

(PORTADA)

International Civil Commission for Human Rights Observation
Fourth visit, May 29th to June 4th, 2006

Preliminary report concerning the events of Atenco, Mexico

In memory of Fransisco Javier Cortés Santiago
In memory of Alexis Benhumea Hernández
To the people of Atenco and Texcoco
To the women who struggle and resist
To the people all over the world
who struggle in defense of human rights
independently of political party interests and power

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GLOSSARY

1. BACKGROUND OF THE INTERNATIONAL CIVIL COMMISSION OF HUMAN RIGHTS OBSERVATION (CCIODH)

The International Civil Commission of Human Rights Observation (CCIODH) was formed on the basis of the awareness of international civil society around the sharp violence that exists in Chiapas. The massacre of Acteal (on the 22nd of December 1997, in which 45 peasants were killed: 15 children, 21 women, and 9 men) produced a commotion and indignation in the worldwide public opinion that induced the formation of a plural space in which the goal was to gathering first hand information about the conditions that made this massacre possible, but also about the general context made up of all the actors and scenes of this complex process in Mexico and in particular, Chiapas.

In this way this Commission was born. The participants share a concern for Human Rights, and believe that, in the spirit of the achievements of humanity as a whole, the defense and promotion of these rights are an obligation and a duty that are not to be subdued or limited by national borders. The CCIODH based its observation activities in Mexico on these foundations and produced three reports.

First visit of the CCIODH (February 1998).

The report that was elaborated after the visit of 210 people from 11 different countries, affirmed that in the Mexican State of Chiapas the human rights situation was in grave deterioration.

The following conclusions were developed:

A call was made to the civil society to maintain the presence of observers in the communities and to the Mexican government to allow this presence in accordance with international law. In addition was a call to the European Parliament as well as the rest of the international institutions to establish mechanisms of

observation and vigilance with the presence of international and Mexican civil society.

The deportations of international observers were denounced as they infringed on the rights of the people and eliminated the presence of testimonies from the more conflicted areas.

It was understood that the Mexican government should take steps towards ending the impunity that the paramilitary groups use so that humanitarian aid can reach those displaced due to war and return to their original communities with all necessary guarantees. It also called for the cease of the intense militarization of the conflicted area and the return of the troops to their quarters, guaranteeing the free transit of the people in their territories. There should be a guarantee to free access to the justice system and the freedom of the political prisoners, members of civil society in resistance, is seen as necessary. To assure that the humanitarian aid could reach the communities, the presence of the international Red Cross was recommended.

Second visit of the CCIODH (November 1999).

In November of 1999 a second Commission made up of 41 people from 10 different countries carried out another visit to observe and evaluate the situation in that moment and compare it to the observations and recommendations of the earlier visit.

In this visit it was affirmed that the human rights situation had deteriorated and the conditions of life in the communities had worsened, provoked by the increase of militarization in the area of conflict, both in the number of officers and installations (quarters and reserves whose activities made difficult the free circulation of people). The activity of the paramilitary groups which remained present provoked fear and terror in the indigenous communities and was carried out with the highest impunity.

The two reports that were produced as a result of the two commissions were handed in to the speakers of the Commission in Mexico, to all the organizations and

people who supported the Commissions, and to various international institutions (European Parliament, National Parliaments, the Central American Parliament, and the office of the High Commissioner of Human Rights in the UN, among others.)

Third visit of the CCIODH (February- March 2002).

Between the 16th of February and the 3rd of March of 2002, CCIODH carried out its third visit of 104 people from 14 countries who visited Chiapas and Mexico to evaluate the situation of conflict in Chiapas, a year and a half after the government of Vicente Fox came into power, maintaining our commitment acquired since February of 1998 to keep watch on the human rights violations of the indigenous communities in resistance.

The approval of the project of an amendment to of the constitution on the part of the Congress of the Union did not satisfy the indigenous peoples who did not see in it reflected the essence of the San Andres Accords. It did not recognize the communities as entities of public law, nor did it recognize the peoples as neither subjects of the law nor political depositaries of the rights to free determination and autonomy.

The report that resulted from the third visit was presented in the office of the High Commissioner on Human Rights of the United Nations as well as the European Parliament. The presentation in the Catalanian Parliament provoked a resolution of support to the conclusions and recommendations.

2. INTRODUCTION

On the third of May, clashes were produced in response to the installation of sale points of a few florists in the market of Texcoco in the State of Mexico. According to the town government, they did not have permission. According to the florists they were acting in accordance with a cultural tradition and in the framework of a tacit agreement with the state representatives. Following this act was a upsurge of violence on the 4th of May resulting in the death of a 14 year old boy killed by a gun shot, the brain death of another boy who was 20 years old and who died a few weeks later, a number of people seriously injured, over 200 people arrested, five foreigners deported, and serious formal complaints of torture and abuse suffered by those detained, including sexual abuse and aggression suffered by almost all 47 detained women.

The official versions and significant part of the media stood in contrast with the declarations of the people and organizations affected. The impact and the worldwide rejection that the news produced is clearly a fact. The reactions were immediate: Amnesty International called for an urgent action to clarify the events (May 11th, 2006) and Human Rights Watch condemned the excessive use of force (May 15th, 2006). The EZLN declared a red alert and the Other Campaign suspended their activities until all the political prisoners are released.

In this context, and facing the seriousness of the events, part of the European and international civil society reacted, as they have in earlier situations, responding to the calls of those people affected, social organizations, families, and non governmental organizations to mobilize in defense of individual and collective human rights.

In this way and with this urgency the fourth visit of the International Civil Commission for Human Rights Observation was organized. The goal was to collect in the very place where the events occurred, the testimonies and complaints of the people and organizations affected, as well as the positions of the police, judicial, and political authorities with responsibilities.

In the earlier visit of 2002, the report that was published mentioned in the annex an interview with members of the Front of Peoples in Defense of the Land because of the conflict they were in when they oposed to the construction of an airport in the San Salvador Atenco region. This conflict resulted in an agreement, after a very long struggle, which was considered as a triumph for the community.

In few days the letter announcing the fourth visit of the CCIODH was written and then signed by more than a thousand people and organizations in support of the creation of a delegation of 28 people from 7 different countries who would go to Mexico from the 29th of May until the 4th of June. The Commission expressed to the Mexican government along with the Mexican civil society its wish to be welcomed. The response was a positive one.

As we said in April, 1998 in the conclusions formulated after the first visit: "We understand, as civil society, our commitment in the defense of life and in respect to human rights of the people as a principle above all other political or economic interests and an inexcusable sign of our responsibility in this defense."

3. METHODOLOGY

The Commission's objective was to gather information, interview with all the actors, go to the very places where the events occurred, and listen to all the voices to be able to in this way elaborate a report that was the most complete and well-rounded possible and that would contribute to clearing up what happened and establish some conclusions and recommendations that would be presented publicly.

It should be noted that the CCIODH considers a broad definition of human rights, one that holds social rights, those that are frequently considered "incomplete rights" or on a "second level", to be fundamental and form part of the objective of analysis in the work of the Commission.

Another fundamental aspect worth noting is that the Commission understands the observation of human rights to be centered in the possible violations of those rights, and therefore to be the responsibility of the state agents. This hardly means that those violations committed by individuals are justified or excused or that they are any less serious, but that the state has of its disposal sufficient mechanisms to clarify and sanction those responsible of such violations and for that reason that work is not the goal of a civilian observation. At no point does the Commission try to deny or hide the illegal acts committed by a few of the protesters (like the blocking of roadways, the kidnapping or damage done to police officers), but these acts are considered as elements of the context and not part of the objective of the observation work nor part of the conclusions or recommendations.

The field work has been done in the following activities:

- Interviews with the representatives of official institutions that have some kind of responsibility in the events and in their later developments (federal, state, and municipal authorities).
- Visits to the places where the events took place (Texcoco and San Salvador Atenco) where the testimonies of the inhabitants were collected, including those who own houses that were broken into by the police, those who were arrested and then released, and the family members of prisoners.
- A visit to the Santiaguito jail where testimonies were taken of the 28 people who remain in jail.
- Interviews with various civil and social organizations that form a direct or indirect relationship to the events.

- The gathering of testimonies and documentations that have to do with other realities present in Mexico that help to understand the general context in which the events took place on the 3rd and 4th of May in San Salvador Atenco.

The analysis and interpretation of all the information was based in the contrast between all the views of the events from their respective positions and interpretations of what occurred. For this reason dialogue with all sides has been fundamental for this work. This dialogue includes the voices of governmental and judicial entities, civil independent organizations, and persons affected or involved in the events.

The Commission has proposed to complete and hand in two reports: the preliminary report and the definitive report.

The preliminary report is presented in a synthesized form and not including the entire wealth of testimonies gathered (for a lack of time to transcribe them all), the vision of the events, the analysis, and the conclusions and recommendations (the objective of the document), with the goal of urgently and personally presenting it to:

- All those individuals, organizations, and institutions that were interviewed.
- All those individuals, organizations, and associations that supported and put their trust in the Commission.
- The national and international government bodies, organisms, and institutions that are seen as relevant to issue a resolution or take adequate measures that they see as necessary.

The definitive report will provide a deep and detailed analysis of the events that is well grounded and more thorough.

4. POLITICAL CONTEXT

4.1. Texcoco and Atenco: the background of the struggle of the florists.

San Salvador Atenco and Texcoco are two small communities in the State of Mexico that are sustained by agriculture and in the process of being overcome by the expansion of Mexico City. The issue of the eviction of the florists, what sparked the conflict, is preceded by a series of events: negotiation processes, unfulfilled agreements, and explosions of social conflict.

In November 2001, these communities began a struggle rooted in their land, 4,550 hectares of which the government intended to appropriate with a payment of 7 pesos each square meter^{*} to construct an airport. The defense of their lands and with it their peasant lifestyle, resulted in deaths and very violent conflicts. The people of these communities protested using their machetes which –although tools- became a symbol of the struggle of peasants confronting mega-projects that were seen as spring boards for the neoliberal economic model. At this point, the Front of Peoples in Defense of the Land (FPDT) was created, which currently embarks sixteen communities in the surrounding belt of Mexico City with varying degrees of social involvement in each community.

In the summer of 2002 violent confrontations broke out between the townspeople and the security forces of the State of Mexico resulting in 30 people injured and 19 detained. One of the prisoners was José Enrique Espinosa, Atenco farmer, who was arrested, seriously injured and, even so, was jailed without medical assistance for 2 days, all of which resulted in his death. Finally, after accepting the FPDT as the vocal representative of the people, in August of that year the federal government announced the cancellation of the airport project, which there by implied the legitimization of the FPDT. In the words of the lawyer Leonel Rivero: “The state and federal government recognize the representative role of the FPDT. In the 5th point a dialogue is established that will follow up on regional plans and projects as well as those of public safety. Every 10 to 15 days a commission of ten to twelve people from the Front met with representatives of the State Government and planned

^{*} Approximately 0.70 USD cents or .50 euro cents per square meter.

concrete issues about productive projects that would directly impact the region". These dialogues began on the 10th of January, 2003 and continued intermittently and never free of conflicts.

It should be noted that in the framework of this process in March, 2003 the region is visited by the Special Rapporteur of the United Nations, Miloon Khotari, who showed his concern for the situation in the community of San Salvador Atenco. In one of his recommendations to the Mexican government he specified: "even though it was known that the project to build the airport was cancelled in 2002, after the mission was carried out, *it is necessary to carefully watch and thoroughly study the lessons derived from this experience to impede any repetition of violent conflicts. Moreover it is important to guarantee that there are no repercussions or punitive measures against the activists and defenders of the right to housing.* The Special Rapporteur continues to be concerned for the formulated accusations against the principal activists who have converted into an obstacle to maintain a dialogue and reconciliation." (original emphasis, E/CN.4/2003/5/Add.3 of March 27th, 2003).

Unfortunately, the Special Rapporteur affirmed with a warning that to this day situations of social conflict have repeatedly been produced in the area, derived mostly from the lack of response of the different institutional areas to the basic demands and needs of the population regarding the demands linked ultimately to rights to the land, a just employment, education, etc.

The conflict with the florists in Texcoco is placed in the context described. Since July of 2005, Dr. Higinio Martínez Miranda, the former municipal president of Texcoco, put into affect a plan of urban redistribution and a program of recuperation of the historic center and improvement of the urban image that implied the relocation of the informal merchants, among whom were the florists. This program would be later continued by the current municipal president, Mr. Nazario Gutiérrez.

In this year of 2006, the chain of events that lead to the final confrontation started on the 6th of February with the arbitrary arrest of the farmer Arturo López Frutero for agrarian issues. The FPDT responded on the 8th of February to demand his release. The riot police responded as well. In its withdrawal the FPDT withheld the general director of the State Government of Texcoco, Rosendo Rebolledo Montiel, and another civil servant, Cristóbal Reyes Franco, whom they released 48 hours later, after the promise to expedite up the judicial process against López Frutero. For this event the leaders of the FPDT were charged with "comparable kidnapping".

In March the negotiation between the FPDT and the State government was supposed to deal with the demands of the inhabitants including the renovation of the primary school of Texcoco as well as the installation of a special education school in Papalotla. The Secretary of Education, Culture and Social Welfare of the State of Mexico, Isidro Muñoz, scheduled a meeting but never showed up. Those present in the meeting demanded the presence of the sub-secretary of education withholding the representatives of education. The response of the state government was not the arrival of the sub-secretary of education but the sending of the public safety which surrounded the building. Facing this situation, the *ejidatarios*[†] withheld, this time with force, the three civil servants (tying 3 firecrackers to their belts and threatened to light them if the riot police did not leave.) After negotiating, the state police left and the civil servants were free to go. Even so, the demand in the end, the real right to education was not attended to.

On the 11th of April a conflict occurred between various parts of the public force and the *ejidatarios* of Texcoco that went to sell flowers and other horticultural products. These *ejidatarios* were accompanied by a few members from the FPDT with whom they have ties of solidarity and mutual support. The municipal president, Mr. Nazario Gutiérrez, considering the dialogue that had been formally open for the past few months to be now closed, tried to clear out, almost at the end of the season (which goes from October- Day of the Dead- to May- Mother's Day), these small flower, fruit and vegetable growers with the presence of one hundred municipal police that stopped them from working.

On the 15th of April the municipal president of Texcoco solicited the presence of the State Police in order to continue with the urban relocation plans, a request that was put into effect on the 20th of April when close to a thousand riot police took over the market Belisario Domínguez together with 150 municipal police officers. On the 21st of April the townspeople publicly asked for the establishment of a dialogue to resolve this conflict at the same time as they asked for the mediation of the FPDT. On the 25th of April in San Salvador Atenco, the Delegado Zero, Subcomandante Marcos, was welcomed when the Other Campaign passed through the region.

The florists, supported by the leaders of the FPDT, held a meeting with the Attorney General's Office of Texcoco in which they demanded the withdrawal of the

[†] *Ejidots* are lands communally owned and shared by *ejidatarios*; people of a community. This system though legalized under the Mexican Constitution established in 1917 and a principle gain of the Mexican Revolution, follow a practice traced back to the Aztecs. Until the constitutional reform of Article 27 in 1992, these lands could not be bought or sold.

public forces, the opening of a dialogue, and the possibility to sell their flowers. In this meeting they were promised "the reopening of a dialogue" in response to the specific problem of relocation of the florists. Even though afterwards many authorities have denied it, numerous testimonies indicate that the florists had reached a verbal agreement which allowed them to set up their stands on the 3rd of May, the Day of the Cross, from 4 until 11 in the morning; and in the same way they could set up on the 10th of May, Mother's Day, and the 12th of December, the celebration of the Virgin Guadalupe. There is no written document proving this agreement but there is a graphic document of the development of the meeting as well as numerous testimonies of those affected. It was when the florists went to set up at dawn on the 2nd and 3rd, that the conflict began.

4.2. The Mexico of social conflicts. Social unrest, political system and economic model

2006 is election year in Mexico. In this a highly politicized country, the rates of social unrest in these circumstances increase considerably. It should be taken into account that Mexico maintained a system of a State ruling party for 60 years, a political regime that was broken by the elections of 2000 with the victory of the current president Vicente Fox Quesada. The imminent elections are preceded by a complicated process of confrontations between groups with power and political parties, along with the attempt at a deprivation of political rights of one of the candidates for Presidency, as well as an electoral campaign characterized by the insults and discrediting between political parties. Added to this situation is the fact that the abstention rate of the previous elections was over 40% of the Mexican population.

It is necessary to mention that in this context of social unrest in the electoral period, there have been other social clashes similar in character and impact to that of Atenco and have also received a violent response from the competent authorities, the most visible example being the aggression against the miners of the Sicartsa company in Lázaro Cárdenas (Michoacán).

In a socio-economic analysis, Mexico has chosen to assume the directives for development given by the World Bank and the Inter-American Development Bank. Mexico is currently the 10th strongest economy in the world and the second with the highest social inequality in Latin America. It is also one of the biggest exporters of

immigrant people worldwide, people that, under pressure from the lack of options, make up the massive flight that slowly bleeds the countryside leaving traditional ways of survival lifeless. There are currently around 30 million Mexican people living in the United States.

Since 1992, the amendment to article 27 of the constitution- which opened the possibility of the sale of communal land and *ejidos*- the living conditions of the workers and farmers has been getting worse. Up to this day the explosion of social conflicts in diverse parts of the country has increased.

The eruption of the Zapatista Army of National Liberation in 1994, the massacres of indigenous people in Acteal (Chiapas) in 1997, in Aguas Blancas (Guerrero) in 1998, and the entrance of the Federal Prevention Police in the Autonomous National University of Mexico in 1999 to end the year-long student strike, are three testimonies to this increase in social conflict.

Accompanying the "constitutional recognition" of indigenous rights and culture in 2001 in a law that ignored a very significant process of national consensus in the proposition of a constitutional change, there was a new step towards the increase of social conflict: the accompaniment to this socio-economic policy of a process of legislative inflation that regulated many areas of daily life that were previously enjoyed by a relative autonomy, whose legitimizing, organization, and regulation, affected the civil society involved. From 2001 to 2006, at least sixteen laws and legislative reforms deeply affected spaces of autonomy in daily life: water, corn, land, minerals, biodiversity, and forests, among others, have been "regulated and legalized".

Even though Chiapas, Guerrero, and Oaxaca are possibly the most visible hotspots in this conflict, a study of social unrest in the period of 1994-1998 revealed that the area that significantly showed the highest number of conflicts was in the center of the country[‡], where Texcoco and San Salvador Atenco are located.

The current political context is characterized by this intensification of social unrest that operates through the criminalization of organized social movements and the lack of will to dialogue on the part of the competent authorities to solve conflicts in the diverse municipalities of the Republic, conflicts that, it should be stressed, are in their majority linked to the subsistence of communities and that lack of response to the basic demands of life and development of the people.

[‡] Colectivo Pensar en Voz Alta (1998) *Conflictividad social en México, 1994-1998. Cuernavaca: Cuadernos de la Hormiga.*

5. CHRONOLOGY OF THE EVENTS

Earlier events, background:

On the 11th of April various farmers brought their harvest (vegetables, flowers, etc.) to sell in the market of Belisario Domínguez of Texcoco, but the presence of the police stopped them. On the 20th of April, in the same market, there were more confrontations with the police that left many injured. On the 21st of April the townspeople and florists requested a public dialogue and the cancellation of the arrest warrants.

The florists tried to hold a negotiation with the authorities until the 2nd of May, when the florists expressed their will to setup in the market on the 3rd of May, and they did so, as they had said they would.

The struggle of the florists in Texcoco found that there was solidarity among the farmers in the area, among them the Front of Peoples in Defense of the Land.

May 3rd, 2006

Time: 7:00 am

In Texcoco the Municipal Police violently evicts the florists that come to setup in front of the Belisario Domínguez market, accompanied by members of the Front of Peoples in Defense of the Land (FPDT). At this point the confrontation begins, which results in many people injured and arrested, among whom are people who had come to shop. The police action lasts over an hour. In response to the police advance towards Texcoco, the group of florists and their supporters, approximately 40 people, take refuge in a house that is immediately surrounded by police. From the inside of the house, there are attempts to peacefully resolve the conflict, but there is no positive response on the part of the authorities.

Time: 8:30 am

Various inhabitants of San Salvador Atenco, the majority of whom are members of the FPDT, block the highway between Lechería and Texcoco, at the height of 27km, in solidarity with their *compañeros*[§] in Texcoco.

Time: 10:00am-12:00pm

On the outskirts of San Salvador Atenco, different police corps begin to arrive and a harsh confrontation begins to develop on the highway. The police try to enter the town and the people try to stop them. At this point Francisco Javier Cortes Santiago is shot dead by a 38 millimeter caliber bullet, bullet which are used by the police. Following this is an upsurge of violence and the situation gets tense. The police remain divided and some of them are withheld by the people who later release them and hand those injured to the Red Cross. San Salvador Atenco is encircled by police squads that try block any access to the town. In this situation of confusion the townspeople try to establish communication with the corresponding authorities to solve the conflict.

Time: 4:00-6:00 pm

Around approximately 3:30pm 500 operatives of the Police of the State of Mexico break into a house in Texcoco, using tear gas bombs, the riot police break a part of the front door and access the higher part of the houses where they kick and use clubs to beat the women and men they find there. Among them is Ignacio del Valle, one of the leaders of the FPDT. They are taken to a riot police truck and detained in the Attorney General's Office of Texcoco and from there are taken to Toluca.

Time: 5:55 pm

During an event of the Other Campaign in three cultures plaza in Tlatelolco, América del Valle, daughter of Ignacio del Valle, informs the people of what is happening and thanks the collectives and social organizations who stand in solidarity.

Time: 8:00 pm

[§] *Compañero* and *compañera* in most cases refer to peers or mates i.e. class mates, work mates, flat mates. It has acquired a political tone which connotations of solidarity.

In the conference of the Official Press it is confirmed that at this point Ignacio del Valle is arrested along with another 30 people and 5 officers of Public Safety are withheld in the town of San Salvador Atenco.

After 8:00 pm, the barricades and police encirclement are still intact and there is a possibility that there may be more arrests in a new operation.

May 4th, 2006

Time: 6:30

A police operation begins to enter the town of Atenco, in which 3 levels of police forces participate (municipal, state, and federal). From the morning on there are helicopters, the police break into the houses without warrants and using violence, causing damages to the houses and breaking windows. People are indiscriminately arrested with an excess of violence towards a number of people that receive cruel and inhuman treatment, maintaining the population in a virtual state of siege. Throughout the whole day the town is surrounded and occupied by the police forces. No one can come or go.

204 people are arrested, among them 9 minors and 5 foreigners. The transport of the detainees begins, and lasts 6 hours, until they arrive at the Santiaguito jail prison. During these 6 hours there are grave human rights violations, committed men and women detainees are tortured, raped, and sexually abused.

At 2:00 pm the police continue to surround Atenco and Peña Nieto declares that this encirclement will remain in Atenco for as long as is necessary.

May 5th, 2006

The five foreigners arrested in Atenco at dawn are moved to the INM immigration station of Mexico City. Around 10 in the morning a lawyer arrives and is able to see a few of them but is impeded from formalizing the legal representation of the whole group, she can only start the procedure with one of them. The lawyer administers a legal protection for the group. At 6:30 the detainees leave in a car without letting the legal representative know where they are being taken. At 7:30 the legal protection arrives at the airport immigration office in Mexico City where they assure that no foreigners have come through and for this reason the legal protection cannot be used. Around 11:30 pm the planes leave to their corresponding countries.

6. ANALYSIS

6.1. Mechanisms of horror: description of the police operation. Testimonies of the people

6.1.1. General Description

We have not received clear information about the different participation of each police corps involved in the earlier events, which leaves unclear the chain of command and the different lines of action of the operation. Nevertheless, the coordinated participation of two different police corps is a proven and recognized fact (along with the cooperation of the municipal police of Texcoco during the morning of May 3rd).

In addition, the Federal Prevention Police intervened with a contingent of Special Operations and the federal support forces, made up of between 700 and 1500 agents (according to official sources and the human rights organization Miguel Agustín Pro). This coalition was under the command of the Commissioner Alejandro Eduardo Martínez Aduna, Head of State, and the Brigade General Ardelio Vargas Fosado. It should be noted that in the days following the operation, both the constituent department of the police corps as well as the Federal Government recognized the occurrence of police abuses and the excessive use of power.

At the same time, the State Security Agency intervened with 2300 agents, according to official sources, under the command of the commander David Pintado Espinosa. The Government of the State of Mexico also recognizes that there were abuses and the excessive use of force. These actions are being investigated, although currently it is only an internal review process. As a result, the past 1st of June saw a state agent removed from office as a disciplinary measure. The Attorney General of the State of Mexico, Mr. Abel Villacaña, affirmed in an interview with members of the Commission that the investigation of the police abuses was in effect but would go at a slower pace than that of those detained because, of the pre-electoral context, among other reasons.

