

Document submitted to the Committee on Enforced Disappearances regarding the situation in
Mexico

11 February 2025

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I. Introduction

The objective of this document is to urge the Committee on Enforced Disappearances (hereinafter “CED”) to urgently bring the situation of Mexico to the attention of the General Assembly of the United Nations, as set forth in Article 34 of the International Convention for the Protection of All Persons from Enforced Disappearance (hereinafter “ICPPED” or “Convention”). Below, we set forth why the International Federation for Human Rights (hereinafter “FIDH”) considers that enforced disappearances are being practised on a widespread and systematic basis in Mexico.

As set forth in the Convention, an “enforced disappearance” is defined as the “arrest, detention, abduction or any other form of deprivation of liberty by agents of the State or by persons or groups of persons acting with the authorization, support or acquiescence of the State, followed by a refusal to acknowledge the deprivation of liberty or by concealment of the fate or whereabouts of the disappeared person, which place such a person outside the protection of the law.”¹ As per Article 34 of the Convention, if the CED receives information which appears to it to contain well-founded indications that enforced disappearance is being practised on a widespread or systematic basis in the territory under the jurisdiction of a State Party, it may, after seeking from the State Party concerned all relevant information on the situation, urgently bring the matter to the attention of the General Assembly of the United Nations.²

In 2022 the CED, after visiting Mexico from 15 to 26 November 2021, highlighted the existence “patterns” of enforced disappearances in the country and expressed “deep concern that disappearances continue to be widespread over much of the State party’s territory”.³ Over 5,600 clandestine graves have been located in

¹ [International Convention for the Protection of All Persons from Enforced Disappearance](#), article 2.

² [International Convention for the Protection of All Persons from Enforced Disappearance](#), article 34.

³ Report of the Committee on Enforced Disappearances on its visit to Mexico under article 33 of the Convention, Information on the visit and findings (art. 33, para. 1), [CED/C/MEX/VR/1 \(Findings\)](#), para. 24.

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Mexico,⁴ largely thanks to the work of victims' collectives, and, as noted by the CED's report, the country is undergoing a serious forensic crisis, with 50,000 unidentified bodies.⁵ Public policies are lacking and, according to experts, under the prevailing conditions, it would take 120 years to identify all the bodies.⁶ The rate of impunity for these crimes is estimated at 98%.⁷

Despite the CED's visit to Mexico and its recommendations to the State, the forensic crisis and high levels of impunity continue. Although Mexico has enacted some laws and policies to address these issues, and which would allow for investigation into these crimes, the Mexican authorities, to date, have not investigated or prosecuted enforced disappearances as crimes against humanity, nor held high-level perpetrators to account. This is particularly worrying given the current judicial reform – whereby all judges will be elected by popular vote in 2025 – which is likely to further delay and add complexity to any hope for effective investigations without delay. Yet, as detailed below, impunity also responds to a lack of will, given evidence of widespread corruption particularly from local judiciary and state governments, who are regularly bribed by powerful drug trafficking cartels, thus impeding any genuine investigation.

FIDH considers that one way to advance in light of the problem's gravity is for a State (or several States) to refer the situation in Mexico to the International Criminal Court (hereinafter "ICC"). FIDH believes that the announcement of a preliminary examination by the ICC could transform the manner in which the Mexican State investigates and prosecutes enforced disappearances, by recognizing them as crimes against humanity. As Mexican authorities are still reluctant to acknowledge the nature of enforced disappearances as crimes against humanity, prosecutors continue to investigate these crimes as isolated instances, on a case-to-case basis, which cannot possibly address the high levels of impunity and massive number of crimes being committed, which overwhelmingly lack investigation, as demonstrated by the sheer number of unidentified bodies. For this reason, we believe a referral by the CED to General Assembly of the United Nations could be a crucial turning point, as the international community would be openly recognizing that enforced disappearances are being practised on a widespread or systematic basis in the territory of Mexico. This could possibly lead States, including Mexico, to recognize the existence of crimes against humanity and the need of a referral of the Mexican situation to the ICC and /or of a complete change in the way those crimes are investigated locally.

Below, this document will detail well-founded indications of (1) the commission of enforced disappearances on a systematic basis in Mexico, with a specific focus on Coahuila, Nayarit, and Veracruz, where systematic

⁴ Pablo Ferri, "[Mapping Mexico's 5,698 clandestine graves](#)", *El País*, 10 October 2023.

