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HUMAN RIGHTS REPORTS

PREPARED BY

THE DEPARTMENT OF STATE

IN ACCORDANCE WITH SECTION 502(B) OF THE  
FOREIGN ASSISTANCE ACT, AS AMENDED

SUBCOMMITTEE ON FOREIGN ASSISTANCE

OF THE

COMMITTEE ON FOREIGN RELATIONS

UNITED STATES SENATE



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PREFACE

The human rights reports contained herein were prepared by the Department of State in accordance with section 502(B) of the Foreign Assistance Act, as amended. This section of the act requires that the Secretary of State transmit annually to the Congress, as part of the presentation materials for security assistance programs, a full and complete report with respect to the practices regarding the observance of a respect for internationally recognized human rights in each country proposed as a recipient of security assistance.

These reports are being printed so that the public may be informed of the State Department's submissions to the Congress on this important matter.

HUBERT H. HUMPHREY,  
*Chairman, Subcommittee on Foreign Assistance.*

(III)

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CONGRESSIONAL PRESENTATION  
FY 1978 SECURITY ASSISTANCE PROGRAM

REPORTS ON HUMAN RIGHTS PRACTICES

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The following reports on human rights practices in countries proposed for security assistance are submitted in accordance with the provisions of Section 502B(b) of the International Security Assistance and Arms Export Control Act of 1976. They were prepared with the assistance of the Coordinator for Human Rights and Humanitarian Affairs.

The information in these reports was current as of December 1976. Since that time, significant developments affecting human rights have occurred in some of these countries.

The articles enumerated in Section III (Observance of Internationally Recognized Human Rights) are those in the Universal Declaration of

Human Rights relating to the integrity of the person, i.e., those listed in Section 502B(d)(1) of the Act.

These reports provide the Congress with a description of human rights practices only in those countries that receive some form of US security assistance. This is not a worldwide survey. It should be noted that numerous countries not covered in these reports rigorously suppress dissent and seriously violate the internationally recognized rights of their citizens.

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## I. POLITICAL SITUATION

Jose Lopez Portillo was inaugurated on December 1, for a six-year term as Mexico's President. He was the Candidate of the Institutional Revolutionary Party (PRI), which as the inheritor of the Mexican Revolution, has been the dominant political force in Mexico since 1929. The PAN, the strongest of the opposition parties, was internally divided and did not nominate a Presidential candidate.

The Mexican political system has been described as a stable one-party democracy. Authority is concentrated in the Presidency, and is exercised through an informal, but wide-ranging, process of consultation with organized interest groups.

## II. LEGAL SITUATION

The Mexican Constitution of 1917 is consistent with the principal articles of the Universal Declaration of Human Rights and also contains an extensive list of social and economic rights. Constitutional provision for State of Emergency exists, but has never been invoked. In addition, Mexican legal practice recognizes the right of amparo, a uniquely Latin American protection provided the citizen against "coercive and abusive acts of authorities."

Mexico is a party to the UN Charter, the OAS Charter, the Vienna Consular Convention, and various UN Human Rights conventions.

The Mexican Government maintains that persons responsible for politically motivated kidnappings, murders, bombings, and bank robberies have committed ordinary crimes and should be so punished. Such acts have been largely directed at wealthy industrialists and low level police officials. In May, the daughter of the Belgian Ambassador was kidnapped, held for ransom, and subsequently released. In August, a sister of Lopez Portillo was the object of an assassination attempt, in which a terrorist and a policeman were killed.

## III. OBSERVANCE OF INTERNATIONALLY RECOGNIZED HUMAN RIGHTS

### A. Integrity of the Person

Article 3: The right to life, liberty and security of person is generally respected in Mexico. However, as noted elsewhere in this document, reports of human rights violations are not infrequent.

Article 5: Access to legal remedies to protect the citizen against "coercive and abusive acts of (governmental) authorities" is available through the Mexican legal practice of amparo.

Article 9: Mexico has a long tradition of civic freedom and is a haven for victims of abuse and exiles from other countries. However, arbitrary arrests and detentions occasionally occur of political oppositionists accused of illegal activities. Charges are normally not brought and detainees are released after questioning.

Article 10: Fair hearings are generally available; adequate procedures to protect the rights of prisoners may be lacking during the prearrestment detention.

Article 11: Fair trials are normally available. Counter-terrorist actions do not always afford procedural guarantees.

### B. Other Important Freedoms

Freedom of expression, assembly, press and other rights are enjoyed within wide limits, although direct criticism of the Presidency is generally muted. The Constitution restricts the public exercise of religion but religious freedom exists in practice.

## IV. OTHER HUMAN RIGHTS REPORTING

No communications about Mexico appear in the Annual Report of the Inter-American Commission on Human Rights for the Year 1975. One communication appeared in the 1974 Report but was dismissed for lack of merit.

The Subcommittee on International Political and Military Affairs of the Committee on International Relations of the U.S. House of Representatives published a report entitled, U.S. Citizens Imprisoned in Mexico, concerning violations of the human rights of Americans apprehended in Mexico on charges of narcotics possession. Many of these Americans have reported mistreatment and abuse particularly at the time of arrest.

The section on Mexico in the Amnesty International Report 1975-1976 deals mainly with the Amnesty mission sent to that country in June, 1975. The mission visited two prisons, where inmates "claimed to have been held without warrant for more than the statutory 24 hours." In the Mission's discussion with the Federal Attorney General, the latter did not concede that human rights had been violated by the Mexican authorities, but he did express willingness to respond to any Amnesty questions.

The Amnesty mission found that although the Mexican Constitution contains stringent provisions against arbitrary arrest and detention they are commonly disregarded. The mission also considered that "torture is virtually encouraged by the prevailing legal doctrine in Mexico which places undue importance on confessions while giving little weight to retractions."

The Report also noted that a March, 1976 general amnesty had been declared for all those implicated in the Tlatelolco student disturbances of 1968.

Freedom House lists Mexico as "partly free."