The complaints received by the Commission regarding abuses and mistreatments during the operative all point toward a grave violation of human rights. Analysis of these testimonies highlighted two important time frames during which these abuses occurred: a) up to the point of the detentions; b) in the transport of the detained people. The occurrence of various stages prior to the arrests must

also be noted: the first police operation which tried to impede the florists from setting up; the police operation directed at unblocking the federal highway Texcoco-Lechería; the police operation directed at releasing the withheld agents; the police operative directed at carrying out more arrests; the police operation involved in the unlawful entering of houses.

Even though it should not be considered strictly part of the police operative, the treatment of the detainees in the jail deserves to be analyzed as well in this section of the report, as it is related to the physical conditions under which they arrived.

Lastly, it should also be noted that the police operative clearly affected the townspeople of San Salvador Atenco, who were not implicated in any way in the confrontations. Here we refer to a significant group of families and people, the majority of whom were in Atenco when the events took place and were witnesses to the detentions, who saw many people injured, who witnessed the break-ins and suffered material losses like damages to their homes and vehicles. The testimonies show them to be extremely affected by the police operation.

6.1.2. The police performance up until the arrests

The first police actions: according to the testimonies, the state police and the PFP, highly armed, intervened for the first time when the group who accompanied the florists to the market in Texcoco took refuge in a house after the first confrontations in the morning. The testimonies agree that at no time was there any intention, on the part of the municipal and government authorities to enter in dialogue with those taking refuge in the house. The police team had only one objective: to detain the people.

Testimony 74

"Around 4:00 pm we saw that the police had begun to advance but there were already special police forces of the federal prevention police and we saw that these people, who we already knew, are another kind of people, of police: even for their uniform you can tell that they are different and for their attitude as well; people who are more prepared to repress. In a certain way we started to ask among us *compañeros* if they were going to hurt us, and the aggression began, they began to

advance and started to throw tubes of gas that we tried to reject: they invaded the house with gas, practically suffocating us with gas. (...) They broke the clothesline and started to come towards us. We talked to them, trying to stop the aggression. You can't compare the peasants, the florists with people who are prepared to repress. They had big weapons. We saw various police forces and they didn't have small arms but huge ones, guns and of course clubs. Personally we saw police with cartridges, they pointed them at us and we said 'OK, it's over, calm down, relax' and well, they started to advance".

The involvement of the PFP was witnessed in the operation employed in Atenco.

Testimony 77

"The 4th of May at 6:00-7:00 in the morning the police team came to where the FPDT was in the highway, shooting tear gas. The people of the Front had to dodge bullets. The police also came with dogs. There were around 5,000 of them between the PFP and the State police".

The members of the FPDT and the townspeople of Atenco say in their testimonies that they tried on various occasions to enter into dialogue with the State and Government authorities without success.

Testimony 74

"The *compañero* Nacho del Valle tried to communicate with the municipal public security, the municipal president of Texcoco, and the governor of the State of Mexico, with the secretary general of the government of Humberto Benítez, and none of them gave a favorable response: they said it wasn't their problem that we had gotten into this and should now face the consequences; those were the responses I got to hear from what the *compañero* Nacho y another *compañero* commented, and so we tried to communicate but there was never any response."

Testimony 49

"On the 3rd of May in Texcoco those who were cornered in the house were trying to start a dialogue the whole time, but it never happened. When we decided to block the street in Atenco, the intention was to provoke the arrival of a government employee to start a dialogue, but the response was immediate repression. When

they left we thought that they´d arrive some other day and resolve things but they entered at 4:00 in the morning, and this was the strategy: to find the town sleeping”.

The official media (Televisa, Tele Azteca) were present at all times during the confrontations, but nevertheless the testimonies declare that the images transmitted were selected with political aims, and in some cases the media collaborated with the police so that there would be no communication between the persons involved in the conflict and the government.

Testimony 74

(The 4th in Texcoco, while they were enclosed in the house)

“A television channel even interviewed me, I don’t remember which one, but it was either television azteca or televisa, that filmed precisely us explaining what was happening, and we explained that we hoped for a favorable response from the government to see what would happen, these videos never showed up on the television, they were never shown, these types of videos or interviews that they did, they hid them, there was nothing we could do, maybe they sent them to the government and they were told not to show them because it would bind them in the decisions they would make. But those videos, where we are asking for help and where we are asking for dialogue, were never seen”.

According to the testimonies in some cases the riot police held back aggressions against the people in the presence of the television media.

Testimony 63

(May 3rd, Texcoco)

“Then they threw us down the stairs and continued to beat us. They took me out in the street but because there were the television cameras, they stopped beating me. But I was drenched in blood. They covered my head with my shirt so that I couldn’t see anything.”

Testimony 71

“And when we couldn’t hear the helicopters anymore, and when we could hear those who were over there inside the plaza, everyone came out. Silence,

everything was silence. Everyone was in the street, but we couldn't get out of there. But yes, they said: the TV Azteca and Televisa helicopters have left. Now, take them outside".

According to the testimonies the number of police forces was excessive in comparison with the number of civilians involved in the confrontations; by the same measure the repression of the people of Atenco unfolded with extreme violence.

Testimony 70

"There were more than 6,000 police, the government can't say there were 3,000... and yes, they were armed. There were so many riot police, and the people who defended the town were around 250... every person was beat up by some 30 police. They went overboard...".

Testimony 49

"On the 4th I was able to hide, maybe like a coward, but then the only thing to do was save yourself. It was a hunt... like animals we were hunted. That's how they used the public force. They killed dogs. They stole from the houses. Without any entry warrants. They took people who were asleep in such a brutal way".

Testimony 65

"They treated us like cattle, like animals... the whole street was full of police... they wanted to kill us with all their beatings... they were obsessed with hitting, because they didn't hit in the arms...no: they hit on the head. And so the government says, well, if I don't kill them, at least I'll leave them crazy..."

Testimony 62

"They put us against a wall crouched down, they beat us on our heads. One police said 'this bitch is clean' because I wasn't bleeding from my head even though they had hit me, and so they beat me more."

During the operatives of the 3rd and 4th fire arms were used as well as tear gas canisters shot at low levels, clubs, and electric wands. The attack used the strategy of destroying material goods, public goods (the *ejidal* house, etc.), as well as private goods (houses, cars etc.). Throughout the day of the 4th, the agents of the

PFP entered the houses and took people out, beating and arresting illegally those who were found inside; in no case was there ever a warrant presented. These aforementioned actions of terror were accompanied by unlimited robbery, looting, and destruction.

Testimony 69

"At 8:30 am on the 4th I was at home, from the door I could see how the riot police entered my aunt's house, which is in front of my own. They were 4 or 5 men in gray uniforms with black vests. They had long guns. I was in the doorway watching with my father, my uncles, and my cousin; the riot police broke the windows of my aunts house and went inside. They took out my cousin bent him under the fence, they beat him and kicked him. A lot. But not his wife, they didn't take her out. They took three of my uncles, they took off their pants and took them in underwear. I saw how one neighbor escaped in a car. The riot police broke the windows of the cars, they destroyed a van that was parked. They yelled curse words, insulted, humiliated my uncles and my cousin. They had no pity. They were drugged. I went upstairs to a room, from there I could see inside my aunt's house. They were breaking everything, turning over the beds, throwing the television. In the other room where the children and my uncle's wife were, they kicked open the door and entered. They broke the windows and took things. A helicopter was flying very low."

Some testimonies agree that there was a selective search for people belonging to the FPDT; in these cases testimonies talk about people with masks that accompanied the PFP and pointed out houses according to a list of names. Many times the break-ins were done from helicopters, in some cases the PFP lowered down from ropes (onto the houses as well as the fields, where people had gone to hide.)

Testimony 67

"There were two people with masks pointing people out, they went in the houses with the riot police. They also came into my house. The police asked: 'are they these? Are they the owners of the house?'. They only moved their heads, yes, no. They never spoke. They came with people's names and the addresses of the houses".

In other cases the forced entry into on the houses had the aim of finding people who were injured and hiding, the people who had participated in the

confrontations but had not been arrested at the time. The testimonies concur many people were taken out of private houses and arrested without warrants.

Many testimonies explain that between the night of the 3rd and the dawn of the 4th the telephone service was down. The people of Atenco could not communicate easily, nor organize themselves after the attack they experienced the day before.

Testimony 72

"There were reporters but they never released the real image of what happened. The whole day until the evening we were waiting to see if there was a possibility to dialogue with the government employees. It became late and I went to my house and because everyone was so worried, I stayed in a chair, worried about what could happen. The next day when they came, they weren't only state police. The whole night there was a problem with telephone communications, the calls were interrupted".

The attack on the 3rd started at the time the children leave school, this strategy directly involved the children in the conflict. It should be remembered that the death of Javier Cortés Santiago, 14 years old, happened around 2:00pm. At this time the adults are usually working, which means the majority of the people in the streets were minors. Eight of them were arrested.

Testimony 72

"On the 3rd of May I was in the church in Atenco, as it was the holiday of Santa Cruz. When I left with everyone else the riot police were approaching. They filled the street with tear gas and were attacking the people. We ran out of the church towards the center of the town. When the children were getting out of school, the riot police started to shoot their guns. They were state police and they continued to shoot gas and bullets. In the street there were many young people (the adults were working). We found out what had happened in Texcoco and that they had beat up a lot of people. They attacked us around 3 times and in these attacks a boy died".

The majority of the arrests took place in the streets or in the houses that were broken into. The testimonies show that the arrests were accompanied with beatings and abuse.

Testimony 10

"They asked for our personal information (as well as political affiliation). They went from person to person, pulling their heads back by their hair. They took down our information. They filmed us. There was a man dressed like a federal prevention police officer with his eyes covered. If anyone answered him wrong he hit them. They grabbed the breasts of the *compañeras*. One *compañero* who had come to look for work was beaten. A ten year old boy was beaten by a women PFP officer. Then they went after us and covered our faces (mine with my own sweater). They put plastic strips around our wrists. They took us out of the house (with our faces covered). Outside there was a line of police –I think they were PFP- and they beat us as we passed. If anyone fell they would "screw them", they warned us. On the bench in the street they made us kneel. They started to play a game: they asked us our names. My name is difficult and they couldn't say it well. They couldn't say my name, and so I didn't answer and they beat me".

6.1.3. Police performance in the transport of the detainees, according to the testimonies

Almost without exception, the majority of the testimonies are in agreement qualifying the transport of the detainees as the most painful part and the time when the worse tortures occurred. There are only a few testimonies that have said that they could see the faces of the police. All the detainees were forced to have their faces covered or heads crouched down so that they wouldn't be able to see what was happening.

Testimony 03

"There were some 20 people in the pick-up and I think about two or three on each side but the police trucks had this strange structure which they hung on to when they took us like dogs, and they hung onto the structure and stepped on the heads and faces of those of us who were on the sides. I don't know how long that lasted but they stomped on my face for a long time and they told us 'where are you machetes now, assholes, we're gonna kill you like the dogs you are, this is for what you did to our *compañeros*', and they repeated that over and over, 'this is for what

you did to our *compañeros* 'you guys killed our *compañeros*', and then they took us out of the pick-up."

The beatings they received while getting on the trucks and the way they were piled on top of each other created feelings of suffocation, pain, panic, and helplessness. This sentiment was voiced repeatedly in the testimonies.

Testimony 10

"They make us pass through the little corridor of the truck and they start to shower us with beatings. They close all the windows: this way they can be sure that nothing could be seen. Then, they pile us on top of each other (...) the *compañeros* below were suffocating. On top of me they were raping a *compañera*, below others were dying, drowning".

The complaints of sexual abuse are abundant in the testimonies of the women. It seems that there were no women who did not suffer sexual aggression. The men also highlighted that they could hear how they were hurting the women and some men as well.

Testimony 10

"When they arrest us, they start to touch the *compañeras* (...) they grope their breasts in a way that they know won't leave a mark. The riot police afterwards are absolved of any guilt: they were anonymous. There were rapes during the whole ride. Women abused, insulted and touched. Especially one *compañera* (...) they beat her over and over. They took her towards the front where they were. In the beginning she had a calm voice. Then they strip her of her clothes. She becomes terrorized and starts to scream. They take the clothes off her torso; they take off her pants. The police grab her, one police one each limb. She becomes desperate. They insert their fingers inside her vagina, they touch her. They take the clothes off of one *compañero* and they put the clothes over her face. They let her go. Then they put other *compañeros* on top of her. Another *compañera* says that she has asthma, that she can't breathe. I thought she was the same girl. Other *compañeras* have their legs closed tight; they touch their breasts and butt cheeks. They take turns grabbing them, trying to open their legs".

Testimony 128

"They forced my sister in law to have oral sex. I believe none of us women who were there were saved. In my case, at least, they didn't rape me. But I was the object of sexual abuse. They stuck their fingers everywhere."

Testimony 03

"The police robbed my brother's cell phone and used it to take pictures of what they were doing, stomping on people, touching the women, laughing the whole time (...). You could hear the screams of the women, 'let me go, let me go'. You could hear the police where the German girl was sitting, they told her "you're too beautiful to be here, you shouldn't be involved in these Zapatista things, marry me".

Testimony 122

"One female police officer in the bus started to yell, 'look they brought an old lady, a fucking whore, now you'll see' celebrating that they had brought women whom they received with beatings. They yelled many curse words at the women who came. Verbal aggressions telling them that they were going to hurt them sexually. Those female police probably incited or at least tolerated the aggressions of the male officers. You could hear the satisfaction in their yells getting even with the women who were arriving to the bus."

Testimony 62

"They groped my breasts, lowered my pants...One police said to a boy 'get over there, boy, so that the old lady can pass to the middle', and began separating the men. One police said to me 'Fucking bitch, how many positions do you know?', and I said 'none', and he said 'Do you know how to do it with your mouth?', 'No', 'Well you're gonna learn'. One lowered his zipper and forced me to have oral sex. I spit the semen because I didn't want to swallow it and I spit it out, and a few drops fell on my pants. Then another came and it was the same, this one pulled my head back and forced me to swallow. While they did all this to me they were feeling me up the whole time. They told me to get up, cursing me the whole time, that I was a bitch".

The repetition of threats throughout the trip is another element that the majority of the testimonies show, referring to the threats of disappearances and death that kept them terrified throughout the trip.

Testimony 129

"They told us they were going to take us to a ditch and disappear us".

Testimony 44

"They told us they were going to burry us clandestinely".

Testimony 40

"(...) that they were going to kill us, beating us the whole time, they threatened to throw us in a canal, take us to a cemetery and burn us, that they were going to take us to Toluca, that they were go to give us 50 years in jail, that they would take away our children".

Some testimonies affirm that the police vehicles made stops during the trip in which they could have thrown some of the detainees from the trucks.

Testimony 129

"I heard them say 'this son of a bitch couldn't last, this asshole is dead'. They didn't stop completely but slowed down and I heard them throw someone out".

Another element that the testimonies highlight is the duration of the trip which was much longer than usual and occurred on backroads.

Testimony 03

"(...) they beat people who were unconscious in the truck. At least every half hour they beat you on the head with the clubs. The trip lasted 6 hours. It smelled like blood, there was a puddle of blood. (...) Before the truck stopped completely, on police said 'we're almost there but the *compañero* at the jail will say that we're faggots because we haven't fucked them up enough, why don't we stop here and take them out and give them one, two, or three beatings with the clubs each and then we're we'll hand them in' (...) Another police said 'yeah we should stop' and the truck stopped and we were waiting for them to stand us up and beat us again and

take us out of the truck. The truck stopped and suddenly started to go again, then it stopped again further ahead, and after a little while made another stop, some police walked by us, some police passed, the truck stopped for like ten minutes and started up again”.

6.1.4. The arrival to the prison

The testimonies affirm that the arrival to the prison was accompanied by further beatings and torture.

Testimony 03

“In the jail us detainees stood in a line and every two or three steps they beat us with their clubs. This lasted until we entered the jail and there was a wall, there against the wall they banged my head, they grabbed my hair and banged my head against the wall, every two or three steps they did this. Then they said to me ‘lower your head’ and I lowered it they punched me in the nose, and we were all bleeding, you could see the people, you could hear the hymn from the pain of the blows (...) Then they took me, one police took me into a room where there was another police officer from the base in the room, they patted me down, he took my cell phone, he took my wallet, he showed me my money and put it in my face, he put it in his pocket and punched me with his knee in my face, and that’s when I lost consciousness”.

Testimony 127

“The physical beatings stopped; then it was pure psychological torture. They told us we’d never get out of there. We wanted to talk to the *compañeras*, get closer to them, but the guards hit us. They tried to smash one *compañero’s* head against the table”.

The testimonies tell of the inadequate conditions in the prison. Their cells were overcrowded with dreadful sanitary conditions.

Testimony 129

"On the 3rd the prisoners in the cells were really beat up, there were 16 people in each cell with two bunk beds, a cell with the capacity for 4 people and we were 16".

Testimony 10

"On Sunday or Monday (7th or 8th of May) the prison director came to visit us, he treated us like pigs. We asked for water and that they take the food away. They did give us water, only between 4:00 and 5:30 in the morning. We expressed the need for water and for medical attention for our conditions in the hunger strike. The water and the doctors never came".

Even though almost all prisoners arrived beaten up and with a need for medical attention, they didn't get it immediately and many people tell that the medical attention they received in the jail and in the hospital was not adequate. Many testimonies say that they if they received medicine it was either not adequate or simply expired. The testimonies of the women denounced the fact that they weren't taken seriously when they tried to file complaints about the rapes and some were even threatened when they tried to file complaints.

Testimony 11

"Our periods came on the 5th of May, tramatized, hurt, and with grave injuries and we never received medical attention. (...) I denounced rape and tried to file a complaint. The Public Prosecutor told me that if I were to withhold the right to testify then they wouldn't do anything, that we wouldn't be able to denounce anything, we didn't have a lawyer and the Public Prosecutor insisted that if we didn't testify then they wouldn't accept our complaints of rape, this was for all of us women... we didn't get a medical check up, or medicines, and they told us... no, no there's none of that, situate yourself, you're in jail".

Testimony 39

"They took us, the ones who were doing really badly, immediately to the López Mateos hospital in Toluca where the service and treatment was dreadful; they gave me more than 23 stitches in the two wounds I have in my head without washing it first, they didn't wash my wounds; I told them they should wash them but

they didn't care. I was there for 24 hours without water, I asked a nurse for water, and only after 24 hours did she give me water. In the hospital they took x-rays and here (in the left hand) the fracture in the ulna, (elbow bone) didn't show up; here the fracture in the two fingers did show up and they stitched them, but again they didn't clean the wound first. They said "it's not our fault that they sent us so many people, why are you guys getting into so many problems." We tried to explain to them but they didn't believe us. The treatment of the doctors and nurses was plainly inhuman".

Testimony 10

"We pressured to see doctors; the communiqués helped pressure: and the doctors came. They gave us pills: this is their idea of medical attention. One doctor laughed at us. They never really attended to us. In the cell there was one *compañero* who suffered from schizophrenia. He never received medicine. He had to take medicine at least once every three days. When we published a communiqué in *La Jornada* where we showed our concern about the situation, that's when they came. Every day the conditions were worse: they gave us medicines but they weren't real. We requested outside doctors but they wouldn't let us speak to social workers. The days went by and on the 6th day, finally, they gave the *compañero* his medicine, but he was already in really bad shape".

All the testimonies say that days passed before they could communicate with their families and lawyers. They could not make phone calls and as a result many families were doubtful about the whereabouts of their family members.

Testimony 11

"We couldn't communicate with anyone for various days, we couldn't contact our lawyers until the 8th of May".

Testimony 129

"When we asked to make a phone call, or that we wanted to see a lawyer, they told us that we shouldn't watch so many *gringo* movies, that that only happened in the US, here you're in Mexico, here we give you a public attorney".

As a form of resistance, many prisoners tell how they started a hunger strike. All of them say that they were harassed and pressured by the prison authorities.

Testimony 129

"On Saturday the guards with 2 people dressed as civilians brought us really good food 5 times, it didn't look like prison food. The CNDH (National Commission for Human Rights) filmed us to make it look like we were eating. When they weren't filming they insulted and threatened us. They said, 'here you are in jail, here you can't do what you want, sons of bitches', until some prisoners took the trays and that's when they turned on the cameras".

Testimony 130

"The 'Loba' (wolf) came to try to convince us to eat, she said 'even if you try to commit suicide you won't get out of here', and that it was a sin to throw food away. But the sin is what they did to us... On the 10th of May, Mother's Day, the prison director came to wish us a happy day. The women began to lift their shirts and lower their pants to show their bruises and said, 'happy with this? You have sisters, daughters, would they be happy with this? We can't be happy like this".

Testimony 11

"We declared a hunger strike on the 6th of May at 7:00 in the morning demanding the freedom of all the prisoners, immediate access to independent doctors and lawyers... but they wanted to break the hunger strike, the prison director came with trays of food and forced us to eat. He threatened to punish us for breaking the rules of the jail, which said that the prisoners had to eat three times a day, and that he would write a report that would stay in our records and that this would influence the issue of bail. In the jail there's a woman who they call Loba (Wolf) who has a lot of power, she's *priista* (from the PRI political party), she also tried to break the hunger strike. But it wasn't broken and those who are still inside continue on strike".

Many testimonies say that they took out prisoners from their cells and moved them in with the common prisoners. Some interpret this as a way to break the union among them or a form of punishment. Some prisoners say that with the common prisoners they were harassed, and others say that they were treated with solidarity.

Testimony 03

"The police tried to arouse the prisoners so that they'd fight amongst themselves saying 'here I'm sending you a fucking *gringo*, in the *gringo* prisons they treat the Mexicans badly', but even so I didn't suffer violence from any of the prisoners but one *compañero* was really threatened".

Testimony 129

"I was in cell 9. 'Let's see, take this one, this one, that one'. I was the first person they took out, they recognized me because I answered back the day before. 'We're gonna take you where you'll be more comfortable, and see if you stop shouting.' I shouted the slogans when we heard them outside. I answered them when they called us fucking machete people. I explained to them that we weren't fucking machete people, I was always answering the insults. I think that's why they recognized me and took me out. Where the common prisoners were the guards insulted me saying 'you're from the UNAM, what land do you defend, you're not even a peasant'. There was one guy who said he was an ex soldier, he tried to tell me all the types of torture and how to use them to scare me. Psychological torture (...).

My father was in the *plantón* (outside of the jail). The guards knew me by my last name and they threatened me so that I'd give them money that my dad had sent saying 'remember, your dad's out there".

Testimony 30

"The inmates lent us clothes, we bathed ourselves with buckets of cold water, the inmates treated us well (...)"

6.1.5 The police performance according to the townspeople

Testimony 60

"We heard a big commotion outside, and we were very afraid. We felt very powerless. I was very afraid for my children, for my wife. We saw the news, how they had grabbed the *compañeros*. They were savage in the way they detained them, hit them, took them from their houses, destroyed their things (. . .)"

Testimony 78

"I saw how they arrested the UNAM (National Autonomous University of Mexico) students, and how they humiliated them, throwing them to the ground and walking on top of them."

Testimony 72

"A truck passed in front of the house and parked in front of my [female] neighbor's door. They came out violently, putting a pistol to the head of my neighbor, who is handicapped, and I could see how they kicked and hit her son and her daughter. They threw the son out of the window and then put him in the truck. They hit their daughter many times, and then also put her in the truck. . . Then they entered another house where elderly people live and upon entering broke many things."

6.1.6 Posterior Harassment

We can distinguish between different types of harassment according to whom it was directed against:

- A. Harassment of those detained and their families and friends*
- B. Harassment of support organizations and their members*
- C. The effects of harassment on the population*

A. Harassment of those detained and their families and friends

Some of those detained have reported that, by means of materials and information collected by the police both during their arrest and their placement in prison -such things as their documents, proofs of identification, mobile phones and cameras -their family and people close to them, and they themselves, have noticed strange occurrences such as rerouted calls. Many suspect that their phones have been tapped and they believe that the material requested by the police has been used to gather information about those around them.

Testimony 10

"They are following my family, my sister. When the judicial police are following you, you realize it. I have their numbers in my cell phone, and they have been calling my friends whose numbers were stored in the phone's memory to get

information. I haven't received any threats. In this country, the political police control everyone who's on the left".

Testimony 128

"I call my wife's number and I get the office telephone."

B. Harassment of support organizations and their members

The people and organizations that are considered as supporting or connected to social struggles and the demands of the people of Atenco also have reported being victims of harassment, persecution, and pressure.

These actions were carried out with a special emphasis on those people related with independent media; The following testimony comes from a woman working with the Independent Media Center, who was in Atenco on the night of May 3rd but was not detained. It provides a clear example.

Testimony 7

"On the seventh, at about two in the afternoon, I was at my friend's house because I didn't want to be alone in my house . . . I was in her house when my phone rang and the caller ID read 'private number.' It was a man who said, 'Bitch, whore, this time you escaped but you won't get away next time.' I began to feel afraid . . . I didn't answer my phone for days. I talked with my friends, telling them what had happened, and I began to understand that it was very logical that they had my telephone number, because my call on the morning of the fourth had registered in Valentina's phone, and it was me who they were calling. I am certain that it was related to the call I made to Valentina on the fourth. This was the seventh.

