

Mexican Situation

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Abstract.

In México over 23 million people cannot afford the basket of basic goods; the wealthiest 1% of the population gets 21% of the nation's total income. We are the country of the *OECD*, in which salaried workers work more hours per year, while the lowest wages are paid. Corruption is the second most important problem at the country (70%), right after insecurity (80.9%). The military presence is part of Mexico's new normality. Impunity has been the cause of the increase of all types of crimes, especially the most violent ones, only around 1 to 2 per cent of crimes, including homicides, currently lead to conviction in México. There have been more than 94,000 homicides (intentional and non-intentional) since the current administration took office from 2013, through September 2015, and the prevalence of the practice of torture and disappearances are generalized. The numbers on the discovery of clandestine graves realize a general scenario of high decomposition. 3,892 women were victims of murder by virtue of their gender only between January 2012 and December 2013. In 2013, the Federal Government received 176 recommendations at the second cycle of the Universal Periodic Review (UPR) of the UN Human Rights Council.

Megaprojects affect health, feeding and security of people while the harassment of national and transnational companies supported by the government appropriate the natural resources and energy, with the lowest cost and the highest profit. Water has been privatized and commercialized in multiple ways and situations. The main source of air pollution are vehicles and industry emissions that are being thrown into the atmosphere without any or not sufficient control.

During the 2006-2012 time frame, the UN High Commissioner for Human Rights (OHCHR) registered 245 attacks against HR defenders, also, during the last decade, Mexico has become one of the most dangerous countries for journalism (more than 55 journalists were killed between 2010 and 2015).

Introduction and Context.

México has 120 million inhabitants, 206 years as an independent country and a 106 since its internal revolution. After 81 years at the head of the executive power of Mexico, the Institutional Revolutionary Party lost the elections in 2000 that it recovers in 2012 with the current president. This party also maintained the hegemony of the legislative power for 78 years. This was possible due to a policy of fear, repression, electoral fraud and imposition of governors at the 32 states that form the Mexican federation.

Country of extreme inequality.

According to Gerardo Ezquivel Hernández, at the Extreme Inequality in México 2015 report, OXFAM, in México, over 23 million people cannot afford the basket of basic goods, but is home to one of the wealthiest men in the world. The Standardized World Income Inequality Database informs that

Mexico is within the 25% of countries with the highest levels of inequality in the world. Meanwhile, the 2014 Global Wealth Report states that 10% of Mexico's richest concentrates 64.4% the country's wealth.

Another report from Wealth Insight assures that the wealth of Mexico's millionaires by far exceeds that of others around the world. The number of millionaires in Mexico grew 32% between 2007 and 2012. The wealth of four Mexicans represented 2% of the gross domestic product (GDP); between 2003 and 2014, that *percentage increased to 9%*. This is a third of the total income of almost 20 million Mexicans. These elites, claims the report, have captured the Mexican state, either through lack of regulation or excessive tax privileges.

The hardest working class, that less wins.

In accordance with the recent data of the Cooperation and Economic Cooperation Organization (OECD), which groups the 39 capitalist most developed economies, Mexico is the country in which salaried workers *work more hours per year* (2,246, more than 43 hours per week. The average is 1,770, 34 hours per week; in Germany 26 hours), while *the lowest wages are paid* (México is at the bottom of the minimum wage. The average is 44,982 dollars per year. Luxemburg 61,511 dollars; México 12,850 dollars). If somebody earns this amount and provides for another person, both would be considered to be in *extreme poverty*.

Impunity-legality crisis.

Impunity (the lack of consequences for failure to fulfill the law), is a complex phenomenon that has a strong link with the "crisis of legality". Disobedience of the law relates in one hand, with impunity, but also to the perception of a considerable sector of Mexicans that thinks that the State works only for those few in power.

The National Constitutional Culture Survey shows that 41% of Mexicans are willing to break the law when they think they are right; only 35% is not. (IIJUNAM, 2011). In public security, the situation is critical given the perception that the institutions are corrupt. The National Survey of Public Security, asking: "So you know, the is corrupt / or violates human rights of the population", found:

Institution	Is corrupt.	Violates HR.
Corps of states police.	70.2	59.2
Attorney General's Office	66.7	56
Federal police.	60.2	48.7
Army.	43.4	36.4
Navy.	37.5	31.3

An investigation conducted by Pablo Montes found that between 2000 and 2013, a period in which Mexico had 63 state governors, 71 cases of corruption by 41 governors were exhibited. Of these, only 16 cases were investigated and only 4 governors were brought to trial and found guilty.

Corruption - abuse of power. (Private appropriation of public property and money used to obtain privileges).

In accordance with the study *Corruption in Mexico: perception, practices and ethical sense*, corruption is the second most important problem at the country (70%), right after insecurity (80.9%), and before drug trafficking (56.9%).

Militarization and the “war on drugs”.