⁵ According to the Committee, "more than 52,000 unidentified deceased persons are currently located in mass graves forensic service facilities, universities or forensic storage centres." Further, public policies are lacking and, according to experts, under the prevailing conditions, it would take 120 years to identify all the bodies. *See* Report of the Committee on Enforced Disappearances on its visit to Mexico under article 33 of the Convention, Information on the visit and findings (art. 33, para. 1), [CED/C/MEX/VR/1 \(Findings\)](#), paras. 28-29.

⁶ Report of the Committee on Enforced Disappearances on its visit to Mexico under article 33 of the Convention, Information on the visit and findings (art. 33, para. 1), [CED/C/MEX/VR/1 \(Findings\)](#), paras. 28-29.

⁷ Further, as reported by the CED, impunity for cases of enforced disappearances is particularly rampant: "According to information provided by the State party, as of 26 November 2021, only a minimal percentage of cases of disappearance – between 2 per cent and 6 per cent – had been brought before the courts, and only 36 judgments had been issued in such cases at the national level." Report of the Committee on Enforced Disappearances on its visit to Mexico under article 33 of the Convention, Information on the visit and findings (art. 33, para. 1), [CED/C/MEX/VR/1 \(Findings\)](#), para. 25.

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patterns have been documented by FIDH and its partners; (2) the commission of enforced disappearances on a widespread basis in Mexico; and (3) conclusions and recommendations to the CED.

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II. The commission of enforced disappearances on a systematic basis in Mexico

For the past ten years, FIDH, working closely with Mexican civil society organizations and victims' collectives, have submitted 5 article 15 communications pursuant to the Rome Statute and accompanying evidence regarding crimes against humanity committed in Mexico to the Office of the Prosecutor of the ICC. We consider that the information documented therein indicates that enforced disappearances are being practised on a systematic basis in the territory of Mexico. FIDH's investigations are based on documentation missions to Mexico, including interviews with victims, conducted directly by FIDH and/or partner organizations; open sources (media reports, publicly available government information, and information obtained via freedom of information requests); information from national investigations and case files; and, in some cases, analysis of evidence from clandestine graves.

While FIDH's communications are written in a lens of international criminal law – pointing to individual criminal responsibility – these communications *a fortiori* also implicate State responsibility as set forth in the Convention, given that in all the cases documented there is either direct State participation in the commission of the crimes or the authorization, support or acquiescence of the State for crimes committed primarily by drug trafficking cartels or other non-state actors. As detailed below, FIDH has focused on documenting cases state by state, as systematic patterns have been identified at regional levels, where a part of local state government and or local public forces are often colluded with the dominant drug trafficking cartel. This corruption and the corollary enrichment of local state authorities through collaboration with the cartels also helps explain the authorization, support or acquiescence of the State in the commission of these crimes.

Below, we will detail cases where FIDH has direct evidence that indicates that enforced disappearances were committed on a systematic basis, in the states of Coahuila, Nayarit and Veracruz. FIDH also considers that each of these cases constitute crimes against humanity under the Rome Statute, as argued in our submissions to the ICC. The information presented in this document is based on the article 15 communications submitted to the ICC, which are attached as annexes, along with accompanying evidence submitted to the ICC regarding these three cases. In each of these cases, enforced disappearances have been committed by State actors, or by non-State actors acting with the authorization, support or acquiescence of the State, as part of systematic attacks directed against civilian populations. While these cases are highlighted due to FIDH's direct evidence and documentation of the crimes, it is important to note that they represent only a small fraction of enforced disappearances committed on a widespread or systematic basis in Mexico. Due to limited capacity, FIDH could not document in great detail a large number of the enforced disappearances in these three states. However, even though FIDH's article 15 communications focus on only a sub-set of enforced disappearances committed in specific time periods, these are sufficient to show that enforced disappearances were practised on a systematic basis in Coahuila, Nayarit, and Veracruz.