On the eighth, a red car followed the friend who I was staying with. The next day she left because they were searching for her. I was with her family, and I went to make a copy of the house key. When I left the apartment the red car was there. I didn't pay much attention to it, and I didn't realize it at that moment. I only realized when I got to the store that those guys with the red car were there. I thought it was odd, and I began to walk back towards the house, when one guy got in the car and drove in my direction and two others followed me on foot. I heard them laughing and talking. . . I began to run. I entered the market, because the house was one block away. One of them came in the market behind me and the

other entered from the other side and then got in front of me and looked at me, and made gestures, and laughed, and I heard the guy in back of me say 'you're going to hell, whore, now we are going to rape you and you'll see that you'll like it'. I called my friends and explained to them that there had been two guys threatening me. My friends arrived immediately and brought me to their place. I talked with my friend from the house, and asked her if the guys were like this and that, and she told me that they were the same guys that had followed her the day before."

C. The Residents

The residents of Atenco showed uneasiness and fear owing to the different types of harassment that they felt after the events of May 3rd and 4th. This sensation of harassment came from facts such as the circulation of unmarked cars at night, whose drivers occasionally banged on doors and would leave before anyone came to the door, strange calls, rerouted cell phone calls, and cars patrolling at the time of school dismissal. They feel that their children are in danger and are very worried.

Testimony 63

"Here there are still policemen, who are disguised as civilians, I have seen in places where they work."

Testimony 60

"The people in the PRI (Institutional Party of the Revolution), we are afraid that they may do something to us."

Testimony 78

"The police pass by in the night without license plates."

6.2. Characterization Of The Police Operation

The police forces are obliged to adhere to the framework of the Rule of Law, conforming to the Political Constitution of the United States of Mexico, the international treaties signed and ratified by Mexico, and all applicable laws and regulations.

In their concrete actions, the police should also conduct themselves in accordance with a set of principals and norms that regulate their behavior. Thus, in all the judicial orders regarding the Rule of Law, police action should be guided by certain governing principals such as necessity, reasonability, proportionality, consistency, and the appropriate use of all means at their disposal.

Consequently, the Commission has analyzed the aforementioned incidents, based on the Basic Principals Regarding the Use of Force and Firearms by those entrusted with upholding the law, which the United Nations adopted on September 7, 1990, in order to examine if a use of force has been correct and normal or excessive and abnormal.

Firstly, with respect to the criteria used by the police operatives, we consider that the government resorted to the use of force without first exhausting all possible non-violent means to resolve the conflict. Certainly less harmful and extreme alternatives existed. Regarding this subject, Number 20 of the above-mentioned Principals states that the officials who enforce the law should be trained in methods that can substitute for the use of force and firearms, such as peaceful conflict resolution, persuasion techniques, negotiation, mediation, and other technical means than limit the use of force.

Secondly, we believe that the police actions taken did not respect international standards for the protection of human rights. Although it is clear that the use of force was justified to liberate the detained agents, the police action taken was not a moderated or minimal possible use of force, but rather it was disproportionately excessive. It should be admitted that the police objective was legitimate, but this did not merit such an aggravated and unnecessarily severe use of force. The police action, far from intending to minimize or reduce the use of force, was guided by a punitive severity that was clearly illegitimate and illegal.

Thirdly, we believe that the police action of the 4th of May, far from adhering to rational discretion and moderation, was influenced by spirit of revenge, due to the events of the previous day.

The facts of revenge are criminal for any person, and thus are even less excusable when perpetrated by agents of the state, who because of their profession and the means that the state has put at its disposal, should exercise additional self-control in their impulses and reactions.

The Commission considers that, in the present case, the harshness and severity of the police not only went beyond the relative limits regulating the exercise of police force, indicating a level of autonomous action not permitted by law, both arbitrary and unnecessary, but these police actions further can be legally classified as have caused "excessive, intense suffering" of a brutal and unjustifiable character.

This set of damages, both against persons, homes, and belongings, that occurred in the course of the police action cannot, in any sense, be protected as falling within the justifying framework of "administrative action." It is important to remember that police actions are limited by the "principal of suitability" or "prohibition of excess," which are equivalent to the principal of *favor libertatis*, that is, the maximum possible protection of rights and liberties.

In this sense, one can say that, both according to all the examined documentation, and the spoken testimonies, it would not seem credible that the leadership of the police did not have immediate and direct knowledge of what was occurring, and sufficient capacity to prevent it, given the magnitude and intensity of the presumed crimes committed.

The Commission has been able to examine the evidence of many of the injuries inflicted upon the protesters, whether detained or not, and can verify, given to the characteristics of the injuries, that they signal not only an excessive and unsuitable means to subdue a person, but additionally they revealed willful misconduct that exceeds the limit of any legal justification that might absolve the criminal responsibility of its perpetrators, including the concept of the "minimal indispensable force" necessary to subdue a person. For example, some of the detained people received beatings in vital parts of their body, proving this excess.

We also considered that the police action was indiscriminant. It was not only directed against the implicated persons, who were directly or indirectly in the roadblock, but also against many unassociated bystanders.

In short, we consider that the abusive and arbitrary use of force represents grave misconduct on the part of Public Administration in its preventative and repressive attributions and competencies.

This misconduct, which took concrete shape in the illegitimate use of force, transgressed the rights granted in the relevant international treaties, such as Articles 6.1 and 9 of the International Covenant on Political and Civil Rights, which, in general terms, state that every person has a right to life, security, and personal integrity. In general, illicit conduct is of active character, punishing a person for acts he or she has committed or has been suspected of committing. Concerning this, article 27 of the American Convention on Human Rights indicates that in the case of war, public unrest or other emergencies that threaten the independence or security of the State, the State cannot adopt laws that suspend the rights of life or physical integrity.

The use of firearms on the part of the police deserves separate mention. On this matter, one should examine the police action with regards to the fourth Basic Principle Regarding the Use of Force and Firearms in Law Enforcement, adopted by the UN on Sept 7, 1990. The ninth principal states that the police cannot use firearms against people, except in situations where it becomes inevitable in order to prevent a serious crime that would put others in danger of death or serious injury.

This Commission considers that, according to the aforementioned legal framework, in certain moments the execution of the police operation was abusive in its use of firearms. Certainly other less harmful and dangerous methods could have been used to guarantee the success of the operation. According to the evidence examined, there was no clear warning given to the protesters that such means would be employed, with sufficient time so that they could take that into account, violating Number 10 of the aforementioned Principles.

Furthermore, there are no reports that there has been any inspections done on the ammunition cartridges worn by each police officer, before and after the events, thus it has not been determined how many officers used their firearms and how many shots were fired, and as the bullet shells were not searched for, no tests were done on them to this end.

Nevertheless, the most serious incident of the events in Atenco was the death of a 14-year-old young man, Javier Cortez Santiago. The death was the result of the impact of a shot fired from a distance of 70cm. This fact, when combined with other evidence derived from the autopsy, suggests that the shot was not accidental, but rather was intentional, and thus constitutes a murder. In addition, the investigation has shown, through various indicators, that the bullet was fired by a firearm used by a police agent. It was the same caliber normally used by the state police. In confirming this hypothesis, we are here faced with the greatest single act of violation

of human rights carried out during the course of the operation. The right to life is the most elemental and fundamental of all, and therefore its violation requires the most rigorous and wide-reaching investigation possible, in order to find those responsible.

Witnesses reported, however, that ambulances and medical aid were not permitted to reach the critically injured, thus putting their lives at risk. This therefore violated the fifth of the aforementioned Principals, which established that assistance and medical aid should be granted as soon as possible to those affected and wounded people. Acting on the contrary not only will result in administrative repercussions, but also in criminal charges.

6.3. Analysis of the medical assistance of the detainees

The Commission has paid special attention to the question of medical care, both through visiting and interviewing those injured during the events in Texcoco and Atenco, as well as visiting the various institutions charged with the evaluation and treatment of these cases.

The Commission has been able to observe that, despite the time that has past since the events, the effects of the violence are clearly visible, and are consistent with the injuries that those affected claim was inflicted on them. In some cases, both the received testimonies and the medical evaluation carried out by doctors in the Commission differ from the official medical files that we have been able to examine. Furthermore, we have had access to photographs and images of the injuries, which confirm the testimony of the victims, and contradict the medical records.

From our observations we can conclude that there was evidence of:

- 1.—Delayed medical attention
- 2.— Superficial and insufficient medical examinations and evaluations of the injuries inflicted
- 3.—The use of non-specific and symptomatic treatments (scantly effective analgesics)
- 4.—The neglect of follow-up treatment

The CNDH report demonstrates there are at least 23 cases of sexual abuse among the detained. Furthermore, the testimonies of the women who are still incarcerated confirm that they did not have the possibility to be examined by a gynecologist until 4 weeks after the incidents.

One characteristic example of the abuses perpetrated is one of those detained, a man 52 years of age. Published photographs demonstrate how the police arrested him, with his face and hands swollen and covered in blood. From the jail he was transferred to a hospital. "In the hospital, the treatment was abysmal, they gave me 23 stitches in the two wounds I have without washing the wound." His right hand also had an open fracture. "They stitched in up, but also without washing it at all." The medical file states that he had broken his 3rd and 4th metacarpal bones, but later radiographs showed that in fact his 4th and 5th metacarpals had been fractured, which requires surgery. The patient, however, was only able to receive the required treatment two weeks later, after being released from jail. From the hospital, he was transferred back to the prison, without any note regarding follow-up treatment or observation.

In addition, some prisoners had been conducting a partial hunger strike since their placement in the prison. Some only consume water, honey, amaranth, and fruit and others on occasion eat gifts of food brought by their families once per week. Nevertheless officials have refused access to doctors who want to enter the prison to monitor them.

An extreme case is one of a 55-year-old detainee, who suffers from a chronic neurological disease that requires him to use a wheelchair. He was severely traumatized by police aggression and remains in the clinic at the Santiaguito jail. From a medical point of view it is inconceivable that a person with such an acute illness should remain in a substandard hospital.

6.4. VIOLENCE AGAINST WOMEN IN THE CASE OF ATENCO AND THE VIOLATION OF THEIR RIGHTS

The analysis of the acts of violence against women in the case of Atenco and the violation of their rights contains 5 points:

A. Violence against women in the case of Atenco and its context.

B. Women's rights violated by the police forces.

C. The actions of the public institutions and the Mexican criminal justice system in relation to the protection of the rights of the detained women.

D. The protection of the women who have suffered sexual violence and aggression.

E. The judicial and political responsibilities in relation to the acts of sexual abuse and the use of sexual torture.

A. Violence against women in the case of Atenco and its context.

The events in Atenco, of which there are multiple testimonies of various types of sexual abuse against women on the part of the agents of in positions of authority, occurred in an alarming context: the "femicides" of Juarez city, on the border with the U.S., have not been resolved and their perpetrators remain unpunished; the murder of women following a similar pattern (kidnapping, sexual assault, and abandonment of the cadaver in an open area) are appearing in other regions of the country: there have been 9 reported in the last few months in the State of Mexico alone. This reveals a troubling lack of credibility in the institutions of justice and the general trend regarding the treatment of violent crimes against women seems to be one of impunity. The responsibility of agents of authority in crimes against women have been suspected and reported in certain cases, and proved in others. But the primary obstacle that the women demanding justice face is the routine reactions of those very institutions that are charged with the protecting them and bringing the criminals to justice: the denial of the facts, the disbelief of the word of the victims, the placing of the blame on the women or the protection of the aggressors.

The use of sexual abuse, rape, sexual humiliation, and sexual torture by the agents of authority have been reported in the previous few years in other cases, for example, in the case of the detention of women in Guadalajara (2004), in the case of the National Autonomous University of Mexico (1999), and in the case of Lydia Cacho (2005). The case of the kidnapping and rape by police at their station in Tlahuac, in Mexico City, in 1997, and the rape of three Tzeltal women in Chiapas by the military in 1994 could also be considered antecedents to this type of action.

In all these cases (except for Tlahuac) these acts of aggression have remained unpunished, have been denied by the authorities, and in addition to the suffering already inflicted, the victims have suffered stigmatization. In the cases that have gone to trial, the victims have suffered further violence resulting from the lack of safety guarantees and protection.

It is necessary to point out that in the Mexican context sexual abuse and rape are crimes that, in judicial practice, often remain unpunished, without procuring any type of compensation or justice for the women. Consequently human rights organizations have opted in general to advise women rape victims not to report the rape if they do not have extraordinary means of support, psychological attention and protection. On this matter, it is important to mention that the women who dare to report rapes should prepare themselves to confront further abuse and threats from the perpetrators, who are in many cases backed by protectors or families.

Another common practice, already mentioned in other reports made by feminist and human rights organizations, is that the abused women are often falsely accused of other crimes by their attackers. In Atenco, the sexual abuse on the part of the police occurred in this context of impunity and common practice.

The women of Mexico have been one of the strongest bases of social movements, of neighborhood organizations, and of solidarity networks. The strength of these women clashes with the patriarchal structure of power that uses instruments of repression and domination against the lives, bodies, and freedom of women.

B. Women's rights violated by the police forces.

It has not been possible to determine the exact number of women who suffered different types of sexual abuse during the police operation in Atenco.

Interviews with human rights organizations and with women that have approached this Commission have allowed us to state verify that the majority of women detained in the Atenco operation suffered various forms of sexual abuse that range from verbal abuse with sexual content, to repeated and extremely violent rapes.

At this point we would like to acknowledge and thank all those women who, with great personal and emotional effort, have approached the Commission to give testimonies.

It is important to remember that the total number of women detained was 47, and of those, the CNDH has received complaints of rape and sexual abuse from 23 women. We should consider that victims of rape and sexual assault do not always find themselves in a psycho-emotional condition to talk of their experiences, or simply do not wish to do so.

We also wish to refer to what is stated in article 98 VII of the Istanbul Protocol:

"If the subject has suffered sexual abuse . . . the investigator should be aware of acts such as verbal aggression, forced nudity, molest, obscene and humiliating acts, and the beating and electric shock of the genitals. All of these acts violate the privacy of the subject and should be considered as sexual abuse. Frequently, the victims of sexual abuse say nothing or deny that they have suffered such abuse."

At the present moment, two rapes have been formally reported, and the CNDH has stated in its preliminary report that there were other cases of sexual abuse.

It should be stated that the variety of sexual abuses covers various criminal offences in state and federal law, and violates several international treaties, among these, the CEDAW (Convention for the Elimination of Discrimination Against Women).

The women's testimonies describe violence that includes verbal aggression, beating, molest, threats, sexual assault, and rape. The common element in all the cases is the method by which they were carried out which demonstrates the structure of abuse against women and its tolerated character.

Testimony 182

"I found myself taking photos and recording testimonies, and for being with the alternative press they called us "fucking gossips", they abused me sexually and when I resisted the abuse, they beat me all they could, they pulled my hair, they hit me on the back. I heard them doing things to testimony 160 because I was close to her and I heard what they were doing to two foreign women. I don't know where they were from, we came in the same truck. They began to say to my partner, "Is this how you fuck her, man?" when they were doing things to me . . . The legal process is totally incorrect, they covered my mouth, they covered my eyes, they didn't let us see, how are we going to be able to recognize them, when they are people that knew why they were there, people ordered to be there? You can't

recognize someone who knows why he's been sent. What's the use of showing us photos?"

Testimony 181

"I honestly would like to say that I was there because I'm a merchant, all my life I've been a merchant, I was there to prepare the sales of that day, the riot police, the police, they took me down from the top of a truck, they beat me, they took me to another truck, they beat me again, they took me to another big truck to take me here, they beat me again, two women received me, they pulled my braids because I was in my indigenous dress, they pulled my braids and they told me they were going to kill me like a dog, that they were going to cut my head off".

Testimony 40

"They constantly barraged us with insults and beatings. They forced us to squat in a hallway. They continued to hit us, and they took our belongings: bracelets, cell phones; they groped us. A few of my companions were orally raped. They do not report this because they are afraid. They asked us for our addresses, names, I don't know for what. They threatened to throw us in a canal, and bring us to a mausoleum where we would be burned, that they were going to take us to Toluca, that they were going to put us in prison for 50 years, that they were going to take away our children. They continued to beat us, and when they got the truck they kept hitting us. When we got on the truck they kept hitting us."

C. The actions of the public institutions and the Mexican criminal justice system in relation to the protection of the rights of the detained women.

Multiple testimonies given by the women describe the treatment they received upon their arrival at the prison: insufficient sanitary and medical attention, the ignoring of their complaints of the abuses and violence they had suffered, long waits in non-equipped facilities, the lack of medicine, and the lack of gynecological medical attention (the women detainees state that they did not receive such attention until June 1st).

Testimony 183

"They didn't tell us what we were accused of. We arrive on the fourth, and it wasn't until the tenth that we knew what they were accusing us of. They kept us incommunicado from 1:30 in the afternoon on that day until 8:00 in the morning on the following day. They asked us to testify in front of the Public Prosecutor without any clarification, without anything, and they didn't allow us to consult with a lawyer that we trusted, far from it. And in particular, I believe that the majority of us reserved our right not to declare, but we wanted to report the beatings and rapes, and the Public Prosecutor told us that we didn't have the right to do so because we had not wanted to testify. I have been here for a month and only 20 days later were we able to report the medical treatment we had received. They told me I needed an x-ray, but didn't give me one, they only gave me Tempra for the pain and then they said that we hadn't wanted to be checked, as there is neither the medical supplies necessary for a gynecological exam, nor a doctor. It wasn't until yesterday that we were able to be examined with help from the Human Rights Commission, which brought in doctors from the State of Mexico's Adolfo Lopez Mateos Hospital.

Testimony 184

"The medical attention has been abysmal, I arrived all beaten up, completely beaten up, I couldn't breathe well because of all the people on top of me along the way. The only thing they gave me was paracetamol. When we asked for gynecological attention and wanted to file a complaint regarding the way we had been injured, they didn't permit us to do so."

All these negligences and omissions, while grievous in any situation, were accentuated given the psycho-sanitary situation that the women were in upon their arrival to the penitentiary.

Testimony 181

"When we arrived here I didn't know what I was accused of, I didn't know any of these women. I turned from one side to the other and I saw many people covered in blood, near death, people that said "how can they have no mercy for us, get these people away from me because I'm going to die." One man came in who I heard had broken ribs, others covered in blood, others with their hands like this, I was on top of them but didn't see them, my eyes was covered. One riot cop told me: 'Right now when you go in, they're going to beat you, some women are going to beat you.' Well

thank God I have not been hit here inside, I wasn't raped, but the people that suffered. . . Now I have low blood pressure and am in the beginning stages of anemia. The CNDH doctor gave me a prescription, a male and a female doctor checked me and they told me that I have infections. I asked for an interpreter, but they never brought one, and each time that all these people came to take our testimony, I say that it isn't because I don't want to, but because I need someone to be with me because I don't know anything about the justice system. They put down that I didn't want to testify, but its because I don't know."

The medical records written up in the prison in relation to the aggressions suffered by the women are clearly deficient, and we would like to highlight that the first medical notes registered in the jail are dated May 24th, 2006. This fact has been confirmed by the Observers who entered the Penitentiary Center of Santiaguito on the 2nd of June.

The CNDH in its preliminary report on the 22nd of May affirmed that there are "irregularities in the elaboration of the reports".

Second visitor of the CNDH,

June 1st 2006

"From the time the staff (of the CNDH) were in the jail, many women reported acts of social violence and what they did at that point was tell to the girls that they should present their respective reports but here there was another obstacle: someone from the movement told them not to do anything, and so the conditions weren't favorable on either side. In these investigations it seems and we have accredited that the people in their medical records on the part of the federal entity presented sexual aggression, but the people that recorded the registration said that they couldn't do it and turned the page. Nevertheless we saw these medical records that were made (...) The very people in authority hid those cases that presented complaints of sexual aggression".

The women requested from the beginning to make known to authorities their formal complaints as well as to be attended to by trustable sanitary personnel. These complaints were not registered until the arrival of the Special Public Attorney in Violent Crimes Against Women, which was on the 12th of May.

Five of the women prisoners signed the formal complaint of sexual aggressions and abuse, and only after one week were they examined by a doctor of the Special Public Attorney in Violent Crimes Against Women. This doctor told them they were in perfect condition.

Another concerning element that was made known to the Commission on the visit carried out on June 2nd was that on this date some women still referred to "vaginal tearing".

The Special Public Attorney affirms that from the beginning the Attorney General of the State of Mexico informed them that there were only "male detainees", even though the information appeared in the press, for this reason for many days it did not seem appropriate to intervene as there were no women in the prison.

Special Public Attorney in Violent Crimes Against Women

June 2nd 2006

"We began to find out that there were complaints from women days after, approximately 10 days after, 8 days after. We established contact with the Attorney General of the State of Mexico to see if there were women detainees. Here language plays an important role. I ask for women detainees (*detenidas*) and he responds 'I only have *detenidos*' (male detainees), an x number of detainees. Afterwards we understand that the word detainee is generic and includes women".

This affirmation contrasts with the fact that the CNDH visited days before with knowledge of the presence of women in the prison.

In view of the irregularities of the whole process, the family members and diverse human rights associations presented their complaints to the National Commission of Human Rights.

The visits that the CNDH carried out in the prison to document the situation of the female detainees spark serious questions about the performance of the aforementioned commission.

According to the CNDH, the visitors took down all the testimonies adequately documenting them and offering the women specialized medical attention.

The second visitor of the CNDH

June 1st 2006

"The personnel also goes to the hospitals and to the Saniaguito prison and takes down medical reports for each person with 620 photographs and videos, 211 people were injured...From the time the personnel was in the prison, various women reported acts of social violence and what was done at this point was to tell the girls that they present their respective complaints".

On the contrary, the testimonies of numerous women who were and are still in the prison verify that there were numerous irregularities as there was no specialized medical or psychological attention offered to the female inmates that was trustable.

The CNDH presented on the 22nd of May the 2006 preliminary report of the actions carried out in the case of the events of Atenco. This report indicates that among the supposed human rights violations there were sexual aggressions, although it does not determine how many filed complaints or how many were found with signs of sexual aggression.

There are also reasonable doubts about how the sexual aggressions were documented regarding the testimonies of the victims.

D. Protection of the women who have suffered sexual violence and aggression

One of the most concerning questions that comes from the testimonies put forth by the women assaulted and lawyers is the absolute lack of measures of protection towards the women who have suffered aggressions.

Testimony 182

"When they arrested us they asked our names, personal information, names of our family members, they know where we are, we have retaliations against us, in the moment they release us they know where we study, what we do, what we are...They treated us women like booty: 'Ah, here are 6 women!' and they were all over us. And here inside, I am a bit scared to leave, if they do justice and do let us go".

It must be emphasized that we found ourselves faced with rape and sexual abuses allegedly committed by members of the police forces.

To this day it is not known if there have been specific measures established to protect all the women who were assaulted.

The protection measures for the assaulted women should vary according to their situations: a) women assaulted who were not detained; b) women assaulted who were in prison and are now released with bail; c) women assaulted who are still in prison.

In some cases the Commission has been informed of the existence of concrete threats, but we consider that due to the seriousness of the incidents, protection measures should be taken for all the women who request it.

Our Commission asked the CNDH and the Special Public Attorney in Violent Crimes Against Women about the issue and received the following responses:

Second visitor of the CNDH

June 1st 2006

"It should be analyzed. Cautious measures, precautionary measures, there's no legal field for these. If the people present it we can protect them. We need them to ask us through fax or any other way. We reserve confidence".

Special Public Attorney in Violent Crimes Against Women

June 2nd 2006

"The best way to protect them is to not release their declarations to the press, not even their names. The next step to protect them depends on them, if they want the federation to give them an escort to protect them. I can understand that some do ask for it and that some don't. It would fall under my responsibility, that the management of the enquiry doesn't affect them in any way".

Article 94 of the Istanbul Protocol states:

"The state has the responsibility to protect their alleged victims, the witnesses, and their family members from all violence, threats of violence, or any other form of intimidation that could come about related to the investigation".

Testimony 50 (interview with a 10 year old girl and her mother on May 30th 2006)

"My daughter, on the day later, didn't want to put on her pajamas. 'Yes, because this way, if they return, I'll put on my shoes and I'll be ready' —explained the 10 year old girl-. The children got really scared. One of my nephews reacted with anger, he became very aggressive, he told a riot cop: 'Why don't you give me one of those bombs you have?, that way I can throw it at you. And I don't want to be a riot policeman when I grow up, and if they invite me to Atenco as a riot policeman, I will take off my uniform and grab a machete'. Another nephew was very panicked. When the Other Campaign came he said: 'Auntie, Auntie, they are fighting again'. I told him to relax. He is really scared now; he doesn't want to see a lot of people because it scares him. Then there was a rumor going around that they were going to pick up everyone over 15 years old. My nephew is 14 and when he found out, he came running, he went to sleep and when he woke up he said: 'There, if they take me, at least I rested some'. Mother's day was postponed. We always celebrate it, here we have a big party, but now we don't feel like it, it was postponed and then celebrated but only in two schools. Now the State police are surrounding one school where children of the Front (FPDT) attend. There are usually Municipal police there, now there's State police. We spoke with the director of the school, she said there was nothing she could do".