The military presence is part of Mexico's new normality. According to official sources, from 2006 to 2010 there was an increase of 68% in the use of elements of the armed forces in public security tasks. By 2010, 36% of the directors of public security of the 50 municipalities with more homicides in the country had military commanders.

Between 2006 and April 2013, of the 52 recommendations made by the National Commission on Human Rights regarding violations to life, 3 out of 4 resolutions, were addressed to the National Defense Ministry and the Navy.

However warnings from the international community and the facts, militarization has broad popular acceptance. The National Public Security Survey shows that 46.9% "agree or strongly agree" with the actions of the federal government to combat drug trafficking.

Impunity-at the criminal justice system.

According to the National Human Rights Commission (CNDH), *only around 1 to 2 per cent of crimes*, including homicides, currently lead to conviction in México. Impunity has been the cause of the increase of all types of crimes, especially the most violent ones.

The Country Report on the Quality of Citizenship in Mexico indicates that 1 of 4 surveyed said they had been victims of crime, or someone living at home, or both. The index of visible and invisible victims of major crimes states that there were 12 million 993 thousand of such crimes recorded between January 1997 and May 2011.

According to the Global Peace Index 2016, prepared by the Institute for Economics and Peace México is number 140 out 163 countries. May 2016 was the most violent month since September 2012, with 1,895 homicides. There is a record of 33,000 deaths, for the past year, which places the country at levels of Iraq and Afghanistan. It is also in the list of 30 countries with the highest economic impact because of violence with a loss of 13% of the gross domestic product (GDP).

The Open Society Justice Initiative and other five independent Mexican human rights Organizations, reported over 150,000 people intentionally killed in Mexico from December 2006 to 2015 and countless thousands have disappeared. Based on three years of research, over 100 interviews and previously unreleased government documents finds a reasonable basis to believe that government forces and members of criminal cartels have perpetrated *crimes against humanity* in Mexico, given the lack of political will to end impunity.

Again, the most recent information from the Cooperation and Economic Cooperation Organization (OECD), reports a 23.4 homicide rate in Mexico, figure much higher than the average (4.0) and the highest among the countries belonging to that organization. The World Health Organization (WHO)

believes that a rate equal to or higher than 10 homicides per 100,000 inhabitants constitutes epidemic levels of violence.

While the Global Impunity Index (IGI) estimates a country average proportion of 17 judges per 100,000 inhabitants, México has only 4. Croatia, one of the countries with the lowest rate of impunity, has 45 judges. Mexico has almost half of its population detained without a trial. In Croatia this proportion is the 23%.

Impunity in major Human Rights Violations.

In 2013, the Mexican Government received 176 recommendations at the second cycle of the Universal Periodic Review (UPR) of the UN Human Rights Council. It accepted 166.

Torture.

The prevalence of the practice of torture. At its recently 2015 Country report of México, the Inter-American Commission of Human Rights (IACHR), reported that by April 2015, the Attorney General's Office (PGR) had 2,420 torture-related investigations underway and that there had only been, between 2005 and 2013, *5 convictions* at the federal level. It also reported an increase in the number of reports of torture from 266 on 2012, to 3,244 at 2015. The National Human Rights Commission (CNDH) reported having received, between 2006 and 2014, more than *11,608 complaints of torture* or other cruel, inhuman, or degrading treatment. During his visit to Mexico in 2014, the UN Rapporteur on torture concluded that torture and abuse are widespread in the country.

However, torture far from having rejection by the public, has its explicit acquiescence. The National Survey of Public Security shows that only 29.8% of respondents disagree on using torture to get information, if the arrested person belongs to a drug gang.

Extrajudicial Executions.

There are several known emblematic cases of extrajudicial executions: Tlatlaya (citizens), Ayotzinapa (students), and San Fernando (migrants).

While the Lethality index revealed that the death of more than 10 or 15 civilians for each security officer died in clashes, suggests that lethal force is being used excessively and disproportionate, the National Public Security Survey found that 24.2% of the people said they "agree or strongly agree" that security forces kill a member of the organized crime, when there is a possibility of detention and presenting it to justice.

The executive branch reports on its third Government Report, that there have been more than 94,000 homicides (intentional and non-intentional) since the current administration took office from 2013, through September 2015.

Executions committed by the federal security forces are not the unique concern. Lynchings and tumultuous executions also have become more frequent. Recent studies report increases exceeding the average of the last 25 years of 13 annual events. In 2010 there were 47 events, while in 2013 there were 40. (UNAM, 2015).

Disappearances and Forced Disappearances

For the Inter-American Commission of Human Rights (IACHR), the disappearances are generalized in Mexico. In this regard, the high numbers reported also led the UN Committee on Enforced Disappearances to refer to a “context of generalized disappearances in a large part of Mexican territory, many of which could be described as forced disappearances.” In August 2014, the UN High Commissioner for Human Rights affirmed that Mexico was in “a critical situation as regards disappearances.”

According to the National Registry of Disappeared or Missing Persons, the number of “unlocatable” persons in México as of September 2015, was 26,798. Almost 10,000 of these, since the current administration took office at 2013.