A. Coahuila

FIDH's communication – submitted to the ICC on 6 July 2017 – details why there is a reasonable basis to believe that the crimes against humanity of enforced disappearance, imprisonment and torture within the

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jurisdiction of the ICC, were committed in the State of Coahuila between 2009 and 2016, as part of a systematic attack against a civilian population of that State.⁸

The communication and its legal analysis is based on more than 500 enforced disappearances during the relevant time period: a database containing 195 victims, developed by the organization and victims' collective *Familias Unidas en la Búsqueda y Localización de Personas Desaparecidas* and a database containing 367 victims, developed by the organization *Centro Diocesano para los Derechos Humanos Fray Juan de Larios*.⁹ Of these two databases, FIDH analysed in detail 32 cases involving 73 victims of crimes against humanity in greater detail, 33 of them remained disappeared and all form part of two systematic patterns, described below. Further, it is worth noting that these cases occurred in a context of 1,830 disappeared persons in Coahuila, according to official government sources.¹⁰

The evidence analysed in the communication allowed FIDH to identify two patterns of enforced disappearances, which demonstrate a systematic attack: (1) from 2009-2011/2012, Coahuila police forces kidnapped victims, which were then turned over to the Zetas cartel; and (2) from 2011/2012 – 2016, state authorities responsible for law enforcement directly carried out acts of enforced disappearances through their Special Forces, including the including the *GATE* (a Specialized Weapons and Tactics Group, created in December 2011), *GATEM* (Municipal Specialized Weapons and Tactics Group), *FUERZA ÉLITE* (Elite Force) and *GROM* (Response and Mixed Operations Group).

As detailed in the communication, the commission of crimes of enforced disappearance – which sometimes also involved acts of imprisonment and torture – was systematic and followed a regular pattern. First, security forces either raided victims' homes, performed traffic stops or pursued victims in public spaces. Then, victims were detained and taken to a number of irregular detention centres, or were simply not registered in official detention centres, and were not presented with any judicial order or arrest warrant. Between 2009 to 2012, detainees were handed over to the Zetas. Victims handed over to the Zetas would be disappeared and, in some cases, tortured. The municipal and state police when committing those detentions would use patrols as well as official uniforms, weapons, badges, and communication radios. From 2009, the Zetas cartels consolidated their territorial control in Coahuila through the use of terror in the population. Eliminating the “enemy”, with the enemy being a member of any other criminal organization attempting to control the territory, but also, anyone

⁸ This communication was prepared by FIDH and local civil society organizations or victims collectives: Familias Unidas en Búsqueda y Localización de Personas Desaparecidas, Fuerzas Unidas por Nuestros Desaparecidos en Mexico, and Centro Diocesano para los Derechos Humanos Fray Juan de Larios, it was also supported by Red Todos los Derechos Para Todas y Todos (which gathers more than 80 non-governmental organizations in Mexico), la Comisión Mexicana de Defensa y Promoción de los Derechos Humanos (CMDPDH), IDHEAS Litigio Estratégico en Derechos Humanos, la Fundación Para La Justicia y el Estado Democrático de Derecho, el Centro de Derechos Humanos Juan Gerardi, la Iniciativa Mesoamericana de Mujeres Defensoras de Derechos Humanos, las Asociadas por lo Justo, el Instituto Mexicano de Derechos Humanos and Democracia, Fundar Centro de Análisis e Investigación, Casa del Migrante de Saltillo, Pastoral Penitenciaria de Saltillo Pastoral Social de la Diócesis de Saltillo. The full report with annexes and confidential information was submitted to the Office of the Prosecutor of the ICC, requesting that it open a preliminary examination on the situation in Mexico.

⁹ A public version of this communication attached as Annex I.A.

¹⁰ This is based on the official statistic presented by the State Office of the Assistant Attorney General for Disappeared Persons: between 2006 and 2016 1,791 reports were filed in connection to 1,830 disappeared persons in Coahuila. See Annex I.A, p. 5.

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who either refused to collaborate with the group's activities, or whose disappearance would contribute to enhancing terror in the civilian population to increase submission to the group's control. They also oriented their strategy towards taking control of institutions, by co-opting police forces and political authorities. The testimonies in two trials in San Antonio and Austin, Texas, against members of the Zetas, have demonstrated that support was given by members of the state of Coahuila to this criminal group in exchange of money.

In the cases of enforced disappearances specifically, State authorities systematically refused to give information about the status and whereabouts of the detained persons.