E. The judicial and political responsibilities in relation to the acts of sexual abuse and the use of sexual torture.

In the development of the operation in Atenco, the responsible authorities allowed margins of time and spaces that were outside the law, in which all kinds of collective violent practices were made possible.

There are two levels of responsibility of the authorities: firstly, for omission of the duty of the public authorities, carried out in this case, from the detention to the turning over of the detainees to the penitentiary authorities, an exceptional space where all guarantees and rights of the detainees disappeared. This, regarding the women, is known as favoring the appearance of the violent practices, especially the sexual torture, on the part of the police.

Secondly, the public authorities have covered up the aggressions (see press releases of the CCIODH), they have repeatedly denied them, put up obstacles to file

complaints and to investigate, and have manifested in many ways their intention to protect those directly responsible. Among many other statements, the head of the police of the State of Mexico, Wilfredo Robledo, stated that the lie detector test allowed him to confirm that none of the officers who participated in the transport of the detainees had committed any sexual abuses. In Mexico, the General Recommendation 05 about the application of the lie detector test of the CNDH, of July 19th 2004, goes on to say: "As international lie detector experts have indicated, it is not backed by scientific or judicial criteria , and cannot be awarded validity".

The ways in which the aggressions against the women took place indicate that the police acted with consciousness of the need to protect the anonymity of the group. We affirm that they followed certain guidelines: they covered the eyes of women with their own clothes, they used insults to frighten, threats and blows, they tore their clothes, in the majority of cases the aggression was not carried out with the vaginal introduction of the penis, but through the introduction of hands, fingers, objects as well as through brutal oral rape of which many women have spoken; they were maintained in positions that made it impossible to see the faces of the aggressors.

The judicial responsibility of all the police that were in the vehicles that carried out the transport from Atenco to the prisons is irrefutable, given that all of them witnessed and permitted this breach of legality and the carrying out of the acts of violence. The collective compliance indicates the probable existence of a directive of a superior. At the very least this shows that the police trusted in their future protection on the part of their hierarchical superiors. The posterior incidents support this idea since the hierarchical superiors have repeatedly defended the idea that no aggressions were carried out.

This same hypothesis can be seen supported by the evidence that these are not isolated incidents that happened in one vehicle, but, according to the facts we have up to this point, it is established that the same occurred, to a higher or lower degree, in all the vehicles.

Another element that indicates the existence of superior responsibilities is the generalization of the posterior attribution of crimes to the assaulted women. All of them have in turn been charged by the commission with diverse crimes, attributed generically, without concreting the circumstances of the case, with repeated statements of the accusers, all police, accusations that in many cases are already being proven false.

6.5. DESCRIPTION OF TWO OUTSTANDING CASES: THE ARREST AND MISTREATMENT OF A HUMAN RIGHTS DEFENDER AND THE DEPORTATION OF FIVE FOREIGNERS

A. The arrest and the mistreatment of human rights defenders

Pedro Alvarado Delegado, part of the Human Rights Committee Anunciación Sector Ajusco (of the Pastoral Social Commission), was arrested, according to the testimony he gave to the CCIODH, at 6:30 on May 3rd. He was behind the police who were starting to enter San Salvador Atenco as an observer holding a photographic camera and a tape recorder. According to his testimony, upon his arrest he was beaten repeatedly and when he tried to claim his position as a human rights defender, he was answered "here human rights don't mean shit". At this point the police took away his camera, tape recorder, and all the money he had as well as his shoes. In the way to the pick-up where they put him, in the same pick-up and later in the truck that took him to Santiaguito, he tells of beatings all over his body. One month after the events he still has marks on his face, especially around his right eye, and an intermittent cough, as well as symptoms of sporadic diarrhea. He tells that now he feels more afraid than when he was in jail, frequently has trouble sleeping and often is startled by the images that come to mind of how they were repressed. He wishes he could cry. "I would like to go to the mountains, to be alone, to cry. They hit me in my soul, but not in my dignity".

According to testimonies gathered by the Commission, among them of Pedro Alvarado, and as has been reported by the human rights organization Miguel Agustín Pro Juárez in their report *Atenco: Rule of Law measured to fit*, the Federal Prevention Police on Thursday May 4th at 8:00 am detained Damián Camacho, legal coordinator of the Independent Commission of Human Rights of Morelos. He was arrested in a hotel on the outskirts of San Salvador Atenco, where he was found giving information about what he had observed in his role as a human rights defender and a lawyer, and was arrested despite his claim to his position as such at the time of his arrest.

Given the fact that that the arrests were conducted without a legal basis as there were neither arrest warrants nor situations of flagrant crimes, it is supposed that the right to physical and moral integrity and personal freedom were violated. But the seriousness of these violations is highlighted by the condition of human rights defenders of Pedro Alvarado and Damián Camacho. It is important to remember that the United Nations has put special attention on the protection of the work of the defense of human rights, due to its specific vulnerability. An example of such is in the Declaration of the United Nations *Human rights defenders: support for the work developed by the people, groups, and organizations of civil society that promote the protection of human rights in the Americas* (passed on June 7th 2005) which clearly condemns "the acts that directly or indirectly impede or make difficult the work developed by the human rights defenders in the Americas".

B. The deportation of the foreigners

In the police operative on the 3rd and 4th of May, five foreigners: one Germany citizen, two Chilean citizens and two Spanish citizens, were arrested and later deported from Mexico and prohibited from entering for five years.

Aside from the character of the detentions and the human rights violations occurred during the transport to the Santiaguito jail, similar to those told in other parts of this report, the illegal character of the deportations should be denounced. It should be highlighted that the five people were legally residing in the country: the Chilean citizens in the condition of students, and the two Spaniards and one German with authorization for a short term stay.

According to the testimony of those deported and that of one of the lawyers who tried to attend to them, the illegality is the result of diverse irregularities which occurred in different phases of the proceedings. In the first place there was no formal communication of the administrative decision to deport them. Secondly, the immigration authorities made difficult, and in the case of the two Spanish citizens actually impeded, the formalization of legal assistance from the lawyer in the immigration station of Mexico City, DF. The lawyer was not able to consult the administrative proceedings.

Despite the existence of a judicial order to suspend the execution of the deportations, they were carried out. This was another one of the illegal acts committed by the immigration authorities. The person legally responsible for

notifying the suspension of to the airport immigration authorities was told that in none of the immigration offices of the airport of Mexico City had there entered five people to be deported. The National Immigration Institute assures that the deportations took place at 6:00 pm, before the judicial authority came, which differs from the testimonies of the Spanish citizens that indicate that they were closed in a room until their plane left, around 11:00 pm on the 5th of May. The Chilean citizens affirm that they left the country around midnight.

6.6. Individual and collective effects

A. Individual Effects

It is not the objective of this preliminary report to go into details about the individual effects of the events on those persons who were affected. That would require a detailed specific analysis, although some of the statements demonstrate the severe traumatic impact which the situations experienced by some persons have led to.

In the specific case of those persons subjected to degrading and denigrating treatment during their detention and transfer, the interviews in San Salvador Atenco - and, most especially, those in-depth interviews which were held inside the Santiaguito prison - demonstrate the damage that was caused. As more immediate factors, traumatic memories, anxiety, insomnia and episodes of mental block or amnesia.

Testimony 71A

"Since then, I've been very depressed. I've never been depressed, and now I'm very sad. My body was never sick. I've always been a very strong woman, but now (...) I'm lethargic. I can hardly move."

Testimony 78

"My children are vomiting up what they eat, and they can't sleep at night..."

But, most deeply, there is damage to basic trust in a just world, in oneself and in others. This damage, profound and difficult to reverse, involves, at the very least, the following factors which appear after having suffered the aggression:

A. 1. Perception of randomness and injustice

(“I was walking by here...and I was kidnapped”)

Testimony 56

“We were grabbed out of our house. We didn’t have anything to do with this. (...) I don’t understand why I was let go, my brother posted bail and my other brother is inside there. Our situations were the same, exactly the same (...) Participation, no, no, there wasn’t any participation. In fact, I’m a public servant, from here, from the council.”

A. 2. Absence of social validation of the suffering

Director of the jail

“They’re lying and exaggerating, you know...”

A. 3. Perception of defenselessness. Loss of control of the situation and of one’s own life

Testimony in the Santiaguito jail

“The process has been rigged, because they violated all our rights, in addition to beatings and rapes they detained us without arrest warrants. They didn’t take us to a Public Prosecutor, but to the trucks, and then they imprisoned us here. They didn’t tell us what we were accused of, we got here on the 4th, we didn’t know what they were accusing us of until the 10th. They kept us incommunicado from 1:30 pm that day until 8:00 the next day.”

Director of the Santiaguito jail

“Gentlemen, let me tell you that I, personally, received the people as they arrived. I concerned myself personally to see that they had blankets, suitable care (...). In some cases, if you’ll allow me to say so, we gave them a ‘cuddle’ so they would feel better.”

Testimony 3

"When we arrived [at the jail], there was blood on the floor, on the walls, and they pinned us against the wall. They shoved us, they hit us, they told us they were going to kill us, well, that we weren't going to live to tell about it. Then, when we went through here (the kitchen storeroom), some without shoes, I just had a t-shirt, whatever we brought. I don't know how long we were here in this place without a sweater, without blankets, without even a glass of water, many of them bloody. Incommunicado. Even the guards had us sitting here, crouched down with our hands on our heads all night long. They said we couldn't talk. The Director showed up once we'd already gone to the cells, it was the first time we'd seen the Director (...) Now it's true they didn't hit us here...But they treated us like criminals. (...) When we came in, the wall was covered in blood. They beat our heads against the wall, and they put me in a room or a bathroom, I don't know what it was. They made us undress, they did the same thing to all the *compañeros*, like Narciso Pedro Arturo Raúl. We arrived here between 11:30 or 12 at night, and they had us here without water and without blankets all night long, sitting down and crouched over. Between 10 and 11 in the morning, they brought us blankets. Afterwards they took us to the doctor in turns. They took down our information and checked us just by looking at us."

A. 4. Fear

Fragment of a written statement given in Atenco

"Since then this has brought mood, moral, physical and psychological consequences (...) because of the magnitude of fear of those events. As far as my family, we still can't sleep all night because any noise you hear causes tension and fear, bringing physical consequences like pain, headaches, nerves, sleep and tiredness in general."

Testimony 112

"The children and I just returned to the house five days ago because we're afraid to live there. We're still afraid, and the three of us sleep together [crying]."

A. 5. Management of emotional factors in the proximate environment for the purpose of breaking down identity

- Destruction or appropriation of personal objects of strictly emotional value is a definitive example.

Testimony 112

"A little later they passed in front of the house and destroyed the car that was parked. (...) They turned the house completely inside out, and they stole all the family's documents, money...Also all the photographs they had of the children since they were small that were in a box...what's the purpose of leaving me without pictures of my children?"

A. 6. Economic breakdown

Testimony

"The lady lives in a very poor little house where she, S's child, the niece and the husband sleep. They were from Puebla and looking for work. I've never seen people so poor. The child slept on just a pillow on cardboard (...) At two in the morning they came in, shouting and breaking everything (...) They even ripped the child's pillow apart..."

"The woman was 89 years old. They arrested her and beat her son. They insulted her for being old and lame. She's suffering because her son was helping her financially, and now they won't give him work because they say he's a rebel. She talks about working, about different activities, as if she were a young person. She's suffering."

In the case of those women who suffered sexual abuse, we were able to have access to the files of the prison nurse, after having consulted with the victims. Significantly the head psychiatrist of the Santiaguito jail, after a careful and detailed examination of N, after examining the patient, was completely convinced of the existence of rape and of the presence of serious psychiatric consequences.

The Istanbul Protocol considers psychiatric examinations to be the primary diagnostic instrument in cases of sexual abuse and rape. The women imprisoned in the Santiaguito jail were able to be examined by a psychiatrist and a physician, members of the Commission. From their examinations emerged the professional conviction that at least 3 women suffered sexual violation involving penetration and consummation. In two of them, symptoms of serious psychological symptoms

appeared which have increased in the four weeks which have passed since the incidents and which qualify as severe Post Traumatic Stress, without any of the women involved as yet having had access to any trusted professional medical or psychological help.

B. Collective Effects: Strategy of Psycho-social Damage

B. 1. Strategies

Fear, coupled with humiliations and degradations repeatedly described to this Commission, appear to be aimed at systematically breaking down the identity of those persons subjected to them. Humiliation, especially of a sexual nature, is, under these conditions, repeatedly characterized as being a form of psychological torture in the eyes of the International Court of Human Rights.

Testimony 182

"They abused me sexually, and when I resisted the abuse, they beat me all they could, they pulled my hair, they hit me in the back. I heard them doing things to testimony 160, because I was close to her. And I heard what they were doing to two foreign women. I don't know where they were from; we came in the same truck. They began to say to my partner: 'Is this how you fuck her, man?' when they were doing things to me."

Testimony 78

"I know two young men who were raped with broomsticks, who are afraid to make statements because they've received death threats over and over".

Testimony 69

"They took out my cousin and bent him under the fence, they beat him and kicked him. A lot. But not his wife, they didn't take her. They took three of my uncles, they took off their pants and took them in their underwear."

Testimony

"They treated us women like booty: 'Ah, here are 6 women!' and they were all over us, on top of us. We were their booty."

B. 2. Images of terror

Testimony 78

"The judicial police came by during the night in vans without license plates (...) There are relatives who are afraid to come to the village and children who hide under their beds when they hear a loud noise from a car, they see a policeman and they are frightened. My nephew is traumatized because he was there when Javier Cortés was killed. They pointed a weapon at him also. He thought he was going to die."

Testimony 77

"We saw more than twenty cops venting their fury on one single person. The helicopter was circling, firing and searching. We left, frightened, and took refuge in the house of a relative. We saw them looting the houses of ejiditarios and how they were pulling people by their hair, dragging them."

We can note the following collective effects:

1. Social Division and Polarization

The statements demonstrate how a community described as historically united is being fragmented by a process of confrontations, the creation of intra-community conflicts and the stigmatization of the other, going from being a neighbor to being considered "different," "opposite" and, ultimately, "enemy." Someone who thinks differently is an enemy, and, as such, an object of aggression.

Testimony 80

"My dad, who is 83, has always lived here, and he hasn't had any problems. Now he's constantly harassed by PRI people when he goes to work in the fields. They ask him why he's in the Front." (FPDT)

Testimony 78

"There are people who are being harassed for having the same last name as some member of the FPDT."

Thus one enters a spiral in which the attacks create the perception of offense and injury, and the memory of the injuries create new aggressions.

In this way the strategy of “signaling” used during the operation creates a before and an afterwards in the municipality.

Testimony 56

“Maybe what we have to do is be a little bit more, take care of myself somewhat, because we feel the ‘eyes’ saw a lot of us. And the people who made signals...well, we’re from here, we’re neighbors. I’ve met some of them, but I felt bad. I don’t know if it’s courage, but it was hard for me to say anything to them. I believe everyone knows what they did. They know what they did.”

2. Breakdown of historic memory

- a. It is a struggle which comes from afar.
- b. Image that was created of the florists’ situation.

3. Breakdown of social fabric

- a. Removal of leaders/social movements.
- b. Stigmatization of social participation (“he who does nothing, fears nothing – doing, participating socially is intrinsically, in and of itself, a crime”).

Faced with a situation which can be characterized as extreme, from the point of view of the attack suffered, as well as of the actual circumstances in which this aggression could be manipulated, the Commission has also been able to confirm instances of dignity and resistance.

Testimony 183

“I’m obviously depressed, but also with a lot of courage, because all this is an injustice, those beatings and everything that happened to us, I believe it’s unjust. I believe that courage helps me.”

Testimony 32

“They hit me in my heart, but not my dignity. What they did is reason to continue to struggle, to have more will.”

"We're together, but Dr. Selvas is separated. Here we know each other, and outside we didn't know each other, and now it's different. We're very united."

-What helps you to resist?

-Being *compañeros*.

-And what other things help you?

-Faith and the comfort of God.

-We're hostages to the system, but it's thanks to that that they're uniting outside.

-I think it's everything, my family, everything, everything, I think...but what we want more than anything is that it doesn't happen again...

-Something I wanted to say in this regard is that here I believe this has been useful for me...we wouldn't necessarily have met. What has been really stuck in my mind is each one's face. Because I think, beyond being cell *compañeros*, of being *compañeros* maybe of words, or embraces, or of here I am, if you want to cry, here's my shoulder. I believe that beyond that is a more brotherly affection. Something more normal, something that happened to all of us, men as well as women. I believe here with just an embrace from one of us...I saw my wife, and it hurt me, I cried and a *compañero* approached me, I think it's more than just the act of raising your arms and encircling your body (...) it's beyond that. What helps us to resist is each one of our hearts, beyond the politics, beyond the punches, the shields, the boots, the shouts, the jailing. Each time we heard the padlock, our minds went out there through these bars, through these walls, through this glass, it flew to be with them, to be with everyone, that's what helps us."

6.7. CAUSES AND INTERPRETATIONS OF THE CONFLICT IN ATENCO

Aside from the context in which the conflict took place, it is worthwhile to refer to specific causes, based on statements gathered by the CCIODH, which could be behind the serious events of May 3rd and 4th. These causes are:

A. An economic model which displaces the campesino population. Dispute over resources.

B. Destruction of the informal economy

C. "It got out of hand"

- D. *Revenge*
- E. *Criminalization of the organized population.*
- F. *A blow to social organizations.*
- G. *The Government's unwillingness to dialogue.*

A. An economic model which displaces the campesino population.

Dispute over resources.

The campesino economy continues to be the backbone for families in the autonomous municipality of San Salvador Atenco, where the ejidal method of ownership and of working the countryside has been preserved. That – as in many other places in Mexico – is at odds with the economic policies promoted by Vicente Fox's Government and the free trade agreements signed by the Mexican Republic with more than 40 countries.

Testimony 74

"I live in the community of Nesquipaña, municipality of San Salvador Atenco. I'm a member of Front of Peoples in Defense of the Land, because of how they wanted to expropriate the land for the airport project and the birth of this prevention, we began organizing inside the prevention, and we have to a certain extent been participating in order to defend the most immediate interests, more correctly the needs, of our communities (...) they're organizing in Nesquipaña in order to put some communal land we have up for sale. This is what the government is trying to do, they haven't stopped insisting, they want our land in order to continue with their airport project. We're going to continue defending that, and that's why we're organizing again in order to defend what we have left. The government's policies haven't been good; the labor policy hasn't created jobs. Every day the people are poorer, there haven't been any educational programs, development programs for the countryside."

Anonymous Testimony 185

"Everything that happened wasn't just about the florists. It's had to do with our struggle for our land. There are valleys here with potable water that they wanted to exploit. They're trying to destroy our land, for example, polluting. Two years ago they decided to bring the 'black' water here."

Testimony 145

"The act of being dispossessed of their lands means being dispossessed as campesinos, no longer being campesinos. The government's whole offer was that they were going to take the land away, but then they weren't going to have to work the land. They're going to be peons, workers, taxi drivers, truck drivers, for the industry that would be created around the airport."

B. Destruction of the informal economy.

According to the statistics that were consulted, informal employment includes approximately 60% of the economically active population in the country. The informal economy (and market vendors are included in this category) is the only means of support for millions of families. Texcoco and Atenco are no exceptions.

Testimony 58

"On May 3rd we had an agreement to be able to sell flowers. Everyone knew it, but they acted violently as if that agreement didn't exist. We, the florists, live from our work which is selling flowers. They've prohibited us, as well as the other vendors, from selling in the market and in the highway. They had started trying to resolve the situation with the mayor, but he didn't want to sort things out. Now they say that we are responsible for what happened, but on May 3rd there was an agreement for selling and they were the ones who didn't honor it. We and the other vendors just want to sell in peace. That day, May 3rd, they also arrested customers who were buying."

C. "It got out of hand"

One of the interpretations collected by the CCIODH pointed out that, aside from the other factors, the police operation "got out of their hands." Some of the institutional statements have expressed this, recognizing police abuses and lack of control by those responsible. Some of the residents and detained persons also believe this.

Testimony 14

"I believe it got out of control. That those in charge in the Public Security police didn't have the physical or mental preparation to act where they were.

Because of the political and economic situation in the country, a lot of people have to work as Public Security officials even though they haven't been trained physically or psychologically. Three thousand of them were put together who don't have the professional ability to get a hold of this type of situation. I don't believe they were organized to be so strong. This speaks to the impossibility of the police and governments of opening doors to dialogue."

D. Revenge

Faced with the thesis that it was exclusively an unplanned police excess, many of the statements point to one of the possible causes as being revenge by the state and federal governments against a movement (Prevention of Peoples in Defense of the Land) and of a town (San Salvador Atenco) which, between 2001 and 2002, managed to block a construction project for a new international airport for Mexico City. The FPDT managed to stop the project after a presidential decree for the expropriation of the lands had already been signed.

Testimony 137

"You all know that in 2001 the federal government began an airport project, and they have wanted to evict us from our lands, from our ejidos. But fortunately the people have a very deep tradition, very mature, and that was one of the factors that prevented the seizure of our lands, which was announced to us in October of 2001. There were more than 9 months of resistance against this airport, against this project, for more than 9 months we were being harassed, threatened, but finally, thanks to the support of many national and international organizations and thanks to the mobilization of the Prevention for Peoples in Defense of the Land and all the Mexican people, we managed to bring down this airport decree, on August 1, 2002 (...) for Fox it was revenge, since we destroyed his airport project. Since we demonstrated to the people of Mexico that injustice can be defeated. This is an assessment I make globally, in general, and you'll have to take what you believe."

Testimony 4

"In 2001 the most important thing was the victory they had. A debt the Fox government had with Atenco. Atenco wasn't going to be forgiven, because its

victory was the only one that happened in Fox's six years. The dignity of that people was incredible."

Testimony 76

"This began when they wanted to steal our ejidos, paying us seven pesos a square meter. Of course, we were opposed. We didn't agree. That's the reason for the difficulties. The Government always prevented dialogue."

E. Criminalization of the organized population

The operation against the town of San Salvador Atenco came at the end of a process of criminalization of social movements and of the organized population in general, according to reports from different social and civil actors throughout the country. In this specific case, the criminalization of the Prevention included devaluing their symbol, the machete.

Testimony 145

"The people from the FPDT carried it then as a symbol, their tool for working as campesinos. The mobilizations took place, the machete became a symbol of Atenco, specifically of the Prevention of Peoples in Defense of the Land, like the ski-mask is a symbol of the Zapatistas and not weapons. From that moment on the media began identifying the Atenco *compañeros* as 'the macheteros,' in an insulting, devaluing way. And the media's ignorance characterized the use of an instrument of work for protesting as a cutting weapon. It was obvious that for the people of the city, for the people of the city of above, the machete wasn't an instrument of work but a threatening symbol. The machete is used by the Prevention of Peoples in Defense of the Land in order to say 'this is what we are' and we don't want to stop being so."

F. A blow to social organizations

Many people told us that the police operation was more than the response to a specific conflict situation, given the government's willingness to strike out at social organizations and movements in Atenco and in the rest of the Mexican Republic.

Testimony 74

"The government didn't just strike out at Atenco but at a project of the Other Campaign. We're supporting a program of civil, peaceful struggle which the government is trying to attack. We believe they're violating the *compañeros'* individual rights, not just ours as a people, but those of all the organizations which come together in the EZLN's program and the Other Campaign. We want the testimonies to be taken to the world, that they learn about the injustice that was committed against us (...) they've already violated the law. I also believe we're going to continue to conprevention that kind of viciousness in the process. I don't want the same thing to happen that happened with the *compañeros* in Guadalajara, who are also still conpreventioning a legal process. This isn't just now; the Mexican government has already been violating the law with these kind of similar actions."

Testimony 145

"After the victory happened, after they managed to stop the airport, the Front of Peoples in Defense of the Land has felt this leftist moral and ethical duty, we say, to respond in solidarity with other movements, without caring about the perspective of victory or the impact they have in the media or how large this movement represents in terms of mass. Then it doesn't matter what movement or what part of the country it's in, or the numbers it represents, the Front of Peoples in Defense of the Land is present in order to demonstrate its support and its solidarity. And invariably at the front of that organization is found its moral leader, Ignacio del Valle. In various places in the Republic where there are movements, they show up, you can almost say in a routine of solidarity. They arrive with their machetes, shouting slogans, singing, and they let the people who are struggling know that they are supporting them. As far as we've seen, they never tried to draw a line about what had to be done, or give an opinion on whether the movement is bad or good, they just limit themselves to saying 'we're with you, you're not alone.' The fact that Ignacio del Valle marches in the front of these delegations represents for us this new concept of the leader who doesn't command his people to do things, but who marches with them, without caring about the risks or without caring about the media impact that action will have."

