

Network of Concerned Historians				NCH
Campaigns				
Year original	Year follow-up	Circular	Country	Names
1998		11	Mexico	Andrés Aubry, historian, anthropologist

Announcement

According to the American Association for the Advancement of Science, several researchers and teachers are harassed in Chiapas, Mexico. Among them, dr. Andres Aubry, a historian and anthropologist of French nationality and his wife Angelica Inda, an archivist and writer. I hope that you can send the recommended appeals, as always preferably in your professional capacity.

16 November 1998

AMERICAN ASSOCIATION FOR THE ADVANCEMENT OF SCIENCE HUMAN RIGHTS ACTION NETWORK (AAASHRAN)

MEXICO--Researchers Threatened in Chiapas

CASE NUMBER: Me9815.Chi

ISSUES: Arbitrary arrest and detention; security of person; academic freedom, interference with scientific research

Facts of the case:

Since mid-April 1998, researchers and teachers in the state of Chiapas, Mexico, have been the victims of what appears to be an official campaign of harassment and sanctions. The army, state security police and state courts, the state judicial police, the federal immigration authorities, and extra-official forces working in concert with the federal security corporations have reportedly been involved in what has been described by individuals familiar with the incidents as a pattern of official harassment and intimidation directed specifically against scholars performing their normal tasks of investigation.

The incidents include the arrest of Sergio Valdes Ruvalcaba, a sixty-year-old professor at the

Universidad Autonoma Metropolitana, along with eight others. Professor Valdes was arrested on 11 April 1998 during a raid by at least 900 military and police officers to dismantle the autonomous municipal government of Taniperlas, Chiapas. Professor Valdes was in the area participating in an academic project entitled "Tzeltal Education: Knowledge and Community Values." He specializes in the use of graphic art for comparative research and education. Professor Valdes was charged with robbery, misappropriation of public property, and rebellion. According to the Mexican penal code, a charge of rebellion is attached to crimes that include the possession of arms and the use of violence. He has been accused of leading the people of Taniperlas in an uprising against the state. He currently remains imprisoned and faces a possible nine-year sentence if convicted. His arrest is considered to be a signal to other researchers who work with the indigenous population.

In addition, a student from the Centro de Investigaciones y Estudios Superiores en Antropologia Social del Sureste was reportedly arrested and beaten on 5 May 1998. The student was conducting work for an ethnography course on community development for which he was photographing the community's daily activities. He was reportedly arrested because he possessed a camera and bibliographic information from a workshop held by the National Commission for Human Rights. He was accused of instigating land invasions by indigenous people. This individual wishes to remain anonymous for reasons of security. He was released after paying a fine, which was not returned despite irregularities in the case. The incident has had a profound effect on the student and his classmates, who conduct academic research in the areas of conflict.

Just a few days after the incident involving the student, renowned anthropologist Prof. Ulrich Kohler from the University of Freiburg, Germany, was detained by immigration officials when he returned from the Pantelho community where he had traveled to submit copies of his most recent book, Santa Catarina Pantelho. After hours of questioning, Prof. Kohler was fined for allegedly undertaking activities other than those listed on his visa and for having published in Mexico and abroad on anthropological and social subjects without prior consent from the Mexican Ministry of the Interior (Secretaria de Gobernación). He was traveling on a tourist visa, as has been the custom for more than thirty years for anthropologists working in the area. He was subsequently fined and given permission to leave the country. His detention order came from the national immigration authorities.

In addition, Dr. Andres Aubry, historian and anthropologist of French nationality residing in San Cristobal, and his wife Angelica Inda, an archivist and writer, have been the victims of intimidation and harassment. Both are well-known scholars of Chiapas. They have assisted the Comision Nacional de Intermediacion, which is conducting peace talks between the Mexican government and the Zapatistas. Attacks against them include attempted detention by unidentified security forces, theft of computers,

notes, and manuscripts, break-ins and vandalism of their home, and attempted break-ins at the archive that they maintain. The timing and content of threatening phone calls and notes have led them to believe that the perpetrators have access to taps on their telephone and fax lines.

In addition, a list of foreigners supposedly under federal investigation has been leaked to the public. The list includes Prof. Brent Berlin, a distinguished emeritus ethnobotanist currently working for the Colegio de la Frontera Sur in San Cristobal, as well as scientists of other nationalities.