The systematic nature of the crimes is also evidenced by the victims' profiles. Of the 32 cases underlying the communication, 95% of the victims were male and the 5% female. The age of the victims fluctuated between 17 to 50 years of age. The civilian population principally affected by these crimes presented characteristics of particular vulnerability, given that the victims were typically lower middle class and lower class men and women. This is evidenced by the fact that in the majority of cases the victims had not completed university studies, and were either unemployed, or employed in manual labour and the informal economy, such as selling goods. Victims also typically lived or worked in humble neighbourhoods or settlements in certain municipalities in Coahuila.

In addition, it is worth noting the level of coordination and complicity between the Zetas and government security forces, which also indicates a systematic attack. This is particularly visible in the cases of Piedras Negras (CERESO) detention centre. This State-administered detention centre – under the purview of the Governor's Office of Coahuila – was converted into a centre of operations for the Zetas. Prisoners affiliated with the Zetas entered and exited the state prison unencumbered, and took shelter in the prison facilities whenever necessary to avoid pursuit by federal authorities. Inside the prison, the cartel produced the supplies needed for their criminal activities (bullet-proof vests, uniforms, modified cars, etc.) They also brought people there to be executed, submerging their bodies in acid and/or burning them in steel tanks. It is estimated that at least 150 persons were victims to these crimes, the commission of which was only possible with the support of the authorities of Coahuila. After 2012, there was a reconfiguration of power and forces with the weakening of the Zeta. The cases we documented after that period (2nd pattern) are more circumvented geographically, and the alleged perpetrators are the special security forces.

To FIDH's knowledge, no high-level officials from the State of Coahuila have been investigated or tried for the systematic patterns of enforced disappearances that took place between 2009 and 2016.

In 2019 FIDH and the organization and victims' collective *Familias Unidas en la Búsqueda y Localización de Personas Desaparecidas* also submitted a petition to the Inter-American Commission on Human Rights (hereinafter "IACHR"). It relates to 17 cases of enforced disappearances: some are included in the ICC communication, some involve facts in the prison of Piedras Negras and others the massacre of Allende.¹¹

B. Nayarit

During the period from September 2011 to September 2017, the State of Nayarit was governed by Roberto Sandoval Cañeda, who nominated Edgar Veytia Cambero as Public Prosecutor of Nayarit. Together, Sandoval and Veytia created a criminal structure within the Public Prosecutor's Office of Nayarit, through which

¹¹ See FIDH, "[FIDH files the first complaint before the IACHR for acts of corruption against the State of Mexico](#)", 21 February 2019.

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numerous crimes were committed, including murder, torture, property theft, threats, extortion and enforced disappearances. For seven years, members of this criminal structure pursued their own illicit enrichment, through the exploitation and abuse of resources of the State of Nayarit and its inhabitants.

From its inception in 2011, this criminal group created within the Public Prosecutor's Office sold out to various drug cartels, including the Beltrán Leyva (and its Nayarit cell, the Hs); the Zetas; and the Jalisco Cartel New Generation Cartel (hereinafter "CJNG"). The criminal structure within the Public Prosecutor's Office supported drug cartels in various ways: by releasing cartel members after they had been arrested for drug trafficking, by instructing Mexican officials to attack rival drug traffickers, and by making the human and material resources of the Nayarit Police available to the cartels. In return, Veytia and Sandoval received bribes from cartels during their six years in power.¹²

In March 2017 the criminality of the group operating within the Nayarit Public Prosecutor's Office was exposed, when Edgar Veytia was arrested in San Diego, California by U.S. authorities acting on an arrest warrant accusing the former prosecutor of participating in drug trafficking between January 2013 and February 2017. Two years after his apprehension, Veytia was sentenced to 20 years in prison and ordered to pay one million dollars, after pleading guilty to participating in an international conspiracy to manufacture and distribute heroin, cocaine, methamphetamine and marijuana, responsible for importing drugs from Mexico to the United States. Roberto Sandoval is currently detained in Mexico, accused of receiving funds from illicit sources.

FIDH's communication – submitted to the ICC on 24 March 2021 – details why there is a reasonable basis to assert that the crime against humanity of enforced disappearance, within the jurisdiction of the ICC, was committed in the State of Nayarit between June and September 2017, as part of a systematic attack against a civilian population of that State.¹³ According to the evidence available, the persons implicated in the commission of the crimes of enforced disappearance were public officials linked mainly to the Public Prosecutor's Office of the State of Nayarit, the Nayarit Police and the Governor's Office of the State of Nayarit. These persons were part of a criminal structure set up within the Public Prosecutor's Office.