G. Lack of Government willingness to dialogue.

As many of the statements explain, the conflict took place with greater force owing to a Government strategy of rendering dialogue ineffective, refusing to recognize the FPDT as a political actor, devaluing and creating a situation of suffocation and of an invisible siege. The town of San Salvador Atenco and the FPDT have constantly demonstrated their willingness for dialogue, while the institutional officials (at the Federal as well as the State and Municipal levels) have responded negatively, exhausting any alternative solution to the conflict.

Testimony 73

"The neoliberal Mexican Government is incompetent because it's incapable of engaging in dialogue with the people. How absurd! Having a high position in the UN here, from where I'm writing, the situation is one of repression, violence, outrages, rapes of women, searches, beatings. I would say: fascist acts."

Testimony 137

"This has been happening, at the dialogue tables they keep changing the official representatives and, therefore, seriousness. There have been times they've sent us people who have no decision-making capacity, who are not representative. And the only thing they do is come to provoke anger and indignation in us. They come to mock, they want to humiliate us." "When I left that appointment, unfortunately I don't remember the date, but it was in March, far from giving us a solution to the situation of the schools, the proper person didn't come. They sent us to officials without any decision-making capacity, and when we left – because we weren't going to talk to them, we had to leave the office. When we left, several of us found guns being pointed at us by the state police and primarily commanded by a group with the badge 'dragon'. It's a special group. It was exactly on May 2nd when the state government was warned, and, more than warned, a call for dialogue was made to them so the problem could be resolved and dates set so the *compañeros* could continue working since they hadn't been working for several days, and it's their only source of work for feeding their children. Then on May 2 there was a rally in the Attorney General's Office in Texcoco, the place of mediation between the florists and the municipal government, since the municipal government didn't want any more

ties with them. They didn't want it anymore, they refuse all the time. Again, in that day nothing was achieved that day again, the Assistant Attorney General didn't commit himself to anything. He said the situation wasn't up to him."

6.8. PRINCIPAL HUMAN RIGHTS VIOLATIONS

We can distinguish 7 kinds of violations:

- A. Violation of the right to personal liberty.*
- B. Violation of the right to physical and moral integrity.*
- C. Violation of the right to inviolability of the home and theft.*
- D. Violation of the right to freedom of movement and residence.*
- E. Affection of the right to due process and just treatment.*
- F. Violation of the rights of women.*
- G. Violation of the right to sexual freedom.*

A. Violation of the right to personal liberty.

Many of the detained persons, especially from May 4th, were indiscriminately and arbitrarily deprived of the fundamental right to personal liberty recognized in Article 9 of the International Covenant on Civil and Political Rights from a formal as well as material perspective.

From a procedural point of view, in many cases the defense attorneys have verified violations of the rights of the detainees as recognized by Mexican Constitution. An illustration: some of the detainees have told us that they had no knowledge of the reason for their detention until the May 10, 2006 committal order. They were held incommunicado, without leaving their relatives unaware of their whereabouts. In the specific case of a detained indigenous person, his right to an interpreter of his language was not respected. Many of the detained persons were transferred directly to the prison without having appeared before the Attorney General's Office. There were also difficulties in gaining access to a lawyer of their own choice because of certain hindering maneuvers.

From the material point of view, in many cases the basic requirements regarding responsibility and the body of the crime were not fulfilled. As an illustration we also note the following factors: lack of individualization in the

participation of many of the detainees in the purported commission of the different crimes of which they were accused. Many of them were detained based on accusations of impossible incidents, since they were in other places at the time the incidents took place. The police statements included in the order described the aggressor group as being exclusively male, and, in spite of that, 47 women were detained as members of that group.

It is worth noting Testimony 139 as a definitive example of the arbitrariness of the detentions. It concerns with a person with a neurological illness which forces him to use a wheelchair and which renders him completely incapable of caring for himself. He was inexplicably accused of participating in the criminal incidents and, surprisingly, is still incarcerated in the Prison.

B. Violation of the right to physical and moral integrity.

According to the testimonies gathered, at the time of the detention, during the transport in the police vans and up until entrance into the penitentiary, all the persons detained were beaten, humiliated, degraded and threatened, even with death. The injuries suffered were able to be verified by the penal officials themselves, who decided to send 14 of the detained persons to the hospital in Toluca. The extensive report of May 15th, 2006, issued by the Director of the Santiaguito center, explains in detail the injuries of the detained persons, some of them grave. The Commission, during the visit to the Santiaguito jail was able to confirm, one month after the events, injuries, physical as well as psychological, as well as clearly visible aftereffects in some of those affected. As a consequence, we learned that the following rights were not respected: to be treated humanely and with due respect to the inherent dignity of human beings (Article 10 of the International Covenant on Civil and Political Rights), to not be subjected to torture or hardships or cruel, inhuman or degrading treatment (Article 5 of the American Human Rights Convention), as well as to physical and moral integrity.

On the other hand, the statements of the women who were interviewed refer to their having suffered extremely serious sexual abuses and attacks during the transfer by the police officers, infringing on the right to sexual liberty. Notable in this regard is the psychiatric report of May 26th, 2006 of one of the detainees, released by the

prison psychiatrist, where a diagnosis is made of depressive disorder and sexual abuse.

C. Violation of the right to the inviolability of the home and theft.

The Commission went to the site of the incidents in order to verify the condition of some of the homes in the town. There were also interviews with numerous witnesses, and we had access to different documents regarding the incidents investigated.

From all of that, the Commission believes that violations are confirmed of the right to intimacy and the inviolability of the home recognized in Article 17 of the International Covenant on Civil, Social and Political Rights, as well as Article 11.2 of the American Human Rights Convention. As an example we can point out the following factors: indiscriminate entrance into many of the homes based on simple identification by persons against the FPDT. Entrances into homes without legal orders subsequent to the release of the kidnapped police. A disproportionate number of police officers to the inhabitants of the houses. Inappropriate *modus operandi* for access inside the homes. Totally unjustified damages in the houses themselves and to the inhabitants' belongings and other objects. Numerous thefts of belongings and objects of value of the inhabitants.

D. Violation of the right to freedom of movement and residence.

As has been related in this report, during the police operation five foreign persons were detained and subsequently expelled from Mexico and prohibited from returning for five years: one of German nationality, two of Chilean nationality and two of Spanish nationality.

In addition to the nature of the detentions themselves and of the violations of rights during the transfer to the Santiaguito jail, similar to those related in other parts of this report, the illegal nature of the expulsions should be denounced. It should be pointed out that the five persons have been in the country on a regularized basis. The Chilean citizens as students, and the Spanish citizens and German citizen with authorization for short visits.

These acts involve a clear violation of Article 13 of the International Covenant on Civil and Political Rights, in virtue that "the foreigner who is legally in a State Party to this Covenant can only be expelled from it in compliance with a decision taken in accord with the law, and, unless reasons of urgent national security are opposed to it, said foreigner will be allowed to explain the reasons which will mitigate against his expulsion, as well as submitting his case to review in front of the proper authority..." It also involves a violation of Article 22.6 of the American Human Rights Convention.

E. Affectation of the right to fair process and with due legal processes.

This Commission has had interviews with detainees and their relatives, as well as with their lawyers and the different legal operatives who have intervened in the legal process. It has also had access to part of the legal documentation of Files 95/06 and 96/06 in the Toluca courts of the first instance numbers 1 and 2, as well as of the District Protection and Federal Civil Processes.

From all of that, the Commission believes it can confirm that from the moment of the detention of the accused until this time a body of irregularities has been produced which has affected their right to effective judicial protection (Article 8 of the American Convention which established the right to due process).

Because of its importance, we are highlighting some of the formal complaints which the defense lawyers have sent to the Commission: the difficulties of the persons detained to gain access to trusted lawyers when they were making ministerial statements, not knowing the accusation made against them, they were held incommunicado, difficulties in exercising the right to defense and in offering exculpatory evidence in the Preliminary Investigation, difficulties in gaining access to information which would allow, from moment to moment, the determination of the constitutional term of the case Judge in order to resolve the judicial situation of the prisoners when they were making their preparatory statements, difficulties of the lawyers in gaining access to the criminal proceedings of more than 10,000 folios prior to, during and following the preparatory statement of the legal investigation, refusal of access to hearings, which are public. It is noteworthy that representatives of the Commission were denied access to the hearing on preparation of evidence which took place on June 1st in the La Palma prison in the File 95/06.

F. Violations of the rights of women.

See Part 6.4 (Violence against women in the Atenco case and violation of their rights).

H. Violation of the right to sexual liberty.

One of the violations of rights that was repeated most frequently during the events of the 3rd and 4th in Atenco were the numerous violations of the sexual liberty of the detained persons, especially of the women. During the operation, and from the moment of the detentions, the following were utilized by the police: insults, threats, degradations, sexual touching, as well as sexual attacks of varying gravity which included oral, anal and vaginal rape. It should be noted that almost all the women who were attacked and/or detained by the police related, at the least, insults, degradations and sexual touching. A large part of the women transferred in the vehicles to the prison were the objects once again of sexual attacks. The sexual attacks which took place in the vans were performed, or consented to, by all of the police officers present in the vehicles. It involved very serious sexual attacks for the entire duration (it is calculated that they continued during the entire six hour journey).

It is also necessary to mention that some statements speak of very serious sexual attacks against men and minors. In these cases, due to the effect on the victims and fear of their possible stigmatization, it will be very difficult to expect the presentation of formal complaints.

For more detailed information on the sexual attacks see Part 6.4 (Violence against women in the Atenco case and violation of their rights).

7. Conclusions and Recommendations

1. The Commission considers it proven that in the police operation of the 3rd and 4th of May there was an excessive use of public force in the performance of the police that goes against the principles of proportion, reason, and absolute necessity that should guide it. The international standards of human rights were not respected.

2. For this reason the Commission considers that the police forces were not guided with in the framework of a Rule of Law, according to what is stated in the Political Constitution of the United State of Mexico, in the international treaties signed and ratified by Mexico, and in the laws and regulations applicable.

3. The Commission considers that the police abuses represent grave mass damages to human rights that translated into a series of presumed criminal acts like those of the illegal arrests, unjust intrusion upon residences, the death of one person, an aggression resulting in the brain death of another, acts of torture, a multitude of physical, verbal, and moral aggressions, grave attempts against sexual freedom, (including rape), and damages to the procedural rights of the detained, among others.

4. The Commission considers that the majority of the women hurt and/or detained in Atenco were objects of grave sexual aggressions of diverse character which we consider to be classifiable as sexual torture. The attention that the women received upon arrival to the penitentiary center of Santiaguito was practically inexistent up to this day. This fact has particularly severe results in the treatment of people who are victims of sexual aggression. In the same note, the Commission considers there to be serious questions in the way these sexual aggressions suffered by the women were documented in the penitentiary as well as by the authorities that later visited them.

Up to this day the victims of the sexual violence suffered in the events of Atenco have not been offered any specialized medical, social, or psychological attention that could repair the serious damages inflicted.

We recommend the establishment of therapeutic, social, and medical support for all of the women who have suffered aggressions.

We recommend that urgent measures be put into place to protect those women who have been sexually abused and especially for those who have presented a formal complaint or will do so in the future.

We denounce the difficulties the women have suffered when attempting to present their complaints of sexual aggressions and the institutional lack of attention they have received, as in the case of the denial of their testimonies.

5. The Commission considers that the acceptance on the part of the authorities that excesses use of force and abuses were committed by the police does not imply a sufficient assumption of responsibility on the part of the State. The Federal and State authorities, who by omission or action participated in the elaboration or planning of the operative as well as its execution, should be identified, processed, and sanctioned.

6. The Commission considers that the first measures of the assumption of those responsible are: 1) the immediate dismissal of the General Commissioner of the State Agency of Seguridad, Mr. Wilfrido Robledo Madrid as well as the commander David Pintado Espinos, highest responsible officer of the operative of the state police; 2) the immediate dismissal of the responsible officer of the Federal Prevention Police, the Commissioner Alejandro Eduardo Martínez Aduana, the Head of State, the General of the Brigade Ardelio Vargas Fosado.

7. The Commission considers that the grave damages to human rights described in this Report are direct consequences of the structural problem of impunity of which many have, historically and to the present day, enjoyed among the agents of different bodies of the Mexican security in the exercise of their public duties. In this way, the Commission considers it essential to impulse the necessary legal reforms in

order to pursue with greatest efficiency the crimes committed by agents of the police force and in the same way clarify the responsibilities of their hierarchical superiors. In the future any situation of impunity should be eradicated.

8. The Commission considers that the justice system should be equipped with the adequate instruments to implement the international standards as regards to the use of force and fire arms to guarantee the respect of human rights. Likewise the incorporation of members of the Mexican Army in police work should be avoided.

9. The Commission considers that with the utmost diligence and speed there should be a clarification and inquiry into the events occurred in Atenco. In the same sense the Commission shows its preoccupation that due to the beginning of the electoral campaign there is an unjust delay in the investigation and persecution of the police agents responsible for the violations of human rights described in this Report.

10. The Commission considers necessary the immediate release of the prisoners that are still detained in the jails of "Santiaguito" and "La Palma" in the presumption of their innocence. It considers equally urgent to reverse the measures of expulsion against the foreigners detained in the police operation.

11. The Commission addresses all political actors, civil society in general, and especially national as well as international organizations in defense of human rights, to exercise, in their condition of guarantors of democracy, an active function of control and supervision of the performance of the public forces as guarantors of democracy. In this way the Commission makes public its commitment of civil observation that has been started and plans to establish a commission to follow up on the recommendations. In the same way the Commission has put into effect mechanisms of international protection of human rights, specifically urgent communications to the Inter-American Commission of Human Rights and to distinct Special Rapporteurs of the United Nations. Finally, we understand the events denounced in this present report to be even more relevant as Mexico currently holds the presidency in the Council of Human Rights in the United Nations.

12. The Commission considers the existence of a minimum assortment of measures of reparation for the individual and collective damages produced that should be implemented immediately. The measures of reparation should be decided by the affected and, at the very least, following the jurisprudence established by the Inter-American Court of Human Rights for similar situations, should include:

-Moral reparation. Restitution of the honor of the victims and of the damage infringed on the private and public image through the official recognition of the unjust treatment and abuses received and the damage provoked by being considered delinquents.

-Emotional reparation for the people affected. The arbitration of all measures so that the community as a whole and the people and families affected in particular receive adequate medical and psychological attention by professionals who are trustworthy in the necessary ways. This is especially relevant regarding psychological and psychiatric attention in which it is fundamental that those affected can trust in those who attend to them therapeutically.

-Reparation for the community damage through programs for social reconstruction. These should never become tools for division or confrontation through programs or systems of conditional help or pressure through false agreements. For this reason there should be a monitoring done by national and international independent organizations.

-Economic reparations. Compensation for the losses suffered as a consequence of the violence (economic, educational, health and other) and especially those derived by the loss of jobs as a consequence of the violent acts committed as well as posterior harassment.

-Legal reparations. Judicial processes with the punctuated events established legally as crimes. Without true and effective justice, any reparatory measure is only partial.

-Social reparation. The articulation of the mechanisms that guarantee that there be no limits to the use of citizenship, social participation and individual and organized

politics of the population of Atenco. The social reconstruction of Atenco is infallibly achieved by the active and committed participation of the citizens in their community life.

-Historical reparation. Recognition of the true history that permits the creation of a collective memory that prevents the occurrence of similar situations in the future.

13. The restoration of common life is a complex process and goes beyond the search for truth or justice and includes as a final goal, to find the original causes of the conflict. Frequently this is found in the structural reasons (poverty, unequal access to resources, the lack of real access to political participation, etc.) In this way the principal reparatory measure for the people of San Salvador Atenco and the principal demand reiterated in the interviews with the people of Atenco is to attend to the original causes of the conflict analyzed in this report. For this reason, to attend in a just and adequate way to the demands of education and health, urban development and other public works, the management of public spaces, to cite some more known elements, are, without a doubt, the principal components of reparation.

8. Activities and Documentation

8.1. Interviews

A. Testimonies

Testimony 003 Ex.Prisoner
Testimony 007 Testimony Atenco
Testimony 008 Ex.Prisoner
Testimony 009 Ex.Prisoner
Testimony 010 Ex.Prisoner
Testimony 011 Ex.Prisoner
Testimony 012 Ex.Prisoner
Testimony 013 Ex.Prisoner
Testimony 014 Family Member of Prisoner
Testimony 015 Ex.Prisoner
Testimony 016 Ex.Prisoner
Testimony 017 Ex.Prisoner
Testimony 018
Testimony 019 Testimony Atenco
Testimony 020 Testimony Atenco
Testimony 021 Testimony Atenco
Testimony 022 Testimony Atenco
Testimony 023 Testimony Atenco
Testimony 024 Testimony Atenco
Testimony 025 Testimony Atenco
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Testimony 028 Testimony Atenco
Testimony 029 Testimony Atenco

Testimony 030 Testimony Atenco
Testimony 032
Testimony 033 Testimony Atenco
Testimony 034
Testimony 035 Testimony Atenco
Testimony 036 Testimony Atenco
Testimony 037 Testimony Atenco and family member of injured
Testimony 038 Testimony Texcoco
Testimony 039 Testimony Atenco
Testimony 040 Testimony Atenco
Testimony 078 Testimony Atenco
Testimony 079 Testimony Atenco
Testimony 080 Testimony Atenco
Testimony 081 Testimony Atenco
Testimony 082 Testimony Oaxaca
Testimony 083 Testimony Atenco
Testimony 084 Testimony Atenco
Testimony 085 Testimony Atenco
Testimony 086 Testimony Atenco
Testimony 087 Testimony Atenco
Testimony 088 Testimony Atenco
Testimony 089 Testimony Atenco
Testimony 090 Testimony Atenco
Testimony 091 Testimony Atenco
Testimony 092 Testimony Atenco
Testimony 093 Testimony Atenco
Testimony 094 Testimony Atenco
Testimony 095 Testimony Atenco
Testimony 097 Testimony from the *plantón* at the Santiaguito jail
Testimony 098 Testimony from the *plantón* at the Santiaguito jail
Testimony 099 Testimony from the *plantón* at the Santiaguito jail
Testimony 100 Testimony from the *plantón* at the Santiaguito jail
Testimony 101 Testimony Atenco
Testimony 102 Testimony from the *plantón* at the Santiaguito jail
Testimony 103 Familiar from the *plantón* at the Santiaguito jail

Testimony 104 Testimony from the *plantón* at the Santiaguito jail
Testimony 105 Testimony from the *plantón* at the Santiaguito jail
Testimony 106 Testimony from the *plantón* at the Santiaguito jail
Testimony 107 Testimony Atenco
Testimony 108
Testimony 111 Testimony Atenco
Testimony 112 Testimony Atenco
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Testimony 118 Testimony Atenco
Testimony 119 Testimony Atenco
Testimony 120 Testimony Atenco
Testimony 121 Testimony Atenco
Testimony 122 Testimony Atenco
Testimony 123 Testimony Atenco
Testimony 127 Testimony Atenco
Testimony 128 Testimony Atenco
Testimony 129 Ex.Prisoner
Testimony 130 Ex.Prisoner
Testimony 131 Ex.Prisoner
Testimony 132 Children of Atenco
Testimony 135 Ex.Prisoner
Testimony 137 Person with an arrest warrant
Testimony 139 Hospitalized and Prisoner Santiaguito jail
Testimony 140 Detainee and Hospitalized
Testimony 141 Detained and Hospitalized
Testimony 142 Digna Ochoa family member
Testimony 143 Ex.Prisoner
Testimony 144 Family Member of Prisoner
Testimony 156
Testimony 157 Detained and deported
Testimony 158 Detained and deported
Testimony 159 Detainee and deported
Testimony 160 Detainee and deported

Testimony 161 Testimony Atenco
Testimony 162 Testimony Atenco
Testimony 163 Ex. Prisoner and family member of Prisoner
Testimony 164 Family members of Prisoner
Testimony 165 Testimony Atenco
Testimony 166 Testimony Atenco
Testimony 167 Family members of Prisoner
Testimony 169 Testimony Atenco
Testimony 170 Testimony Atenco
Testimony 171 Family member of Ex.Prisoner
Testimony 172 Testimony Atenco
Testimony 177 Testimony Atenco
Testimony 178 Testimony Atenco
Testimony 179 Testimony Atenco
Testimony 180 Testimony Atenco
Testimony 181 Prisoner Santiaguito jail
Testimony 182 Prisoner Santiaguito jail
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Testimony 204 Prisoner Santiaguito jail
Testimony 205 Prisoner Santiaguito jail
Testimony 206 Prisoner Santiaguito jail

B. Interviews with political and non governmental people, social organizations.

Interview 001 RED: Todos los derechos para todos (All rights for all)
Interview 002 SERAPAZ (Services and Counseling for Peace)
Interview 004 Cerezo Committee and monitor LIMEDDH
Interview 005 Human Rights lawyer
Interview 006 Atenco lawyer
Interview 096 Human Rights Association: Miguel Agustín Pro Juárez
Interview 110 Social educator. Work with children of Atenco
Interview 115 Association LIMEDDH
Interview 117 Solidarity Network: Decade against impunity
Interview 125 Collective coordinator against torture and impunity
Interview 126 Student movement: Peace with democracy
Interview 133 Lawyer
Interview 145 Delegado Zero, Comisión 6 of the EZLN. The Other Campaign
Interview 174 Doctor
Interview 151 Lawyer
Interview 147 Lawyer Pro-Desc
Interview 155 Without borders

C. Interviews with governmental institutions

Interview 138 Attorney General of the State of Mexico
Interview 136 Nazario Gutiérrez Martínez. Municipal President of Texcoco
Interview 146 District Juror of Protection of Basic Rights and Federal Civil Processes of Toluca. Juror n° 1

Interview 149 Jaime Maldonado Salazar. Penal Judge 2° of the Court of 1st Instance of Toluca.

Interview 152 Hector Guevara Ramirez.

Regional Sub secretary of Government, Rafael Ochoa Morales.

Sub secretary of Judicial Issues of the government of the State of Mexico.

Israel Gómez Pedíaza.

Director of the module of defense attorneys.

Manuel Villicaña Estrada.

Internal Controller.

General Secretary of Government.

Alonso Chomo

Silvia Preus.

Interview 153 Alejandro Carmona.

Director D°G° of Prevention and

Social Re-adaptation of the State of Mexico. Santiaguito prison.

Irineo Monroy.

Santiaguito prison Director

Rodrigo Ezpeleta. PGR

Interview 154 Gabriel Alou. Spanish Consul in México

Interview 173 German embassy in México

D. Others

Interview 175 José Manuel Domínguez López.

Hospital director of Adolfo López Mateos of Toluca

Interview 176 Rafael Castillo. Hospital Director

Interview 134 Luis Eduardo Paredes. Red Cross. Tehotihuacan. State Aid Coordinator

Interview 207 CNDH

Interview 109 Marcela Nolasto Pastor. Secretary of Human Rights (PRD)

Interview 124 Father of a disappeared person

8.2. Objections and formal complaints, Testimonies and documentation brought forth by

witnesses and people and organizations interviewed.

