why, in the context of a working democracy, these systematic human rights abuses are taking place.”** Frey argues the vacuum in part arises from the fact that in Mexico, there is an immense amount of impunity for both organized crime and state actors to commit disappearances, as public mistrust of the criminal justice system is so high, only 7% of crimes are reported to the police. **“We’re explaining and countering the myths of the government about the nature of these violations,”** Frey says, and working to increase public knowledge and awareness about enforced disappearances.

Frey and her team are currently working to code cases from the states of Jalisco and Veracruz, after which they will move on to Guerrero. Frey observed that the best way to approach the staggering number of disappearances was through a state/regional focus, as each state has a different political and social context, different levels and sophistication of reporting, and different openness to civil society. Eventually, Frey wants to use the information collected for strategic litigation— to pursue certain cases to chip away at the broad impunity that has come to characterize the Mexican case.

Frey indicated that the work done by the Mexico Observatory had not gone unnoticed. “[Local NGOs] are extremely heartened by the interest they’re getting from the University of Minnesota and its partners. We have these talented, bilingual undergrads and graduate students who are able to provide helpful information from afar.” As a culture of silence on disappearances undermines human rights in Mexico, the Observatory will continue to build up a body of information on the victims in the hope of ending the impunity which shelters the perpetrators.