The communication is based on the analysis of 26 cases corresponding to a total of 47 victims of enforced disappearance.

In addition to interviews with family members, the document is based on evidentiary material from family members; public records; open sources, such as press reports; information about the clandestine mass graves found in Nayarit, with over 140 bodies; and the public records of the criminal case against former Nayarit

¹² As detailed in our report, in addition to the bribes received from various drug cartels between 2011 and 2017, the criminal structure formed within the Public Prosecutor's Office of Nayarit enriched itself by means of the property theft and extortion of hundreds of Nayarit residents of their homes, ranches, businesses, warehouses, land and money. In order to carry out these property thefts and extortions, Nayarit State officials threatened individuals who owned property of interest to the criminal group within the Nayarit Public Prosecutor's Office and the Nayarit Governor's Office, who were then kidnapped and, in some cases, subjected to arbitrary detention for several days. Among the detainees, some of the owners suffered torture or cruel treatment. Finally, the victims were forced to hand over their property under threat.

¹³ This communication was prepared by FIDH and *IDHEAS Litigio Estratégico en Derechos Humanos* (IDHEAS). The full report with annexes and confidential information was submitted to the Office of the Prosecutor of the ICC, requesting that it open a preliminary examination on the situation in Mexico.

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Public Prosecutor, Edgar Veytia Cambero, from the Eastern District Court of New York, as well as the sanctions against Roberto Sandoval Castañeda, who was detained in Mexico on 6 June 2021.¹⁴

According to the evidence available and FIDH's analysis, detailed in the communication, these 47 victims of enforced disappearance were part of a systematic attack against a civilian population in Nayarit and constitute crimes against humanity.¹⁵

FIDH considers these cases to be systematic for the reasons set forth below.

First, in terms of their characteristics, all the victims of enforced disappearance lived in the capital of Tepic or in nearby municipalities. They were in their majority a group of young men, most of them between 23 and 30 years old. They all lived in poor neighbourhoods in and around Tepic and most of them were employed in jobs such as those of a mechanic, welder or carpenter. The cases described in the communication occur between June and September 2017, which corresponds to the last four months in office of former governor Roberto Sandoval, whose party had lost the elections in June of the same year. Based on the information and evidence available, the communication claims on reasonable grounds that this attack was an attempt, during the last months of the Sandoval administration and his close circle, to maintain territorial control over drug trafficking in the State of Nayarit.

All 47 cases of enforced disappearance described in the communication follow the same *modus operandi*, which demonstrates that these events of enforced disappearance were probably not isolated or random acts, but rather followed a systematic pattern. Indeed, each of the 47 victims was abducted in vehicle belonging to government security forces, with the use of force or weapons, in an urban area of Nayarit, after which their relatives received no news of their whereabouts.

In the 47 disappearances described in the communication, according to the evidence available, Nayarit State officials were involved, or the acts were carried out with the open use of State government resources, such as vehicles that witnesses identified as belonging to the Public Prosecutor's Office, firearms and uniforms, including Nayarit Police uniforms. Moreover, many of the persons carrying out the kidnappings were hooded, a common mode of action by the Nayarit Police during the administration of former Governor Sandoval.

After each act of enforced disappearance, the Nayarit Public Prosecutor's Office failed to carry out an impartial and efficient investigation, despite the fact that almost all relatives reported the facts shortly thereafter. In response to this indifference and even obstruction of justice by officials of the Nayarit Public Prosecutor's Office, relatives of disappeared persons began to search for the victims on their own.

Of the 47 victims of enforced disappearance described in the report, more than half were found, lifeless, in clandestine graves discovered in the State of Nayarit. Despite some advances,¹⁶ no high-level officials from the

¹⁴ Attached as annexes are a public version of the Nayarit communication submitted to the ICC, the case files from the US criminal case against Veytia, public recommendations by the Commission for the Defence of Human Rights for the State of Nayarit, and images of "mantas" drawn by drug cartels in Nayarit. See Annexes II.A – II.D.

¹⁵ While the report focuses on 47 cases of enforced disappearance, these occur in a context of between 120 and 300 enforced disappearances committed in Nayarit between 2017 and 2018 or 2019. Based on the available information, described in the report, there is a reasonable basis to assert that these 47 cases of enforced disappearance were part of a systematic attack against a civilian population in Nayarit and thus constitute crimes against humanity.