Interview 004 Testimonys written from the LIMEDDH
Interview 004 Record of Prisoners
Testimony 008 Release order
Testimony 008 Register of calls of a cell phone during the detention of a persona and made during their arrest
Interview 035 Letter from the prisoners
Interview 037 Proof description of tear gas
Testimony 037 Medical report of Alexis Benhumea
Testimony 032 Letter from the Committee Ajusco
Testimony 032 Letter from the Delegation Tlalpan
Testimony 032 Letter from the UACM
Testimony 032 Letter from the CNDH
Testimony 032 Letter from Dominicos
Testimony 037 Letter to Alexis Benhumea
Testimony 037 Photocopies of the Press Atenco
Testimony 045 Photocopy from a Testimony
Testimony 045 Photocopy from a Testimony
Testimony 048 Issue of an affidavit. Ejidal building
Testimony 050 Drawings from children inhabitants
Testimony 051 Written testimony
Testimony 058 Video of the negotiation between the Florists of Texcoco and the government authorities
Testimony 058 Video of where the events took place
Testimony 060 Letter
Testimony 072 Example of a gas canister
Testimony 084 Receipt of bail
Testimony 090 Letter from the Civil Association Fuerza Tlaloc.
Interview 096 Official response of the Governor of Edomex
Testimony 109 Documents of the Executive Committee Nal. Del PRD

Interview 110 Drawings from children of Atenco

Interview 110 Writings from children of Atenco
Testimony 114 Drawings
Interview 115 Proposed letter Moción Parlamentaria
Testimony 121 Photocopy of a hand written testimony
Testimony 122 Bail
Testimony 122 Photocopy of a formal complaint
Interview 124 Photographs
Interview 124 Statement Red Cross
Interview 124 Summary of the events.
Interview 124 Search papers
Interview 145 Informative document and Chronology of the events in Atenco, Center Agustín Pro Juárez
Interview 145 Video First News (May 9th)

8.3. General documents brought to the CCIODH by people interviewed

D-1

General Recommendation about the application of the lie detector test
19.07.04./CNDH

D-2

Preliminary Report in the case of the violent acts of San Salvador
Atenco and Texcoco 05.22.06./CNDH

D-3

Letter from the prisoners delivered in the *plantón*, 06.1.06
complaints from the Prisoners in the *plantón*

D-4

Response from Aleksí Asatashvili to Tony for his communication with the
CNDH , 05.31.06./CNDH

D-5

Assessment of the events of Atenco, from the Consul of Mexico in Barcelona,
05.29.06. /Mexican Consul in Barcelona

D-6

Recommendation from the UN to Atenco (Miloon Kothari),
03.27.2003./UN (Miloon Kothari)

D-7

Atenco development plans.
Formal complaints of the inhabitants of San Salvador Atenco

D-8

Croquis of the People of San Salvador Atenco, 05.31.06.
Denouncements about the events 4.3.05.06. /Inhabitants of San Salvador
Atenco

D-9

Letter of signatures of 2,500 women in support of Atenco,
06.3.06./2,500 women in support

D-10

Socioeconomic Studies. Social insurance policy. Government of the State of Mexico,
2 Copies. /Government of the State of Mexico

D-11

Intervention from Institute of Defense Attorneys in the case of Atenco, 2
copies./Government of the State of Mexico

D-12

Compilation of laws, codes and rules of the State of Mexico
(CD) / Government of the State of Mexico

D-13

Documentation from Alejandro Martínez (disappeared) Circumstantial affidavit

and others, 11.1.05./Disappeared in Guadalajara
Family, judicial statements, CMDPDH

D-14

Press documentation .Repression in Atenco, May 2006

D-15

Magazine Rebeldía about the events in Atenco, May 2006.
Magazine Rebeldía

D-16

Municipal Development plan, 2003.2006.
Government of the State of Mexico

D-17

Informative summary of the relocation of Commerce.

D-18

Judicial proceedings, (mayo 2006)
1st Juror of the District of Toluca

D-19

Constitution, Laws, Penal Code, law, interior rules, executive agreements/
Government of the State of Mexico

D-20

Document brought by the group Colmena../Group .Colmena.

D-21

¿Estado de Derecho?. (Rule of Law?) Publication of the Caravan of the Other
Campaign, May 11th ./The Other Campaign Caravan

D-22

Article from the newspaper Excelsior 05.25.06./Diario Excelsior

D-23

Announcements and documents delivered in Atenco, sociopolitical assessment

D-24

Considerations about the proposed Action of the 29th of May, 05.30.06.

D-25

Fax sent by the Tutelary of Minors. List of persons. Government of the State of Mexico

D-26

Resume of Wilfrido Robledo Madrid.

D-27

Absent Criteria in the Naming of M.A. Yunes.

8.4. Letters to the CCIODH

Letter of the Prisoners of the Santiaguito jail to the CCIODH (see Annex).

9. Press Releases

**PRESS RELEASE #0
BARCELONA
THURSDAY MAY 25TH 2006**

We want to send the latest news about the urgent visit of the International Civil Commission for Human Rights Observation that will take place in response to the events in Atenco.

We will post on the website <http://cciodh.pangea.org> all the information regarding the Commission. Today, the 25th of May, we have been notified that we have permission from the Mexican Government through the Mexican Consulate in Barcelona to do our observation and investigation. At this time everyone participating in the Commission is applying for special visas called FM3 to be able to continue with our schedule as we have planned it.

28 people are going as of now (14 men and 14 women) from 6 countries endorsed but a CCIODH presentation letter signed by more than 1000 people and organizations in 28 countries.

Today the first person will arrive to Mexico followed by the rest of the first group tomorrow to begin working on preparation details. On Saturday night, 27th of May, the bulk of the participants will arrive to Mexico City.

On the 28th of May, we will have a meeting to prepare the plan that we will work from Monday the 29th to Sunday the 4th of June, when we will leave Mexico.

On Monday the 29th the CCIODH will officially begin work starting with a public press conference which we will announce beforehand.

We will begin work in our offices in the Autonomous University of Mexico City on the street Fray Servando 99. A permanent group of people will be in the offices to attend to visitors and interviews during our stay in Mexico while the rest of the groups will be moving around to different places interview institutions, civil society, prisoners, organizations, lawyers, as well as people who feel that it is important to give their testimony, documentation, or other materials regarding the events.

We would like to thank the recognition given to us that has enabled us to get closer to the truth about what happened and we will put those recommendations and considerations in our preliminary report that will be printed quickly in order to present it to all those people, organizations, collectives and institutions who have either supported us by signing the letter-manifesto, or who will receive our urgent report and support its presentation to the Catalan Parliament, the Spanish Congress, the European Parliament, and the Office of the High Commissioner on Human Rights of the United Nations in Geneva, among others.

This is our commitment and we hope to carry it out in the best way possible.

The International Civil Commission for Human Rights Observation (CCIODH)

The 4th International Civil Commission for Human Rights Observation, summoned urgently in response to the vast impact of the events of Atenco and Texcoco on the 3rd and 4th of May of 2006, begins its work today.

The death of 14 year old Francisco Javier Cortes Santiago, the detention of more than 300 people who have suffered sexual abuse and rape, the deportation of 5 foreigners (two Catalans, one German, and two Chileans), the cerebral death of Alexis Benumea, economics student of the UNAM, has provoked huge concern in international civil society that culminated in the summoning of this Commission for Human Rights Observation which is endorsed by more than one thousand signatures of 29 countries, among them civil organizations, political organizations, unions, associations, committees, and cultural figures from around the world.

The Commission, which will be working in Mexico from today until the 4th of June, includes 28 people from 7 countries (Austria, Canada, Denmark, Spain, United States, France, and Italy); among whom there are lawyers specializing in human rights, academic researchers, specialists in women's rights, experts in conflict resolution, doctors and psychiatrists, union and political party representatives, social organizations and international cooperation organizations; in all 14 men and 14 women.

The Commission has set up its office this morning at the address Fray Servando Teresa de Mier 92 (in a space that the Autonomous University of Mexico City has kindly granted us). Here we will be available to collect testimonies of everyone who wishes to give documentation or information about the events. For this reason we invite especially the people affected to contact us or send us materials that could be relevant to our investigation. This call extends to everyone who may present important information, in particular to those who work in the media.

The Commission has solicited interviews with the Secretary of the Government, the National Commission of Human Rights, the National Immigration

Institute, the Department of Justice of Mexico, the Governor of the State of Mexico, the Mayor of Texcoco, the Secretary of Public Security of the Federal Government, the Federal Prevention Police, and the National Council of Public Security, as well as the State Agency of Public Security of the State of Mexico. Regarding the case of the deported Spanish citizens, we have solicited interviews with the Embassies in Germany, Chile, and Spain and with the European Union delegation in Mexico. We await the confirmation of these institutions and expect the best outcome especially after the Mexican Government recognized the importance of our presence and granted special visas for Human Rights Observation to all the members of the Commission.

We also have the objective of visiting the prisons of Santiaguito and Almoloya de Juárez where people are still detained for the events in Atenco. We await the response of the directors of both prisons to whom we have sent our request for interviews and entrance to take down the testimonies of the prisoners.

The Commission will also visit the town of Atenco.

We have confirmed interviews with civil human rights organizations like the Mexican Network "All Rights for All" as well as social organizations like The Front of Peoples in Defense of the Land (FPDT) and the Other campaign.

In ten days from now, we will compile a preliminary report that will draw together the conclusions and recommendations of the CCIODH and that we will hand in to the organizations that have supported us as well as the European Parliament, the Catalan Parliament and Government, the Italian Parliament, and the Commission of Human Rights of the United Nations, among others.

The full report will be ready by September of 2006.

We thank the positive response to our request of behalf of the institutions and organizations, especially the people affected by the grave events in Atenco. Without their testimony our work would not be possible. Our objective is that they help us to find the truth so that justice can be done.

International Civil Commission for Human Rights Observation (CCIODH)

Yesterday was the first day of work of the International Civil Commission for Human Rights Observation (CCIODH), after the press release that marked the beginning of the activities of the CCIODH.

At the Commission's office we received the first testimonies of various civil society organizations in Mexico. Among them were those of Edgar Cortez of the "Todos los Derechos para Todos" (All Rights For All) Network, as well as Miguel Alvarez, Pablo Romo and Enrique Pineda of "Servicios y Asesoría para la paz" (Services and Counselling for Peace). These human rights specialists emphasized, "the significance of the events in Atenco is great, given the symbolic value of this population in civil resistance that developed as a result of their struggle against the construction of an airport on their land and given their exemplary position in support and solidarity of other struggles in the region".

During the afternoon we also spoke with Juan de Dios Hernandez Monje and Pedro David Suarez, two lawyers of a legal team who are following up on the events of Atenco.

They presented the commission with the following letter, written by the political prisoners of Atenco. "Brothers—they write from the jail in Santiaguito—despite the beating and the rape of women of Atenco, despite having also raped one man, killed a child, tried to take away what is ours; here among the cries of those imprisoned and despite the harassment by those inside the jail; we try to forget what was done to us, to forget the smell of blood, the cries, the beatings and the threats". They added, "Please review responsibly the irregularities and anomalies of our case and make them public in the world. We would like to bring to your attention that we are all on hunger strike. [...] When there is justice there will be no more poor or rich, no jails, and no laws".

During the course of the day we also spoke to various youth who were detained during the operative in the early morning on May 4th in San Salvador

Atenco. According to their testimonies, they were “held hostage by the Federal Prevention Police (Policía Federal Preventiva)” as well as victims of violations and abuse while being taken to jail. One of them presented information about the treatment of María Sostres, one of the Catalan women who were also detained in Atenco. During the trip to the penitentiary he had been thrown on the floor of the truck next to her.

During the afternoon, a delegation of the commission conducted an interview with members of the “Front of Peoples in Defense of the Land” (“Frente de los Pueblos en Defensa de la Tierra”) where a plenary session of the Other Campaign (La Otra Campaña) was taking place, in order to plan the visit to San Salvador Atenco. There, a letter was also presented to the Delegado Zero, in order to reach members of the Other Campaign and communicate to them: “we will draft an urgent report regarding the events, considering their significance as well as the vulnerability of individual and collective rights of affected organizations, populations, and persons”.

Today, Tuesday May 30, the majority of the members of the Commission have travelled to San Salvador Atenco, having been asked to appear by the “Frente de los Pueblos en Defensa de la Tierra”, in order to collect testimonies (including interviews, documentation, photographs) in the place where the abuses took place.

According to Ignacio García García, spokesperson for the Commission “we consider our work yesterday to be developing in a very positive way: We have received significant testimonies, and have received documentation that is of high importance to the work we propose ourselves. We are carrying forward interviews with institutional and social actors, and the responses to our requests have been positive. We would like to thank all of those who provided us with information, and would like to thank in advance the many others who will do likewise in the following days”.

International Civil Commission for Human Rights Observation (CCIODH)

Our second day of work began at 7:30 AM in the office of the Commission located in the headquarters of the Autonomous University of Mexico City. A large group went to visit Texcoco and San Salvador Atenco.

They were received by a group of people who had been impacted by the events of May 3rd and 4th. Some of them were members of an organization called "The Front of Peoples in Defense of the Land" (FPDT). After introductions the Commission divided into three groups in order to cover as much ground as possible. Two of the groups were accompanied by inhabitants of the town to tour Texcoco and San Salvador Atenco, while the third created an office in a local *ejido* building to collect testimonies and denouncements.

Given the number of testimonies received, and the number of people who wanted to speak but didn't have the opportunity, the commission decided to return today in smaller numbers.

It is worth noting the will and interest of the townspeople in speaking about everything that had happened despite the fear that permeated the area. We were allowed to enter homes and observe the state that they were in. We also observed the marks on the bodies of people who had suffered blows.

According to what people said, the state of "terror" is not over. Many have not returned to their homes out of fear of another attack. There are pending arrest warrants which are leading many people to hide. Several of them have expressed to the commission, through family members, that they would like to give their testimonies and at the same time they run the risk of being arrested if they speak to the Commission in their homes. They are also clearly unable to come to the office to speak. We were informed of around 100 persons who remain in hiding.

At first evaluation the damages to this historically resistant community is palpable. Many people are showing severe psychological reactions. Some are asking

why this happened to them, and many others refer directly to this experience as a "revenge" for their history of resistance.

In the morning we went in person to the prison of Santiaguito and handed in the petition to enter in the prison. The previous day we had requested to visit the other prison in "La Palma." We hope that the Commission will be allowed to enter so that it can interview the prisoners who remain in prison.

We have also interviewed lawyers, detainees, and family members throughout the day.

Today the delegation committed itself to completing a second visit. One group returned to Atenco to finish working and another group went to a *plantón* that was being held in front of the Santiaguito prison in order to interview the families of prisoners who were protesting there.

International Civil Commission for Human Rights Observation (CCIODH)

In our third day of work, the International Civil Commission for Human Rights Observation in Mexico once again went to the town of San Salvador Atenco to recollect more interviews and testimonies of those affected by the violent events in the dawn of the 4th of May.

Youth, men, women, elder people were recieved in the office of the CCIODH in the *ejidal* building, showing a strong will of the people of Atenco to condemn the events and violations they have suffered.

In their words was the fear of those who were not detained and stayed in a ghost town. We have heard testimonies that talked about the damage to the social network of an organized people in struggle. Some people have indicated this to be a central objective of the operation. Others continue not understanding what happening.

Other participants in the Commission went to the *plantón* where families of the prisoners, members of social organizations, together with adherents to the Other Campaign, have been carrying out in front of the jail Santiaguito.

Of the different testimonies that we could gather, information stood out about the conditions of the prisoners that are still in a hunger strike that they have been maintaining for more than 3 weeks. As a way to continue the harrasment against the prisoners, according to their testimonies, the jail is not letting them recieve the sugar, fruit, and candies that the *plantón* is sending to them as a form of support. The doctor Guillermo Selvas who has lost 11 kilos (around 24lbs.), shows that the conditions of the people on hunger strike are getting worse everyday, as they have neither medical nor psychological assitance as they continue to be firm in their goal to continue the hunger strike until justice is done.

We have received testimonies from various people telling of the possible disappearances of people thrown out of the police vans. This information we will compare and contrast in the rest of these days with more testimonies.

Yesterday afternoon Angel Benhumea and Jolanda Hernandez, the parents of Alexis Benhumea came to our office. Alexis is the economics student from the UNAM who is in a coma with brain death in the hospital "López Mateos" in Mexico City. His parents believe that the police operation was brutal and exaggerated as they were in a peaceful protest: "My son is debating between life and death- his father said- and I blame the Mexican Government for this whole operation." His mother underlines that "the whole family is indignant, hurt by this suffering and hopefully it will be of use so that nothing similar to this happens to other families just because they express themselves and defend their rights as human beings." They directly shot her son, they added, and later had to hide for 11 hours with their injured son watching how he entered into a state of a coma without medical assistance as a result of the police denying the entrance of any ambulances.

In our fourth day of work, this morning different participants of the CCIODH will interview the National Commission of Human Rights while others will go to the prison La Palma with the goal of attending the first public hearing of the three detainees in this maximum security jail. This delegation went to Texcoco to interview the mayor and the police who apparently were "beat up and held in the afternoon of the 3rd of May."

We continue to organize the institutional interviews with more difficulty than expected. A week before the Commission left for Mexico we handed in the official request. When we began our activities on the 29th, 2 members of the Commission dedicated all their time to formalize contacts. To this day we have very few despite the effort. We lament that the ones we have are far less than the ones we requested and that the level of responsibility of the officials is far lower than we expected.

International Civil Commission for Human Rights Observation (CCIODH)

In our fourth day of work, the International Civil Commission for Human Rights Observation in Mexico was finally able yesterday to begin to interview the different institutional actors.

In the morning we went to the National Human Rights Commission (CNDH), in the afternoon a delegation of the Commission went to Toluca to interview the Secretary of Government of the State of Mexico. After explaining the role of the Commission, the Government ratified his point of view about "the problem of Atenco", explaining that the Front of Peoples in Defense of the Land (FPDT) has always stopped any action the Government has tried to take to support the people in this Municipality. The government recognized that the operation produced excessive police force, but it continued to minimize and elude any penal o political responsibility of the police.

In Texcoco, the CCIODH went to speak to the Mayor of the municipality of Mexico, who brought up the subject of the florists, explaining that there was never any agreement that permit them to sell flowers on the 3rd of May, which contrasts with other testimonies and documents that were handed into the Commission. He also affirmed that the FPDT "controls" the florists. He declared that there was no conjunctive operation between the municipal and state police, and that the municipal police were unarmed. Other interviews show opinions that contradict the official argument with photos to support.

In the evening the Commission received a call from America del Valle, daughter of Ignacio del Valle, leader of the FPDT detained in the maximum security prison La Palma and who's whereabouts are unknown. She explained to us "the people of the Front are not delinquents. We will struggle for the freedom of our prisoners." She added that her whole family had to flee from the town, as well as those without an arrest warrant. She has news that her mother and sister are well, thought she has not seen them since the 3rd of May.

Yesterday morning, the team of lawyers that are participants of the CCIODH wanted to participate in the first public hearing of the process against the three prisoners in the maximum security prison of La Palma. Nevertheless they were not allowed in and finally the hearing happened behind closed doors. These same people interviewed with the judge of the prison of Santiaguito, and this morning they went to the prison Almoloya de Juárez, due to the prison director's positive response to our request to interview the prisoners.

In the morning this 5th day of work, a delegation of the Commission went to the German embassy in Mexico City; another group went to the office of the Attorney General's Office of the Republic of the State Mexico and another to the Attorney General's Office of the Republic in Mexico City at 2 in the afternoon.

At three this afternoon, the Delegado Zero (subcomandante Insurgente Marcos) came to our office after a positive response to our invitation Commission made through a letter to the Other Campaign.

International Civil Commission for Human Rights Observation (CCIODH)

In our fifth day of work, the International Civil Commission for Human Rights Observation in Mexico was able to enter the prison Santiaguito and interview 28 detainees (men and women), collecting information about the health of the prisoners and affirming the lack of medical attention as well as the presence of their energy and resisitance. The group of the CCIODH was made up of a female lawyer, a female doctor, a male psychiatrist and a male photographer and they were able to speak with the General Director of Prevention and Social Reapdatation of the State of Mexico, Mr. Alejandro Carmona.

The psychiatrist and the doctor of the CCIODH examined those whose showed psychological affects and suffered injuries. We verify that none require hospitalization and we affirm that one of them (Arnulfo Pacheco, the paraplegic elderly man accused of kidnapping 8 police officers) is in the prison's clinic.

The women who were interviewed denounced sexual abuse. There are absolutely contradictory versions as to what the National Commission of Human Rights presented to us, above all about the attention they recieved. It seems clear, for instance, in the case of sexual abuse against the women- that they cannot be attended to by a man and less by doctors who are not specialized in sexual abuse. The women explained that the 1st of June, three weeks after the rapes, was the first time they were examined by a gynocologist, who diagnosed some of them with severe infections.

Besides this visit to the prison Santiaguito, among other activities of the CCIODH, was the interview with the Delegado Zero, Subcomandante Marcos, who came to the CCIODH office at 3 in the afternoon. In front of the commissioners the spokesperson of the Other Campaign told us that "your work will begin on Sunday, when you return to your countries."

The Delegado Zero, after presenting the "seven crimes" that have been committed in Mexico regarding the events of Atenco and Texcoco, he called to condemn, to "continue with the word to avoid the last crime: oblivion." "This -he added- is the duty of every honest person in the world."

In the evening we were able to have a phone interview with the Spanish embassy in Mexico who gave his testimony about the deportation of María Sostres and Cristina Valls, Spanish citizens.

Today, the 3rd of June, we are dedicating to writing the preliminary report, developing our conclusions and recommendations, that the CCIODH will make public tomorrow, in the final press conference at 12pm on the 4th of June in the Auditorium of the Autonomous University of Mexico City, on the street Fray Servando Teresa de Mier 99, second floor, Colonia Centro.

International Civil Commission for Human Rights Observation (CCIODH)

10. Members of the CCIODH

Sigfrido Miralles de Argila Retired, Participant in all the earlier CCIODH	Spain
Ignacio Garcia Garcia Administrative technician. Participant in two CCIODH	Spain
Marta Chiné Labrador Pedagogue	Spain
Ismael Valencia Castro History Student	Spain
Flavia Anconetani Anthropologist	Italy
Roger Rovira Pineda Primary school teacher	Spain
Gina Engst Student	United States
Josep Lluís Vecino Martínez	Spain

Jaume Asens Spokesperson for the Human Rights Commission for Individual Rights of Catalonia	Spain
Silvia Sanahuja García Social Educator	Spain
Jorge Domingo García Coordinator of an NGO, Girona. Masters in conflict resolution	Spain
Marta Clapés Spokesperson for the Human Rights Commission for Individual Rights of Catalonia	Spain
Felisa Rojo Gil La Garriga civil society	Spain
Marco Aparicio Wilhelmi Doctor in Constitutional Law. University of Girona.	Spain
Anna Fransoy Balagué Administrative technician	Spain
Luca Martinelli Coordinator of the Italian	Italy

[Redacted]

Eduard Bayer Sánchez
Professional Photographer

Spain

Sara Castelli
Journalist

Italy

Claude Rioux
Editor

Canada

María Encarnación Bodelón
González
Member of the Committee of the

Spain

Vilma Mazza
International Cooperation

Italy

Ma Rosa Viñolas i Garcia

[Redacted]

Spain

Teresa González de Chávez
Fdez.
CGT (General Confederation of
Doris Helene Brondbjerg
Palvio
Medical Doctor since 1981

Spain

Denmark

Andrea Iori
National Coordination
of young communists of Italia

Italy

Juliane Fischer
Mexiko-Plattform, Austria

Austri

Bernard Riguet
International Economics
Consultant, participant in the

France

Pau Pérez Sales
Psychiatrist, specialist in human
rights.

Spain

ANNEX

Letter from the men and women prisoners of the Santiaguito prison to the CCIODH

May 29th, 2006

Brothers and Sisters of Human Rights groups of the European Union:

Here between these bars and walls, struggling not to play their game, we express ourselves with pen and paper, our only weapons along with our consciousness and thoughts. Brothers and sisters, despite the blows, the rape of our women, the rape of our brother, the killing of a boy, as they try to take away what is ours; here between the screams of the guards, the harassment from other prisoners, we try not to remember what they did to us, to forget the smell of blood, the screams, the blows, the threats.

I ask Peña Nieto (governor of the state of Mexico): how do you sleep at night, sir? How do you tell your children what you did to us? How can you deny the rape and the beatings that we suffered? How can you speak of a Rule of Law without torture when the very images on the sold out television show how they physically and psychologically tortured us? How can you paint over and erase what you've done to us, what you've done not only to us but to our mothers, children, sisters, brothers, spouses? How can you face your boss, President Fox? Your children depend on you to grow, but if you were to tell you children what happened, they would be traumatized.

Brothers and sisters, from here your solidarity is fraternal, it reaches farther than the solidarity and has no name, it has no qualified adjective, thank you for your support and interest in our case, this goes beyond borders.

Greetings to all the people in solidarity and to the brothers and sisters on the other side of the world, their hearts beat with ours. Thank you for your support brothers and sisters.

We hope that the people in those far away lands hear our voice from the prison of Almoloya de Juárez.

Compañeros political prisoners of San Salvador Atenco

29th of May 2006

P.S. Please check continually the irregularities and anomalies of our process and spread them around the world. We also want to let you all know we are on a hunger strike. Hopefully Peña Nieto doesn't have the behavior of steel chancellor of England (Margaret Thatcher)

"Arise the consciousness, free the people"

When justice is done, there will be neither poor, nor rich, neither jails, nor laws.

Manifesto of the IV visit of the CCIODH

IV INTERNATIONAL CIVIL COMMISSION FOR HUMAN RIGHTS OBSERVATION FOR
THE INCIDENTS IN ATENCO

Barcelona, May 17th, 2006

*To the Mexican civil society
To the international civil society
To the Mexican Government*

*To the media
To the Sixth Commission of the Other Campaign*

In February 1998 due to the massacre in Acteal that took place 3 months before, the international civil society reacted with diverse mobilizations to show repudiation to the massacre of the indigenous people in rebellion of Chiapas, and looked for ways towards a pacific solution to the conflict.

More than 500 people and organizations of all five continents endorsed the creation of an International Civil Commission for Human Rights Observation (CCIODH) that traveled to Chiapas in those dates.

In November of 1999, a second commission carried out a new visit to observe and evaluate the then current situation and compare it to the observations and recommendations of the earlier visits.

In February of 2003 the CCIODH carried out a third visit. After the new political party had won the elections, the objective was to verify the possibility of a just solution to the conflict with the passing of the Indigenous Law. This possibility was denied when the EZLN and the CNI did not support the constitutional reform passed in 2003 as they saw that it did not fulfill the San Andrés Accords.