These incidents were coupled with visits from late February through May to most libraries, archives, and research centers in central Chiapas by military officers or security police looking for information about research activities in the region. During these visits, individuals were asked about particular kinds of studies, including native social organizations, agrarian struggles, and independent political movements. They were asked for names of fellow scholars interested in such themes. Robberies have also occurred in the homes of some researchers. The main items taken appear to be computers and diskettes. Around the same period, articles appeared in various publications accusing specific scholars of being intelligence agents, or claiming that the researchers are “known to the government” to be engaged in subversive activities.

The arbitrary arrest, detention, beating, and harassment of researchers in the state of Chiapas by Mexican authorities constitute serious violations of international human rights standards, including those listed in the American Convention on Human Rights (ratified by Mexico on 24 March 1981) and the International Covenant on Civil and Political Rights (ratified by Mexico on 23 March 1981). These include:

Under the American Convention:

- . Everyone has the right to personal liberty and security (Article 7.1);
- . No one may be the object of arbitrary or abusive interference with his private life, his family, his home, or his correspondence, or of unlawful attacks on his honour or reputation (Article 11.2);
- . Everyone has the right to freedom of thought and expression (Article 13.1);
- . Everyone has the right to associate freely (Article 16.1); and
- . Everyone has the right to freedom of movement (Article 22.1).

Under the International Covenant on Civil and Political Rights:

- . No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment (Art. 7);
- . Everyone has the right to liberty and security of person (Article 9.1);
- . Everyone lawfully within the territory of a state shall have the right to liberty of movement (Article 12);
- . Everyone shall have the right to freedom of thought (Article 18);
- . Everyone shall have the right to hold opinions without interference (Article 19.1);
- . Everyone shall have the right to freedom of expression (Article 19.2); and
- . Everyone shall have the right to freedom of association with others (Article 22.1).

(Sources of information for this case include researchers working in the area, the Centro de Investigaciones y Estudios Superiores en Antropología Social del Sureste, and El País.)

Recommended action:

Please send telexes, telegrams, faxes, or airmail letters:

- . Urging the government to release Sergio Valdes Ruvalcaba immediately and unconditionally;
- . calling on security officials to cease the harassment and intimidation of researchers in the state of Chiapas;
- . requesting that officials stop interfering with research and academic projects in the area; and
- . asking officials to investigate incidents of intimidation and harassment against researchers in the area and to bring the perpetrators of such acts to justice.

Appeal and inquiry messages should be sent to:

His Excellency Ernesto Zedillo
President of Mexico
Los Pinos, Mexico, DF
[Salutation: Dear Mr. President]

The Honorable Francisco Labastida
Secretario de Gobernacion
Periferico Sur 3469, Esquina Luis Cabrera

Col. San Jeronimo Lidice, CP 10200, Mexico, DF

[Salutation: Dear Mr. Secretary]

Comision Nacional de Derechos Humanos

Periferico Sur 3469, Esquina Luis Cabrera

Col. San Jeronimo Lidice, CP 10200, Mexico, DF

[Salutation: Dear Sir/Madam]

Mariclaire Acosta, Presidenta

Comision Mexicana de Defensa y Promocion de los Derechos Humanos, AC

Email: cmdpdh@laneta.apc.org

[Salutation: Dear Ms. Acosta]

Copies to:

His Excellency Reyes Heróles

Ambassador of Mexico

Embassy of Mexico

1911 Pennsylvania Avenue, NW, Washington, DC 20006, USA

[Salutation: Dear Mr. Ambassador]

The Honorable Jeffrey Davidow

Ambassador of the United States

American Embassy

P.O. Box 3087, Laredo, TX 78044-3087, USA

Fax: 011 52 5 208 3373

[Salutation: Dear Mr. Ambassador]

Please send copies of your appeals, and any responses you may receive, or direct any questions you may have to Elisa Munoz, AAAS Science and Human Rights Program, 1200 New York Ave, NW, Washington, DC 20005; tel. 202-326-6797; email EMUNOZ@AAAS.ORG; or fax 202-289-4950.

The keys to effective appeals are to be courteous and respectful, accurate and precise, impartial in approach, and as specific as possible regarding the alleged violation and the international human rights standards and instruments that apply to the situation. Reference to your scientific organization and

professional affiliation is always helpful.

To ensure that appeals are current and credible, please do not continue to write appeals on this case after 90 days from the date of the posting unless an update has been issued.