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State of Nayarit have been investigated or tried for the systematic pattern of enforced disappearances that took place in 2017.¹⁷

There are indicia that at least part of the criminal structure of the Public Prosecutor's Office still remains in place in Nayarit.¹⁸

C. Veracruz

Between 2010 and 2016, the state of Veracruz was governed by Javier Duarte de Ochoa. During this time period, state authorities were accused of committing numerous crimes and human rights violations, including enforced disappearance. Collusion between organised crime and state officials has also been documented during this period, and many of these state officials have been charged or investigated for corruption or illicit enrichment, including the former governor himself.

FIDH's communication – submitted to the ICC on 19 November 2021 – details 22 cases of enforced disappearance that took place between November 2012 and July 2016, which show a systematic attack committed by State security forces. 7 victims, within this attack, were found in the clandestine grave “Colinas de Santa Fe”, located on the outskirts of the city of Veracruz, which contains a total of 305 bodies; 9 victims disappeared in *Colonia Formando Hogar* (Formando Hogar neighbourhood), in the city of Veracruz; and 6 additional victims disappeared in the city of Veracruz.¹⁹ In each of these cases there is direct evidence of State participation in the commission of the crimes.

According to the evidence available and FIDH's analysis, detailed in the communication, these 22 cases of enforced disappearance were part of a systematic attack against a civilian population in Veracruz and constitute crimes against humanity.

While our communication focuses on the detailed description and legal analysis of 22 cases of enforced disappearance – where there is direct evidence of participation by State authorities – these cases share similarities with other cases documented in Veracruz, which are detailed in a database containing a total of 41 cases.²⁰ Also the modus operandi described may concern the victims found in a clandestine grave containing 305 bodies as 7 of them are part of the 22 cases analyzed.

¹⁶ In December 2021, two months after the CED issued urgent actions for 38 cases of enforced disappearances (20 of them included in FIDH's communication to the ICC), a part of these cases of enforced disappearance was transferred from the Nayarit Public Prosecutor's Office to the Federal Prosecutor's Office (FGR). Further, the National Search Commission (CNB) conducted a context analysis and a search plan in coordination with relatives and collectives in Nayarit.

¹⁷ Although former State Public Prosecutor Edgar Veytia Cambero was arrested in the United States in March 2017 and sentenced to 20 years in prison, his charges were uniquely for importing, manufacturing and supplying drugs. Similarly, former governor Sandoval was detained in 2021 and remains in pre-trial detained for various crimes, including receiving funds from illicit sources.

¹⁸ Annex II.A, p. 34-35.

¹⁹ This communication was prepared by FIDH; IDHEAS, Litigio Estratégico en Derechos Humanos (IDHEAS); and the victim's collective Solecito de Veracruz. The full report with annexes and confidential information was submitted to the Office of the Prosecutor of the ICC, requesting that it open a preliminary examination on the situation in Mexico.

²⁰ Confidential database.

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Furthermore, according to public information, there have been more than 6,000 enforced disappearances in Veracruz since 2006.²¹ Our communication therefore describes only some of the events in which acts of enforced disappearance occurred, those in which FIDH had access to direct and clear evidence of a *modus operandi* of participation by a group of State authorities. Yet, it is likely that there is broader systematic or generalised pattern of enforced disappearances in Veracruz.

As described in the communication, the 22 cases described constitute the crime of humanity of enforced disappearance, as defined in article 7(1)(i) of the Rome Statute. In particular, these crimes were committed by members of the State Police or the Ministerial Police of Veracruz, acting in some cases in conjunction with the Veracruz Investigation Agency, Mexican federal authorities, and/or members of organised crime.

Following the ICC's case law, FIDH considers these cases to be systematic due to the fact that identical acts took place or similarities in criminal practices can be identified and the same *modus operandi* was used, with victims treated in a similar manner.