As a result of these three commissions, various reports were made that were given to all the interlocutors of the Commission in Mexico, as well as to the organizations

and people who supported the visits, and to the international institutions (the European Parliament, the National Parliaments, the Central American Parliament, the High Commissioner of Human Rights of the UN, etc.).

Following the incidents that took place in San Salvador Atenco on the 3rd and 4th of May of this year which resulted in the the death of one minor, various people severely injured, more than 200 people arrested and five foreigners deported in an operation in which more than three thousand police participated, serious complaints have been presented of sexual abuse, rape, mistreatment, humiliation, and tortures that seriously undermines the fundamental human rights of the people.

For all that is mentioned above, we invite the Mexican civil society as well as the federal government, the Sixth Commission of the EZLN for the Other Campaign, and the organizations and NGO's affected by the events, to give us the same trust that they granted in the last three occasions, that they receive us and give us their word, that they permit us to freely and responsibly realize our work.

We also solicit all organizations that endorsed us before to do it again so that we can observe, reflect, and to diagnose the human rights situation as a consequence of the conflict.

For these reasons, those who sign below** support this manifesto to be given to the media, the Mexican government, and to the international entities as well as the civil society on this day, the 17th of May, 2006.

The CCIODH will travel to Mexico from the 29th of May to the 4th of June to carry out the interviews with the various actors of the conflict and, afterwards, to deliver the report to the entities, institutions, and organizations in the same way that was done in the last three visits.

Barcelona 15th of May, 2006
International Civil Commission
for Human Rights Observation
Email: cciodh@pangea.org
<http://chiapas.pangea.org>

** These signatures can be found in the ANNEX: *Signatures in support of the CCIODH*

SIGNATURES IN SUPPORT OF THE CCIODH

PEOPLE DEPORTED FROM MEXICO Cristina Valls Fernandez;
María Sostres Tarrida; Mario Aguirre Tomic; Valentina Palma Novoa;
Samantha Dietmar.

GERMANY Coordinación Alemana por los Derechos Humanos en México; Oficina Ecumenica por la Paz y la Justicia; Manuela Gerhardt (Hamburgo) Manuela Pineda Izquierdo; Hartmut Gerhardt; Karen Francia (Münster) CAREA e.V.; Promovio e.V.; Pia Simoncini (Göppingen); Alessandro Simoncini; Mittelamerika Initiative (Leipzig); Angela Schuster; Bernhard Wanner; Anna Nemeth.Krautzig; Humberto Feliciano Lodovico.

ARGENTINA Red de solidaridad con Chiapas de Rosario; Red de Solidaridad con Chiapas de Vicente Lopez; Colectivo Resistirconstruyendo (Paraná, Entre Ríos); Foro Ecologista de Paraná, (Paraná, Entre Ríos); Liliana Huljich (Rosario); Aldo Antonio, RIOS (Mar del Plata); Joaquín Averbach; Valeria Guerrero; Catalina Brescia; Graciela Masciovechio; Beatriz María Villordo; Clara Vallejos; Patricia Rodríguez Jurado; Liliana Díaz Zayas . Red de Solidaridad con Chiapas; Malena Salzman (Paraná, Entre Ríos); ; Delia Hermostí (Buenos Aires); Elba Basile (Buenos Aires); Claudia Padula; Andrés Padula; Pablo Recroa; Riita Galvez; Elsa Miranda; Mónica Rocha; Graciela Flores; Nancy Silva; Ma. de los Angeles Malmoris; Osvaldo Borrás; Gabriel Vartuli; Stella Maris Defortuna; Estela Díaz; Florencia Lobasso; Ana Ma. Bello; Andrea Padula; Liliana Perez; Paula Lamedica; María Eugenia Artico.

AUSTRIA Christof Kössler (Plataforma de México); Georg Schoen.

BELGIUM Artemisa ASBL Communication; Education et Culture; Patricia Parga.Vega; Stefania Contarino, Brussels; KWIA, Grupo Flamenco de Apoyo para los Pueblos Indigenas; Florinda Aguilar Lopez; Ivan Fox.

BOLIVIA Mónica Vargas Collazos; Centro Integral de Desarrollo, CID.

BRAZIL MMC.Movimento de Moradia do Centro ULC . Unificação das Lutas de Cortiço; Fórum dos Cortiços; UMM, União dos Movimentos de Moradia; MTST, Movimento dos Trabalhadores Sem.Teto; MSTC, Movimento dos Sem.Teto do Centro; Afapuc, Associação dos Funcionários da Pontifícia Universidade Católica de São

Paulo; Apropuc . Associação dos Porfessores da PUC/SP; Sindicato dos Funcionários da USP /SP; Javier Gutiérrez Marmolejo (São Paulo).

CANADA Claude Rioux (Montreal); Peter Weiss; Katie Earle; Diego Hausfather; Araceli González; Florence Vincent; Ici La Otra de Montreal.

COLOMBIA Guillermo Castaño Arcila; María Truño; Laura Torres (Bogotá).

CHILE Juan Villablanca L. (Santiago); Cristián Palacios.

CHINA Joan Hinton; Xiejian Ping.

DENMARK Mikkel Iversen, TINKU; Doris Palvio, TINKU; Gudrun Pedersen; Esben Frost Kristensen.

EL SALVADOR Mónica Sánchez Gallego; Susanna Abarca Marin.

STATE OF ERITREA Rahel Weldeab.

SPAIN Confederación General del Trabajo

(CGT.España); CGT. Comisión Confederal de Solidaridad con Chiapas; Asociacion Candela Projectes Solidaris (Palma de Mallorca); CNT de Fraga; Fundación Hijos del Maíz (Móstoles); ADIC (Santander); Colectivo zapatista .El caragol. (Valencia); Colectivo Liberación de Murcia; MID.Mallorca .Col.lectiu de suport a Chiapas., CS Atreu!; Asociación Andaluza por la Solidaridad y la Paz (ASPA); Asociación pro.Derechos Humanos de Murcia; Ateneo Libertario La Idea (Madrid); Colectivo Lagarto Gachupin; Plataforma de Solidaridad con Chiapas, Oaxaca y Guatemala; Colectivo Paideia (Merida). Justo Vila Izquierdo (ex.concejala del ayuntamiento de Badajoz PSOE); Rafael Vila Izquierdo (concejala del ayuntamiento de Benquerencia de la Serena, Badajoz); Eladio Villanueva Saravia (secretario general de CGT); Angel Bosqued Tapia (secretario relaciones internacionales de CGT); José Luis Humanes Bautista (coordinador de Comisión.Chiapas.CGT); Antonio Montalbán Gamez (Concejala de Izquierda Unida, Ayuntamiento de Valencia). Javier Corcuera; Francisco López de Ahumjada Suárez (Fuente Palmera Córdoba); María Rodríguez Gil; Chema Alonso; Clara Herrero Cano; Sofía Sánchez; Marivi Vázquez Aguado; Rosa Grangel Furió; Ricardo Nicolás Tahoces; Antonio Montaña Vázquez; Antonio García García; Ana Burgos García; Angeles Cano Martines de Velasco; Vicente Merino; Centro de Estudios Libertarios José Alberola; Marta Beltrán; Irene Aragonés Alconchel; Carmen Gómez Palomo; Pedro Calvillo Serrano; Manuel Rafael Fernández Somiedo; Justo Vila Izquierdo (Badajoz); Maria Angeles Fernandez; Giovanna Pignatti; Jesus Montero; Maria

Llanos Díaz; Jordi Anglada; Miguel Garcia Blanco; Ernesto Manzanedo;
Carmen Saura Garcia; Bioshop; Susana Cembellin Arribas; Joaquim
Reverter Corominas; Silvia Crespo Company; Elisa Garcia; Pablo Alegre;
Guillem Galofre Garreta; Monica Carci Guilera; Dulce Garcia; Beatriz
Cabanillas Sanchez; Carlos Medina Gazquez; Maria Rodriguez Sandez;
Jordi Masats Ordi; Alberto Piñera Plá; Maria Castaño Martín; Arriel
Dominguez; José Berdullas Barreiro; M^a Dolores Ayala Simón; Oscar
Perez Caba; Sagrario Luna (Granada); Xavier Graells; Lucía Martínez
Lorenzo (Alcobendas); Sílvia Porto; María Gracia Pérez.Chuecos Vallés;
Enrique Campos Navarro; Victoria Pérez Iglesias; Joaquín Suárez
López; Teresa González de Chávez ; Beatriz Beseler Soto; Angela
Pérez.Chuecos Vallés; Luisa López Piedras; José Ángel Brandariz
García; M^a Teresa Rodríguez Escudero; Cecilio Muñoz Fernández; Ana
Marcos; Pilar Mira; Coral Castedo; María Rivasés Moñux; Josefa Penalva
Higón; Héctor Rivera; Paula Gonzalez Caceres; Isabel Navarro Moñino;
Mar Soler Masgrau; Victoria Garrido Blanes; Vicent de la Puente; Pilar
Alonso Ortega; Alberto Gutiérrez Souza; Laura Masia Maravilla;
Fernando Magán; Sandra Lobato Gómez; Jorge Bachiller Hernández;
Roberto Riopérez Redondo; Félix Andrés Ballesteros; Olga Espinosa
Ibáñez; Gastón Correa Urquiza; Inmaculada Albi Gascó; M^o Inma
Monzó Embuena ; Maria Gonzalez Altozano; Jorge Escrivá Gonzalez;
Nacho Vicent Vitoria; Manuel Sebastián Vera ; Marta Puchol Navarro;
Herme Torrejón Ráfila ; José Delgado de Malima i Martínez; Marga
Alvamis Bermejo; Eva Maria Jurado Cepas; Daniel Hernández; Cristina
Isabel Rios Martinez; M^o Vicenta López Jiménez; Joseph Martinez
Sapiña; Javier Companela Iriguyen; Antonia López Jimemez; Ricardo
Martinez Acals; Susana Vidal Mari; Michal Majescer; Jose A. Ruiz; Elena
Bellés Hueso; Silvia Villanueva Monteagudo; Guillem Moreno Collado;
Montserrat Pascual Moliner; Julia Giménez Pascual; Cristina Ruiz
Fortea; Laura ruiz Fortea ; Sonia Belda fernández; Maribel Muñoz i
Sanchos; Consol Noverques i Garcia; Inma Arbi Gascó; Pilar Cercós;
Manuel Paredes; Felipe Tro; David Rodríguez Fernández; Lourdes
Mendez ; Juan E. Pérez Samaniego; Rosa Maria Lera Escar; Gloria Soler
Granero; Loly Company Pausa; Abraham M. Cerveró i Carrascosa;

Amparo andrés Lloria; Fina Fabra; Javier Acabadi Zapater ; Raquel Fernández; Coral Menreja i Peris; Elsa Dubosclard; Irene Varea Ferrandis; Lorena Abad Rodríguez; Isabel Mondragón Ortiz; Marta Mondragón Ortiz; Soyez Juie; Ana Roig; Alberto Trovato; Elena Díaz; Lucía Manzini; Cristina Martínez Ferrer; Marianela sanchez Glesa.; Elisa Cortes Ferrando; María Bartual aguilar; Eduardo serrano calaforra ; Celia Alcañiz Salvador; Cristóbal Dolce; Alba López March; María Olmos García; Vicente Caballer Hernández; María José Vedet Sevilla; Vanesa Serrano Alcañiz; Amparo Arocas Iranzo; Isabel Cortina Saez; Cristina Moral Fontalba; Pablo Ruiz Rosalen; Silvia Cortes i Molla; Cecilia Vellio; David Llucian Caballer; Ivonne Reyes; Sants i Martínez; Fabiola Fuentes; David Juan Sampere; Teresa Muñoz Martínez; Joao Barafa; Maria Fortes Ferreira; Matias Comley; Mustapha Mollilamin Ahmed; Amparo Caballer; Josefa Cebria; Amparo Miquel Sanchez; Raquel Blasco Piqueras; Pedro Garcia Rodríguez; Josep Vidal Otero; Lourdes Latorre Capella; Angel Gonzalez Perez; Eva Moreno; Francisca Iñiguez Garcia; Sonia María Monteagudo Romero; Pedro Montoro Catalan; María Monteagudo Robledo; Vicente Inguesa Ortiz; Javier Rodrigo Navarro; Rebeca Torada Mañez; Laura Bosch Fenollosa; Carlos Gonzalez Torres; Jose Pablo Torro Vidal; Laura Martínez Puente; Julia Navarro Villegas; Ana Taberner; Pilar Carceller Sales; Jose Manuel Bellon Lopez; Pilar Castro Rodríguez; Oscar Llago i Giménez; Javier Beso Delgado; Enrique Cebrián Delgado; Josep Aguado Codes; Rut Moyano Lon; Irene San Roque Muñoz; Josefina Paredes Vivamcos; Javier Sanz Bernall; Lorena Llorens Pla; Juan Genoves Rico; Maricely Corzo Morales; Elisa Jiménez Hernandez; Sara Gil Casanova ; Jordi Burget Castell; Carolina Lopez de Dicastillo; Jose M. Jiménez; Josefina Caballer Dura; Teresa Caballer Dura; Julia Huedo Berenguer; Marta Fuster Alcacer; Carmen Porta Carrasco; Pascual Lopez Porcar; Carlos Montroi i Ruiz; Jesús Tebar Herraiz; Luz Cabanes Castello; Mirella Garcia Perua ; Enrique Vicent Catala; Eva María Alcalde Diez; Iván Hernandez Navarro; Diego Jiménez Mirayo; Cristina Barberito Vazquez; Hector Miranda; Beatriz Villarroya Sarda; Taina Barrios Carbajo; Jose Antonio; Cristina Noguera Garcia; Maria Jose Jorge Aspar ; Maximiliano Frio Juge; Vicente Ban Regueni; Anabel Barbera Peña;

Esperanza Rico Monge; Carlos Cerda ; Carlos Mercado Toledo; Lorena Carmin; Olga Fructuoso; Carmen Martínez Zamora; Miguel Ballesta Tortosa; Vicente Gorin; Sebastián Gualda; Javier Tarrega Macario; María Luisa Serrano Oliver; María Jose Andres Dramaje; Eva Villedo Rosch; Ana Caballer; Antonio Belarde; Virginia Alonso; Jara Sanchis Peris; Carlos Javier Lopez Bemed; Guillermo del Olmo Gonzalez; Javier Calatayud Moreno; Isabel Parra Mora; Jordi Aracil Vauraye; Regina Sobreviela Garcia; Pedro Antonio Martínez Genoves; Eva Caro Vega; Nana Frasquet; Ramon Tormo; David Gonzalez Rubio; Violeta Esparza Parra; Lorena Sosa Quesada; Daniel Gordillo; Mercedes Palop; Alejandro Maldigo; María Ruiz Tormos; Enrique Tarriba Martínez; María Angeles Cubells Aguilar; Barbara Rosch Plasencia; María Casas Hueso; Carlos Palma Gonzalez; Jorge Morales Penella; Marta Muñoz Capuz; Bonaventura Casanova; Isabel Fabado Guillen; Asier Merino Bicarío; María del Carmen García Carrion; Rosa Gisela Valentín Cipriano; Teresa Frutos Iglesias; Sara Fresno Rodriguez; Lola Sánchez Lebrato; Mar Garrote; Carlos Riádigos Mosquera; Aurelio Sánchez Blanco; Rosa Gomez.Reino Varela; Serxio Regos Garcia; Pilar Mera; Carmen Maria; Tenesara Toledo Gutierrez; Juan Ignacio Manrique Berki; Berta Rubio García; Mónica Blanco Suárez; Fátima Mesquida Coll; Javier Gago Fernández; Roberto Gil; Carmen Caballero Prado; Asier Bilbao Bustinza; Miguel Melero; Maite Blasco Martin; Elena del Moral González; Celia Martell; Mónica Garcia Mas; Eva Bellón Rubio; Manuel José Vasco Rodríguez.; Miriam Franco Samper; Asunción González de Chávez, profesora Universidad de Las Palmas; Antonio González de Chávez; Pepa Miranda; M^a José Mochon Ortega; Almudena Pérez Morales; Rafael Núñez Martín; Belén Amaya Redondo; Emilio Castro Velez; Pedro Azaola; Miguel Sese Guillot; Marisa Fernandez, Gema Fernandez Torija, José Gómez Ferrando , Olmo Vazquez,, Guillermo Zapata Romero, Gema Fernandez Torija, Paula Cerdeira, Manuel Conesa Sevilla, , Fernández Rocha, Jose Manuel Martín Medem, Juan Antonio Juárez Cañaveras, Josefa Martín Luengo, Patricia Sánchez Turégano, David Díaz Tardón, Fernando Molinuevo Collantes, Andrea Benites.Dumont (Casa Pueblos), Begoña Ribera, Miguel Angel Peñalver Herrero, Oscar Pérez Caba.

CATALONIA Federació Catalana d'ONG per al Desenvolupament, Xarxa de Consum solidari; GONG, per la defensa dels drets humans i dels pobles (Pineda de Mar); Ecuador Llactacarú; Plataforma Repsolmata; Observatori del Deute en la Globalització, Reus Societat Civil Cultural i Solidària per la Pau; Ateneu Rosa de Foc; Acció Solidària IGMAN; Comité de Solidaridad con los Pueblos Indígenas de América; Entrepueblos/Entrepobles/Entrepobos; Dones del Sac; Solidaritat Antirepressiva de Terrassa; Associació Memòria Contra la Tortura; Coordinadora d'ONG de Comarques Gironines i l'Alt Maresme; CO El Kasalet; Acció Autònoma; Assemblea d'Okupes de Terrassa; CSO La Impremta; Consell de la Joventut de Terrassa; Casal de la Dona de Terrassa; La Sembra; CGT.Terrassa; AEG Torrent de les Bruixes; Col·lectiu de Solidaritat La Chichigua (L'Hospitalet de Llobregat); Casal independentista Solc; As. Cultural Murtra; CUP; Agrupament escolta i guia Montpalau; Plataforma antiglobalització; As. Somriure per Chiapas; Casal Felix Cucurrul (Mataró), CUP Mataró; Assemblea Dret Barcelona; Asociación Catalana de Brigadistas a Nicaragua; Juan Carlos Espinoza, Colectivo Bolivariano Cayapa; La Flauta Magica (Radio Moià); Ajuntament de Mont.Ras, Unitat Solidària; Associació Catalana per la defensa del Drets Humans; Iniciativa per Catalunya Verds de Terrassa (ICV); Aritjol.As. Socioecologista; Òptics per Món; Waslala.Asociación Cultural La Florida; Fundació Akwaba (L'Hospitalet de Ll.); GAAN; Col·lectiu de Solidaritat amb la Rebel·lió Zapatista de Barcelona; Col·lectiu a Les Trinxeres; La Ciutat Invisible, cooperativa autogestionària; Col·lectiu Xapatista de Fornres de Can Bofill; AJIT (Assamblea de Joves Independentistes de Terrassa); Plataforma Transgènics Fora; Associació de Terrassa per la III República; SODEPAU; Lliga dels Drets dels Pobles; ACAT.España (Acció dels Cristians per l'Abolició de la Tortura); Agora Nord.Sud; Rubí Solidari ; Observatori Solidaritat de la FSUB; SOS Racisme Catalunya; La Garriga Societat Civil; Intersindical Alternativa de Catalunya.IAC (CATAC, USTEC-STEs, CATAC.CTS, CAU, FSEF); Col·lectiu Ronda; Brigada de Terrassa a Chiapas; (Qué pasa en el mundo) Radio Contrabanda FM; Kaosenlared.Net de Terrassa; Red Europea de Diálogo Social (REDS); Comissió de Defensa del Drets de la Persona del Col·legi d'Advocats de

Barcelona; Ajuntament de Palafrugell; Salvem el Crit , Ass. Ecologistes; Grup de Joves Sant Antoni.St Gemma; Soarpal. Solidaritat Arbúcies Palacagüina.Arbúcies; OEPB, del Port de Barcelona, representant a mil treballadors actius; El Caracol Maya (Badia del Vallés); Junta de Gobierno Local del Ayuntamiento de Sant Adrià del Besós; DONA (Joves Nacionalistes per la Igualtat); Casa de Uruguay; Assomvic. David Rueda i Reguill (ex.regidor de ERC en La Seu d'Urgell); David Cid (responsable de moviments socials d'ICV); Gabriela Serra (Entrepobles); Joan Herrera Torres (diputado de Iniciativa per Catalunya Verds en el Congreso); Gregorio Belmonte Ferrer (regidor d'Educació i Solidaritat, Ajuntament de St Adrià de Besós); Joaquim Miguel Rigau (regidor de Serveis Municipals, Ajuntament St Adrià de Besós i Diputació de Barcelona); Gregorio Camacho (alcalde regidor de Medi Ambient i Salut Pública, Ajunt. St Adrià de Besós); Jordi Guillot (senador i vicepresident d'ICV); Raül Romeva, (eurodiputado de Iniciativa de Catalunya . Els Verds); Ernest Urtasun (portaveu de la FYEG); Eduardo A. Fernández.Silva Méndez (regidor delegat de Recursos Humans i Serveis Socials, Ajuntament de St Adrià de Besós); Dolors Camats (diputada de ICV) ; Pilar Dellunde i Clavé (diputada de Esquerra Republicana de Catalunya); Jordi Ramon i Torres (diputado en el congreso de ERC); Bernat Joan i Marí, (eurodiputado de ERC), Emili Cirera Cortés (ICV Terrassa); Lluís Esteve (regidor de ICV en Hospitalet de Llobregat); David Minoves i Lluçia (director Agència Catalana de Cooperació al Desenvolupament, Generalitat de Catalunya); Josep Bel Gallart (sindicato co.bas); Toni Codina (director SETEM.Catalunya); Agustí Soler (President de la Federació Catalana de Drets Humans); Salvador Matas Borrull (regidor Ajuntament Cambrils); Ursula Santa Cruz Castillo (Asoc. Nuevos Colectivos).
Manu Chao; Amparanoia; Oleguer Presas; Miguel Alós Sánchez; Marta Bargallo Borrás; María Toresano Basilio; Clara Aymami; M^a Dolores Pineda Izquierdo; Ramón Luque Baños; Dolores Campos Cámara; Jaume Rovira Viñals; Rosa Rovira Pineda; Joan Rovira Pineda; David Gil Cepeda; Sonia Balaguer Fontanals; Pere Miralles Salse; Elvira Martín; Núria Cortada Bonjoch; Luisa García Pelegrín; Paula Laverde Austin; Angel Sánchez Martínez; Ramon Porta Ferraz (Torà); Laia Montoliu;

Toni Piñeiro; Mercè Compte Martínez; Joan Riba Roque; Raimundo Viejo Viñas; Marta Roda Milà; Roger Rovira Pineda; Javier Gil Cepeda; Abdul Pallarés Calvi; Alex Caralps Berenguer; Monica Vergés Solervicens; Unai Mayo Berradre; Marc Antoni González Aguilar; Carlos Zapater Barros; Xavier Cols; María de la Pau Bosch Oliver; Natalia Mediavilla; Raúl Velaz Mayo; Daniel Plana Trenchs; Robert Sabata Gripekoven; Diana Pujol i Manyà; Noemi Maestre Navarro; Josep Maria Deop Murillo; María Ángeles del Río Ramos; Cristina Barrantes Delgado; David Soriano i Taché; Tatiana Bonastre; Leandro Da Rold; Fabiola Gil Jiménez; María del Carmen González Bailac; Alejandra Armengol Cebrián; Jordi León Alcalà; Aleix León Alcalà; Ana Algar Moreno; Cristina Ambròs Juan; Fina García Martínez; Gabriel Moreno Campos; Francisco Moreno Campos; Verónica Moreno Algar; Olga Casado Moreno; Ana Moreno Algar; Begoña Casado Moreno; Rubén Méndez Hernández; María Moreno Campos; Juan Casado Luque; Claudia Catelli; Sigfrido Miralles de Argila; Yvan Castello Tarrats; Javier Sánchez Poy; Eva Saura; Daniel Rius Garcerán; Mariona Ferrer Fons; Valerie Powles; Víctor Iglesias Pascau; Xavi Muñoz Soriano; Rubén Margalló Acebrón; Elisa Cortés Sánchez; Pau Itarte Valls; José Lluís Pérez; Julian Saldarriaga Isaza; Oscar Martínez; María Gordillo Torras; Said Assarar Bougrin; María del Mar Valls; Ferran Torrabadella; Jesús Figuera Gay; Raul Calso Gonzalez; Albert Batalla Flores; Mireia Gómez Gallego; Divna Munivrana; Jimena Rodríguez Cid; Silvia García García; Raimon Costa Ciscar; Sonia Balaguer Fontanals; Diana Romero; Esther Serramià Sánchez; Gebelin Gerald; Nasnia Oceransky Woolrich; Gilles Denys; David Fernández Sans; Guillermo Aramburo; Araceli Ramírez Maqueda; Josep Lluís Vecino; M^a Rosa Egea Bach; Nuria Marco García; Aurora Salas Salvador; Salut Vila Ros; Emma Chicano; Marta Perez Lopez; Laura Espasa Besalú; Iudía Villazón; Laia Farrera; Miquel García; Judit Sanz i Buxo; Marc Faustino i Vidal; Joan López Segura; Albert Muriscot; Dàmaris Alloza i Arnau; Hana Lewicki; Lorena Salgado; Juan Pineda Izquierdo; Joaquim M. Cervera i Duran; Oscar Bueno; Montserrat Noguera Cónsola; Nuria Alcalá Bañeres; Esther Sotes Cruchaga; Estela Ramos; Martí Galofré Garreta; Cesar Reglero; Isabel Jover; Bruno Guardiola Juarez; Rubén Darío Coma

