



Centro de Derechos Humanos Fray Bartolomé de Las Casas, AC



San Cristóbal de Las Casas, Chiapas, México
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Press Release No. 36

The National Supreme Court of Justice maintains impunity in the Case of Acteal

- **Members of the Civil Society Organization, Las Abejas delivered proof of the participation of the Mexican Military in counter-insurgency strategies in Chiapas to the Interamerican Commission on Human Rights.**
- **Confirmation that the Mexican Federal Government has participated in illegal activities evidenced through declassified documents revealing the creation of paramilitary groups in Chiapas.**

Yesterday the National Supreme Court of Justice (SCJN from its acronym in Spanish) reaffirmed its participation in a counter-insurgency strategy in Chiapas, leaving in impunity the minimum effort in advancing justice in the case of the Massacre of Acteal. Nine more people have been liberated that had participated in the massacre that occurred December 22, 1997 and who were clearly identified by the victims and survivors.

The argument made by the ministers was that the original decision was founded on the guarantee to an unbiased trial and that the judicial process was plagued with irregularities. These irregularities devalue the evidence provided by the survivors and the testimonies provided about the massacre. Furthermore, it is important to point out that the decision of the SCJN did not include judgment as to the innocence of the individuals released. Throughout the long judicial process and on various other occasions witnesses reaffirmed that the people that were liberated today were actually the strategic designers of the massacre.

Simultaneously, in Washington D.C. the Civil Society Organization, Las Abejas and members of this Human Rights Center delivered a document outlining the acts of impunity propitiated by the Mexican state through the use of the SCJN to the functionaries of the Interamerican Commission on Human Rights (CIDH, from its Spanish Acronym).

This Human Rights Center requested that the CIDH solicit the Interamerican Court on Human Rights (Corte IDH) to implement provisional measures of protection for the survivors of the massacre. The authorities of Las Abejas, are in imminent risk of their lives and physical integrity due to the possibility of repression or revenge at the hands of those recently liberated. This threat is very real considering that there still exist fire arms in the hands of paramilitary groups in the region.

The recent resolution of the SCJN evidence the forceful manner in which the Mexican State does not meet its responsibility to guarantee access to justice for the victims, survivors, and other members of society by not observing the right to truth, the right to justice, reparation of injury and measures impeding the repetition of crime, not engaging in a serious and effective investigation with the goal of



punishing the intellectual and actual designers of the massacre, avoiding impunity and greater psychological injury to the victims.

The declassified archives from the Defense Intelligence Agency.

August 20th, 2009, Kate Doyle, director of the Mexican Project in the National Security Archives, a nonprofit organization at George Washington University, released in various media outlets in Mexico, declassified documents from the Defense Intelligence Agency (DIA) which describe the role of the Mexican Military in support of the paramilitary groups in Chiapas:

By mid-1994 the Mexican Army had presidential approval to institute military teams in charge of promoting armed groups in the conflictive areas of Chiapas. The intent was to assist local indigenous personnel in resisting the Zapatista National Liberation Army (EZLN) (...). The army created specialized human intelligence (HUMINT) teams responsible for gathering intelligence from Indian communities primarily in Los Altos and Las Cañadas with the intent of having other similar units operating in areas surrounding the Zapatista communities in Chiapas. These groups were composed primarily of young officers in the rank of second and first captain, as well as select sergeants who spoke the regional dialects (...) the army HUMINT teams assisted armed groups with training and protection...¹

In the document titled, “*Breaking the Silence*”, the director of the Mexico Project writes that:

“Since the brutal attack of December 22, 1997, the Mexican government has offered multiple versions of the military’s involvement in the conflictive Chiapas zone around Acteal. The problem is the accounts have been incomplete or untrue. The most important of the DIA documents directly contradicts the official story told about the massacre by the government of then-President Ernesto Zedillo.”

“In the report issued by the nation’s Attorney General Jorge Madrazo in 1998, *Libro Blanco Sobre Acteal*, the government asserted that “The Attorney General’s office has documented the existence of groups of armed civilians in the municipality of Chenalhó, **neither organized, created, trained, nor financed by the Mexican Army** nor by any other government entity, but whose management and organization respond to an internal logic determined by the confrontation, between and within the communities, with the Zapatista bases of support.”

Previous Events

On August 12, 2009 the SCJN ordered the liberation of 20 people recognized the intellectual designers of the massacre of Acteal. ([Boletín de Prensa No. 28](#)).

During the past 11 years and 10 months Las Abejas have not found true justice in this *crimen de lesa humanidad* perpetrated against 45 indigenous Tsotsiles and 4 unborn persons in the municipality of Chenalhó, Chiapas.

¹ http://www.gwu.edu/~nsarchiv/NSAEBB/NSAEBB283/acteal_02.pdf