Between 2006 and January 2015, the National Human Rights Commission (CNDH) released 12 reports documenting the forced disappearance of 30 victims, and has found probable involvement of state agents in approximately another 600 cases of disappearances. In 2013 the Mexican government created a unit at the Attorney General's Office to investigate disappearances. Until August 2014 the unit had found 87 people.

Despite the enormous number of cases of forced disappearance, the figures provided by the State or international organizations point to the fact that there have only been 6 federal court judgements issued in Mexico for this crime. Furthermore, the cases of forced disappearances in which there have been convictions are from 1977, 2002, 2003, and 3 from 2005.

The numbers on the discovery of *clandestine graves* realize a general scenario of high decomposition. The massiveness of the phenomenon clashes with the capabilities of the Attorney General's Office that reported from 2007 to 2014 161 clandestine graves containing 581 bodies. Only 116 have been identified. For its part, the Army has a record of 246 clandestine graves located by military personnel in various states from March 4, 2011 to February 20, 2014.

Violence against women and femicide.

According to the National Citizens' Femicide Watch (OCNF), 1,235 women were victims of murder by virtue of their gender only between January 2010 and June 2011. Between January 2012 and December 2013, were murdered 3,892, and only 15.75% (613 cases) were investigated as cases of gender-based violence or femicide. Most of these cases remain unpunished.

Land and territory.

The political agenda 2015-2020 of the National Network of Civil Human Rights Organizations "All Rights for All" (Red TDTT), reports that the harassment of national and transnational companies supported by the government to appropriate the natural resources and energy, with the lowest cost and the highest profit, seeks to destroy the cultural identity sense of life that unites communities and villages to their ancestral territories. Appropriating these goods, involves extracting means of high environmental and social level impact.

Megaprojects affect health, feeding and security of people. The increased risk of dispossession due legal rules which, for example, allows that a large part of the country is concessioned to mining or gas extraction companies by fracking, that not only pollutes the land surface, but also underground

and aquifers. The defense of land and territory is mostly seen in indigenous and peasant communities.

Water.

Water has been privatized and commercialized in multiple ways and situations. The most evident is bottling and selling purified water and sodas. Springs and water sources are left in control of corporations, like Coca-Cola, Nestlé, PepsiCo, P&G and Danone, by local governments. They exploit them at very low prices, leaving entire communities without the precious liquid.

Another way of privatization is building dams for energy production (hydroelectric) or for storage and water supply to large cities. This has caused major socio-environmental impacts. Mexico ranks second in Latin America in number of people affected by the construction of megaprojects, 170 thousand citizens. Companies from the primary and secondary sectors make use of rivers, aquifers and oceans to get rid of tons of toxic products which are transported around as part of the water cycle, breaking the balance of ecosystems. The National Water Commission in Mexico estimates that about 93% of the main rivers, lakes and dams are contaminated in some degree.

Air.

The main source of air pollution are vehicles and industry emissions that are being thrown into the atmosphere without any or not sufficient control. Examples are garbage incinerators, industrial and biological-infectious hazardous waste. The privatization of air can be seen in the large wind farms installed all around the Mexican territory. They have generated strong resistance from communities, causing conflicts.

In the case of **fire (energy)**, the trend also point to the privatization of electricity.

Human Rights Defenders, Journalists and Freedom of Expression.

During the 2006- 2012 time frame, the UN High Commissioner for Human Rights (OHCHR) registered 245 attacks against defenders, 22 defenders and 5 family members killed allegedly for reasons related to their defense of human rights, and reported 6 additional defenders whose whereabouts are unknown. For its part, the Inter –American Commission of Human Rights (IACHR) informed at 2015 Mexico's Country Report, that between 2010 and 2014, civil society organizations registered 615 cases of attacks to human rights defenders and organizations; including 36 killings. All these cases remain in impunity. The UN Monitoring Working Group on Enforced Disappearances report refers that "among the most vulnerable, are women defenders".

Also, during the last decade, Mexico has become one of the most dangerous countries for journalism. According to reports received by the Office of the Special Rapporteur for Freedom of Expression there were more than 55 journalists killed between 2010 and 2015. In accordance with the National Commission on Human Rights (CNDH), there were 107 journalists killed between 2000 and September of 2015. The Committee to Protect Journalists (CPJ), states that Mexico is ranked 8 on impunity, and is the country in Latin America with the highest rate of impunity for crimes against these professionals.

In our history, bad things had to happen so human race learn that we have to look upon other than us, for all to have a better way of life. In México we have not learned that yet, and neither the US, as we just know with the recent results of the elections.

Meanwhile, the only thing that it comes to my mind, is that the change should be first in our thoughts of peace, dialog and solidarity that lead us to action.

If we cannot (in the short term) change what is going on outside, at least we can try to change the way we see it, thinking that what we see as darkness, it is only the lack of light, but then, is only light what it exists.

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