Vélez; Laia Ros Boixet; Javier Redon Haro; Pere Mila Gil; Amparo Domenech Fonteboia; Cecilia Castella Chaos; David Riera Cereijo; Esther Caceres Palats; Borja Briz Fernandez; Raul Godino Molina; Juan Pineda Izquierdo; Maria Bustara Grau; Maria Angeles Gomez Llamazares; Marta Lozano Miro; Xavier Asensio Montaner; Roser Nadal Badal; Montserrat Abad; Josep M. Pijuan Utges; Toni Castelló; Rosa Tarrats Del Rey; Antonio Castelló Barreda; Juan Simon; Xavier Valverde; Neus Plens Bravo; Agustí Ballesté Fernández; Martina Marcet Fuentes; Alba Rivero Rivero; Jaume Mestres i Moles; Àngels Tous Riera; Olga Durante Gómez; Marco Aparicio Wilhelmi; Anna Fernandez; Sebastià Riera Cusí; Iolanda Ciriano; Sergi Comellas Humet; Francesca Ribas Prats; Miguel Lario Bagan; Èlia Mur Cao; Noemi Cruz Garcia; Gabriela Martinez; Montserrat Mira; Sergio Dantí; Monike Mendy (Senegal.Barcelona); Helga Rovira Borrell; Carles Riera Martí; Palmira Sort Travesset; Josep M^a Bastida Canal; Monica Vergillos Valero; Gerard Rabat i de Paco; Olga Latorre; Aina Pongiluppi; Guillem Molina Anadon; David Rebel; Ivan Merino Vallverdu; Aina Castellort i Marcé; Maite Sánchez Peiró; Rafael Suárez; Meritxell Rodriguez Montesinos; Núria Bertran de Bes; Marta Bestard Nigorra; Antoni Ferret Soler; Consol Casals i Genover; Josep Miñambres Boixereu; Dolores Tomás Tello; Meritxell Saez i Sellares; Bernat Segon Torra; Anna Serrano; Josep Serrano; Jordi Tonietti; Jordi Cruz; Rosa M^a Juscafresa, M^aDolors García; Josefina Guillen; Laura Vilanova; Helena Serrano; Ester Beltran; Baltasar Bosch; Jordi Gras; Celeste Ontalvilla; Maria Bardina; Manolo Alarcon; Maria Sanchez; Alba Toniatti; Franco Toso; Esteve Arbiell; Ariadna Cateura; Carme Fenoll; David Llamas; Gloria Casas; Ingrid Martin; Agustin Martinez; Carolina Martin; Lilliana Domingo; Jordi Figarola; Joan Perea; Maribel Acuña; Jordi Quintana; Jordi Marti; Jordi Cruset; Maria Llop; Clara Navarro Colomer; Dana Jenkins; Marta Morral; Paula Laverde Austin; Guillem Ruscalleda; Roser Flores Rovira; Joaquim Recasens Arcila; Guillem Barrios Bosch; Miriam Ros Boixet; Héctor Mochales; Daniel Bobadilla; Carme Giralt Abello; Aram Baron Estesó; Nuria Saladrígues Gómez; Roger Maspons Pocurull; María Carretero Ferrándiz; Marc Sagarra Riera; Reies Font Ballbé; Emmanuel González.Ortega; Begoña Arretxe Irigoien; Laia Rota Font; Alicia

Carmona; Melendez; Esther Domenech Vadillo; Vera Garcia Cutillas; Maria Madero Fuentes; Cristina Casado Sainz; Cristina Llevat i Llevat. Almofter; Natàlia Serra Aguiló. La Fatarella; Osakar Bilbao Borrachero; Daniel Mayo López; Jordi Viñes Rebull. Poboleda; Elisabet Prats Orbe (Reus); Missi Joan Viñes (Cambrils); Xavi Ferraté Bes. (Cambrils); M. Teresa Torroja Sabater (Reus); Cristina López López (Reus); Amadeo López. Tarragona; Judith Beceiro. Reus; Lidia Gil Robles. Reus; Maria Adons Rufat; Marti Pons; Francisco Javier Valls Fernández; Isabel Llamas Vilas; Raquel Cabrerizo Delgado; Lluís Sarri Cardona; Sebastián Hernández; Josep Cullell; Nuria Torrent Moret; Rogeli Montoliu Casals; Monica Jaume Martorell; Marta Prats; Obreroca Pujols; Iolanda Prat Bres; Leonor García Dios; Sònia Casanovas; Eric Valls Fernandez; Baltasar Ferré Mallofré; Marta Ortoneda Colom; Anna Soldevila Lafon; Neus Ferrer; Jordi Roca; Marielle Paon; Eva Casamitjana Martínez; Olga Iranzo; Irene V. Boan; Maite Orellana; Cecile Parra Fousnaquer; Alejandra Rayas Macedo; Roser Ramos Cervera; M^a Mercè Salomó Martí; Diana Margarita Calderón Preciado; Anna Navarro Domènech; Luz María Muñoz; Janna Riambau; Jorge Sole; Karlos Martínez; Julia Castillo Méndez; Eva M^a Durán; Ruben Albuixech Gonzalez; Josep Pera Colomé; Ester Ollé Pérez, Salvador Pujol Girona, Gemma García, Blanca Port, Josep Albert Marcé, Montserrat Sala, Mercè Redón Zorita, Sara Morrerres, Muriel Muñoz, E. M. Covelo, Isabel Vieco, Santiago Sánchez Canals, Cesar Zuñiga Flores, Jordi Sánchez Sopena, Virginia Massague, Carme Martínez Turmos, Enric Barba Solé, Jaume Soler i Pastells; Feliu Madaula Canadell; Gloria Wilhelmi; Mònica García Mas; Carlos Gustavo Lozano Castillo.

GALICIA Iván Prado (Pallasos en Rebeldía de Galicia); Rosa Gomez.Reino; OsKar (WIPALA); José Berdullas Barreiro; José Ángel Brandariz García; CS Atreu; Roberto; Alberto Gutiérrez Souza; Carlos Riádigos Mosquera; Serxio Regos García; Pilar Mera; Belen Permuy Rodriguez; Raquel Iglesias Mato; Rubem Centeno Paradela; Maribolheras Precárias; Antón Gómez Reino Varela; Maldizer; Carlos Pardo Servia; Carlos Pita Albo; Hacktreu (Hacklab do Atreu); Emilia Candal Bouzas; Xavier Pinheiro Nines; Xosé Bocixa Rei, Colectivo Maza da Facha, Iván Julio Ramos Martínez, (CS A Treu!), Vanessa Otero Rei, Celestino

Garrido Núñez, Rebeca Iglesias López, Javier Sánchez Lombardero.

THE BASQUE COUNTRY Pello Aramaio; Manolita Bengoetxea; Alicia López de Munain; Andoni Basterra Urrutia; Diego Calvo (Portavoz IU Zumarraga); Edorta Zarate; Ismael Lucas Goñi; Pantxika Marhuenda; Richard Gumb Hernández; Alkartasuna Ctl; Gontzal Uriarte Gómez; Amaya Asencor; Amaia Lizarreta; Komite internacionalista de Euskalherria.

FRANCIA Collectif Ya Basta (Paris); France Amerique Latine (Paris); Colectivo Chiapas Mexique (Toulouse); Colectivo de Solidaridad Chiapas (Burdeos); Les indiens dans la ville (Marseille); Helena Roux (Paris); Alberto Ramirez; James Matthews; Karen Engst;; Bernard Riquet; Tony Soldevilla; Frédéric Steller; Jorge Arturo Ochoa (l'Arche de St. Antoine); Jean.Pierre Petit.Gras (Toulouse); Enrique Fraga Liste (Université de Toulouse le Mirail); Borgne Hervé; Gamisans Ausias; Pradel Laurence; Christian Meloni; Enrique Fraga; Bernard Mayaudon; Herminia Regis; Mougín Isabelle; Badia Daniel; Christian Meloni (Toulouse); Olivier Cencetti (Mauves sur Loire); Fabienne Wolf (Mauves sur Loire); Philippe Samson (Toulouse); Reno (Toulouse); Rozenblat Mary (Toulouse); Rozenblat William (Toulouse); Monique Amade (Foix); Jean.François Herrgott (Toulouse); Jacquemard François (Toulouse); Bruno Franckowiak (Toulouse); Christian Ortega (Toulouse); David Palomino (Toulouse); Kaina Mottet (Lebreil); Alexis Ferrer Balas (Chatou), Alexis Ferrer Balas (Chatou).

GREAT BRITIAN Kate Schlachter (St Andrews); Jan Moran (Edinburgh); Sarah Wehr; Gillian Lawrence; A. Cochrane; Hydra Nazaret; Elena Dominguez.

GREECE Colectivo Campaña Una Escuela para Chiapas; Tsakiris George.

HONDURAS Celenia Carrillo Vasquez.

ITALY Grupo Musical Chichimeca; Red de Apoyo al Chiapas Rebelde; Collettivo Italia Centro America (CICA); Associazione Ya Basta Italia; GlobalProject; Associazione Loe; Fondazione Neno Zanchetta (Lucca); Associazione .Ollin.; Asociación Mani Tesse; Paolo Flores (Direttore rivista Micromega); Rivista Micromega; Lista Arcobaleno; rdb/CUB; Legal.Aid. Alessandro Metz (Consigliere Regionale Friuli); Aurora d'Agostino Consigliera (Comunale Padova); Pierluigi Sullo (Direttore della rivista

CARTA); Andrea Cegna (Comitato Chiapas Castellanza); Nunzio D'Erme (consigliere comunale); Mauro Bulgarelli (deputato partito dei verdi); Loredana de Petris (deputato partito dei verdi); Paolo Cento (sottosegretario all'economia); Francesco Caruso (deputato partito rifondazione comunista); Titti de Simone (deputato partito rifondazione comunista); Cristina Perugia (deputato partito rifondazione comunista); Graziella Mascia (deputato partito rifondazione comunista); Peppe de Cristofaro (deputato partito rifondazione comunista); Giovanni Russo Spena (senatore partito rifondazione comunista); Fabio Galati (assessore X° municipio); Sandro Medici (presidente X° municipio) Ettore Scola; Francesco Maselli; Ugo Piirro; Andrea Frezza; Furio Scarpelli; Nino Russo; Giorgio Arlorio; Stefania Brai . PRC dip. Spettacolo e Cinema; Loredana Cannata; Serena Dandini; Daniele Marchitelli; Luca Martinelli, Lucca; Ivan Roiz Pereda (Torino); Michele Lapini (Cavriglia); Mauro Marrone (Bergamo); Matteo Mancini (Serrapetrona); Giorgio Brambilla (Mezzago); Javier Pardo Bordons; Alejandrina Pliego; Donato Scarafino (Monopoli); Said Alaoui; Diego Manuel León Vega; Michele Lapini; Guido Sganga; Ilaria Forti; Edoardo Todaro; Stefan Zublasing; Michele Abenavoli; Alfredo Fiorita; Giuseppe Ciappi; Stefania Fort; Marina Minola; Davide Bonsignore; Pietro Galgani; Annamaria Garrapa; Antonio Cangemi; Cinzia Cacace, Siena; Andrea Neroni; Francesco Pancaldi; Antonio Cornacchia; Miola Antonia; Giulia Cordella; Francesco Zuccaro; Aldo Zanchetta Brunella Fatarella; Villaggio Terra ngo; Sara Strammiell; Berta Carla; Franco Catalano; Judith Edge; Balini Valentino; Claudia Mora; Emilio Molinari; Jorge Ramon Centurion; Silvia Presazzi; Martina Bottinelli; Raffaella Soleri; Anna Pacchiani; Massimo Vecchi; Mauro Capurro; Paola Notarrigo; Fiorella Mannoia; ; Simona Granati (fotoreporter), Manuela Notarrigo (Roma); Elisa Calabró (Barcellona Pozzo di Gotto), Marco Brignoli (Bergamo), Fabio Anconetani.

MEXICO La Voladora Comunicación AC; EAPSEC A. C; Colectivo Miradas (San cristobal); Centro Nacional de Comunicación Social, AC; Colectivo Contra la Tortura y la Impunidad; Colectivo Rincón Rupestre; Revista literaria .MANCHA.; Instituto de Investigaciones Antropológicas, UNAM; Radio Sabotaje (Mexico DF).

Michael Chamberlin (Subdirector de Incidencia, Centro de Derechos Humanos Fray Bartolomé de Las Casas AC); Dra. Elena Lazos (investigadora del Instituto Investigaciones Sociales, UNAM); Alfredo López Austin (investigador del Instituto de Investigaciones Antropológicas de la UNAM); Luisa Paré (investigadora del Instituto de Investigaciones Sociales, UNAM); Comité Cerezo; Organización 10 de abril .Tierra y Libertad.; Revista Regeneración; Paulo Kykeon (Melel Xojobal); Colectivo Votán Zapata, (Coyoacán); Paula Teran Prado (NARAL Pro.Choice New Mexico); Colectivo .Insistiendo Resistiendo. (Perote, Veracruz). Beatriz Aurora; Heberto Martínez Carrilo; Ninfa Bellatrix Alvarado Hernández (DF); Adazahira Chávez Pérez; Juan Castro Gessner; Mauricio Maurès (San Cristóbal); Gabriela Martínez López (Guadalajara); Leticia Zárate; Abril García Soria; Perez Gonzalez Victor Hugo; Rogelio Domínguez Hernández; Alma Eréndira Sandoval Carrillo; Irma Huerta; Ruth Ramos; Ana Karla Enriquez Reyes; Francisco Nucamendi; Gustavo Bautista Ortiz (Cuautitlan Izcalli, E. México); Samia Cruz (Cuernavaca); Miriam Cristina Flores Barríos; Gabriela Torres, (Mérida); María Álvarez; Gabriel García Salyano; Eric Gutierrez; Lucero Angeles; Miren Usoz Chic (San Pedro Cholula, Puebla); Fernando Hernandez (Guadalajara Jal); Marcela Jimenez Martinez (Cancun, Quintana Roo); Carla Zamora; Javier Hernández Alpizar; Lucero Mendizábal; Oscar de la Torre de Lara; ; María Georgina Rivas; Victor García Bernal; Ricardo Fuentes Gongora; Mowita Rondeau (Madison); Heidy Rocha; Luis Gonzalez; Primitivo Rodríguez Reynoso; José Luis Victorio Cervantes; Nubia Lindo Rojas; Juan Rodríguez; Xochitl Leyva Solano; Francesca Gargallo; Ma. del Rayo Ramírez; Marigel Castillo; Beatriz Edith Tapia; Karina Lara; Mtra. María Teresa Valdivia Dounce; Ricardo Arce; Albeliz Córdoba Dorantes; Arcadia Lara; Gabriela Salzar; Ashanty Valenzuela Baez; Karla Betancourt; Juan Rodríguez Martínez; Perla Quiroga; Jimena Cuevas Portilla; Ulises Terán Ibarra; Allán Elahi Pérez Meneses; María Guadalupe Mendieta Aznar; Yoame Escamilla; Karla Montes; Jorge Alberto Betancourtr; Ma. Cristina Castillo; Diana Careli Rodríguez; Emmanuel Rentería Sánchez; José Enrique González Ruiz; Martín Romero Saviñón; Pbro. Cosme Carlos Ríos; F. J. Jerónimo Guerrero García; Marco A.Cortés; María Teresa Lugo Cabrera; Carlos Alberto Ayala Osuna; Jorge Martínez; Julia Escalante De Haro; Juan Soto Ramírez; Juab

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NICARAGUA Ana Christian Castillo Mojica; Josefa Granados Betanco; Bismarck Canales, Somotillo; Rachel Horowitz.

PARAGUAY Telmo Carrillo, abogado, Luque.

PERU Héctor Lamas Rojas, Lima; Karim Fabiola Gala Ruiz; Néstor Zaquinaula Aranda; Tatiana Santa Cruz Castillo.

POLAND Magdalena Juszczak.

PORTUGAL Juan de Teresa Romero.

PUERTO RICO María Cecilia Benítez Noya.

SWEDEN Red Latina sin fronteras (Estocolmo).

SWITZERLAND Collettivo zapatista, CSOA II Molino; Colectivo de Solidaridad con las luchas del Pueblo; Philippe Sauvin, l'autre syndicat; Boliviano. (Ginebra); Colectivo Jura.Chiapas; Partido Verde; Coopérative Espace Noir; Merguin Rossé Lucienne (députée); Fedele Pierluigi (député POP Jura); Rennwald Jean.Claude (député fédéral).

Erica Hennequin; Dosch René; Hansjörg Ernst; Liechti Boris; Ivan Godat; Esther Gerber; Rota Pierrette; Goetschmann Max; Rennwald Chantal; Michel Némitz; Sandy deBerti (Berna).

UNITED STATES Anarchist People of Color (APOC); Professor Nancy Fraser (New School for Social Research, New York); Lynnea Domienik y Alisa Kowal, de SSJIC (Students for Social Justice and Institutional Change, Cincinnati); Gina Engst (Philadelphia); Jenka Soderberg (Washington DC); Kathleen Engst (New York); Oakley Olson (Providence); Margie Levine (Putney); Eva Smith (Philadelphia); Joel Rosenblum (Philadelphia); Sarah Whites.Koditschek (Columbia, Missouri); Rosa Aurora Chavez.Eakle (Maryland); Emily Knaphus (Seattle); Elizabeth Koke; Brittany Alsot (Chicago); Linda Reeder (Columbia, Missouri); Ashley Overstreet (Columbus); Cora Rose Lewicki (Nashvill); Elizabeth Pickens (Columbia); Raeona Nichols (Columbia); Joanne Banks.Wallace; Tony Nenninger (Columbia); Kelsey Winsor; West Greenwich; Berg Golden

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VENEZUELA Proyecto Nuestra América; Movimiento 13 de Abril; Roland Denis; Emilia M. Martínez R.

GLOSSARY

INSTITUTIONS:

CNDH- (Comision Nacional de Derechos Humanos.)

National Human Rights Commission.

Body charged with guarding the protection and efficacy of human rights in México.

One of its principal functions is to verify the adequacy of the Administration's action with respect to rights and freedoms. Created by presidential decree in June 1990, officially autonomous of the federal government.

INM-(Instituto Nacional de Migración) National Institute of Immigration

Pacto Internacional de Derechos Civiles y Políticos- International Covenant of Civil and Political Rights. Signed in 1996 in the framework of the United Nations; seeks to develop and assure an international juridical protection for the civil and political rights contained in the Universal Declaration of Human Rights.

PFPP- (Policía Federal Preventiva)

Federal Preventive Police. Federal police. It is criticized for containing military elements in its formation, structure, and composition.

PGJEM- (Procuraduría General de Justicia del Estado de México.)

Attorney General's Office of Justice of the State of México. Authority charged with investigating possible criminal acts.

PGR- (Procuraduría General de la República)

Attorney General's Office of the Republic. Body of federal executive power, it is principally in charge of investigating and persecuting crimes of a federal nature. The Attorney General of the Republic presides over the Public Prosecutor of the Federation and its auxiliary bodies, the investigative police and the experts [who work with them].

Policia (judicial) del Estado de Mexico- The Judiciary Police is an auxiliary body of the Public Prosecutor and was involved in the Atenco operations.

ORGANIZATIONS:

EZLN- (Ejercito Zapatista de Liberación Nacional). National Zapatista Army of Liberation, formed in Chiapas in November of 1983 by different political groups.

La Otra Campaña- The Other Campaign, a socio-political initiative of the EZLN, born of the 6th declaration of December 2005. It has as its objective to link people and organizations of the "Mexico of below" [the socio-economically and politically marginalized], outside of institutionalized politics.

UNHCHR- (Comisión de Derechos Humanos de las Naciones Unidas) United Nations' Human Rights Commission. At present, México presides over this organism.

PEOPLE:

AMLO- Andrés Manuel López Obrador. Presidential candidate for the PRD, PT, and Convergence parties.

Ignacio (Nacho) del Valle- Considered the "leader" of the FPDT [Front of Peoples in Defense of the Land], imprisoned since May 3, 2006.

Atenco- San Salvador Atenco, Municipality of the State of México; where the violent events of May 3rd and 4th, 2006 took place.

Texcoco- Municipality neighbor to Atenco, in the State of México; where the violent events of May 3rd and 4th, 2006 took place.

PRISONS:

Granaderos- Anti-riot police, state level.

La Palma- Maximum security prison in Almoloya de Juarez, State of México.

Plantón- Concentration or camp of people in front of a prison [in support of those imprisoned, and as a protest measure].

Santiaguito- State prison (State of México) to which the majority of the detainees were conducted after the detentions of May 3 and 4, 2006.

Tolete- Billy club or cudgel, used by the police to exercise physical force.

POLITICAL PARTIES:

Convergencia- Party for Democratic Convergence.

PAN- (Partido Acción Nacional). National Action Party

PRI- (Partido de la Revolución Institucional) Institutional Party of the Revolution

PRD- (Partido de la Revolución Democrática) Democratic Party of the Revolution

PVEM- (Partido Verde Ecologista de México.) Ecological Green Party of Mexico

PT- (Partido del Trabajo) Labor Party

CAPTIONS THAT ACCOMPANY THE PHOTOGRAPHS

The *ejiditarios* of the FPDT are adherents of the Other Campaign which strives to unite the social and popular movements of Mexico.

On the 4th of may 3500 riot police and agents of the PFP take to the streets of Atenco at 7 in the morning.

The police response to the civil population is brutal.

Around 200 arrests are carried out in conditions of torture.

Massive abuses.

The population of Atenco was devastated. The evidence of the violence was visible everywhere.

The Belisario Domínguez market of Texcoco. The tenants have been fined for closing in the moment of the disturbances on the 3rd of May.

The conflict began when they did not allow us to setup despite the maintained dialogues.

The first images obtained after the detention of the political prisoners in the Santiaguito prison.

Interview with the male prisoners by the CCIODH in the Santiaguito jail, June 2nd.

Wounds suffered as a result of the repression in the events in San Salvador Atenco, 4 weeks later.

A group of women prisoners in Santiaguito giving their testimonies to the CCIODH. Among them was the Mazagua indigenous woman.

Male prisoners in Santiaguito relating stories of their detention and describing the conditions they are in.

General visit to the Santiaguito prison and the protests of the *plantón*.

Proclamation in support of the women who remain incarcerated. *Plantón* at Santiaguito.

Preparing food for the *compañeros* in jail and its later delivery to the prison.

Florists' stand and the house where the vendors and townspeople and the FPDT members took refuge. The house was surrounded and assaulted by the PFP a short time after.

The group who received the CCIODH in the town of Atenco.

Throughout the visit the local population accompanied the Commission on the visit to the affected areas.

The interior of one of the houses in which the police broke glass and did other damage.

One of the bullets found of the caliber used by the police.

Damages to the cars parked on the street.

CCIODH assembly. In the center are projectiles collected by the commission.

A doctor of the Commission evaluates medical documents of those gravely wounded who were transferred to different hospitals.

Interview with the Director D'G? of Prevention and Social Re-adaptation of the State of Mexico, Alejandro Carmona.

Interview with a person detained during the 3rd and 4th who suffered the aggressions of the police.

Meeting between members of the government of Toluca and the lawyers of the CCIODH.

Interview with the "Delgado Zero" from "the Other Campaign."

Meeting between the District Attorney of Toluca and members of the CCIODH.

Interview with Nazario Martinez, Municipal President of Texcoco.

Press conference. Presentation of the conclusions and the preliminary report.

Edited by:

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Web site: www.cciodh.pangea.org

e-mail: cciodh@pangea.org

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LAGANA

máquina textual deseante

e-mail: anagal@no-log.org

If you wish to sign in support of this report you may do so at cciodh.pangea.org

(CONTRAPORTADA)

"...During the transport there were death threats, they said they were going to dissappear us and that if we survived we would spend 80 years incarcerated. We couldn't move. If we moved they would beat us with rage, one woman police officer stood on my back, I could hear how they were abusing the other women in the truck".

"...Following the incidents that took place in San Salvador Atenco on the 3rd and 4th of May of this year which resulted in the the death of one minor, various people severly injured, more than 200 people arrested and five foreigners deported in an operation in which more than three thousand police participated, serious complaints have been presented of sexual abuse, rape, mistreatment, humiliation, and tortures that seriously undermines the fundamental human rights of the people..."

Manifesto of the IV International Civil Commission for Human Rights
Observation