All 22 cases of enforced disappearance described in this communication follow the same *modus operandi*, demonstrating that these acts of enforced disappearance were not isolated or random, but followed a systematic pattern. All the cases occurred between November 2012 and July 2016, during the term of office of former governor Duarte de Ochoa. On the basis of the information and evidence available, FIDH's communication alleges that Veracruz state authorities disappeared persons who were undesirable or constituted an obstacle to them in one way or another. Each of the 22 victims were detained by the State Police or Ministerial Police of Veracruz, usually in a state security force vehicle, with the use of force or weapons, in an urban area of the city of Veracruz or nearby localities, after which their relatives received no news of their whereabouts, or the victims were found in the clandestine grave Colinas de Santa Fe. According to the information available, each of the 22 cases of disappearance involved Veracruz state officials, or the acts were carried out with the open use of state government resources, such as vehicles or uniforms that witnesses identified as belonging to the State Police. After each act of enforced disappearance, the Veracruz State Public Prosecutor's Office failed to conduct an impartial and efficient investigation, despite the fact that the victims' families reported the incidents, in some cases repeatedly. In response to this indifference or even, in some cases, the active obstruction of justice by officials of the State Public Prosecutor's Office, relatives of disappeared persons began to search for the victims independently. In 2016, the "Solecito" collective of families located Colinas de Santa Fe, the largest clandestine grave in Latin America, containing 305 bodies, including 7 of the cases detailed in this communication.

In all the cases detailed in our communication, a recurring pattern of violence occurred, with enforced disappearances carried out by State authorities, sometimes in conjunction with Federal authorities and/or organised crime, after which Veracruz State authorities repeatedly refused to conduct investigations into the crimes that took place. Furthermore, the existence of a mass clandestine grave with 305 bodies on the outskirts of the city of Veracruz suggests a planned, targeted or organised attack, given the number of victims and the geographical proximity of the grave to the site of enforced disappearances.

The victims' similar characteristics also indicates the crimes were systematic: all the victims of enforced disappearance in the 22 cases described were detained or found in or around the city of Veracruz. They were

²¹ "Personas desaparecidas y no localizadas" (*Disappeared and missing persons*), Veracruz, 01/01/2006 to 19/12/2024, RNPNDNO, available at <https://versionpublicarnpdno.segob.gob.mx/>.

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mostly young men, 68% of them under the age of 40, and were employed in jobs such mechanic or taxi driver or were students.

Former governor Duarte de Ochoa is currently serving a prison sentence for criminal association and money laundering.²² Duarte de Ochoa was also formally accused of the crime of enforced disappearance, for covering up the discovery of a clandestine grave with the remains of 19 persons in the La Aurora ravine, in the Emiliano Zapata municipality;²³ however, on 16 November 2024, the investigation was closed by a Mexican judge.²⁴ Most of the cases of enforced disappearance committed during his tenure remain in a state of total impunity. To FIDH's knowledge, none of the senior officers of the Veracruz State Police or the Governor's Office have reached the trial stage for the crime of enforced disappearance or related conduct.

III. The commission of enforced disappearances on a widespread basis in Mexico

FIDH considers that the sheer number and geographical extent of cases also strongly indicates that there is a widespread pattern of enforced disappearances in Mexico. As indicated by the National Register of Missing and Disappeared Persons ("RNPDNO"), there are 120,076 missing or disappeared persons in Mexico to date, most of these (106,467) occurring since the beginning of the so-called "war on drugs" initiated in 2006.²⁵ The rate of impunity for these crimes is estimated at 98% and there have been almost no convictions for enforced disappearances specifically.²⁶ As shown in the figure below, while enforced disappearances are more prevalent in some states than others, they have occurred in high numbers in every one of the 32 federal states of Mexico since 2006.

²² Noé Zavaleta and Patricia Dávila, "Javier Duarte detenido en Guatemala: PGR" (Javier Duarte detained in Guatemala: Procuraduría General de la República (Office of the Public Prosecutor of the Republic - PGR), *Proceso*, 12 April 2017, <https://www.proceso.com.mx/nacional/2017/4/15/javier-duarte-detenido-en-guatemala-pgr-182463.html>, accessed on 13 July 2021; "Guatemala extradita a México al controvertido exgobernador de Veracruz Javier Duarte" (Guatemala extradites controversial ex-governor of Veracruz, Javier Duarte, to Mexico), *BBC*, 17 July 2017, <https://www.bbc.com/mundo/noticias-america-latina-40636993>, accessed on 13 July 2021; Ariadna Ortega, "Javier Duarte se declara culpable y recibe condena de 9 años de prisión" (Javier Duarte pleads guilty, receives 9-year prison sentence), *Expansión*, 26 September 2018, <https://politica.expansion.mx/mexico/2018/09/26/javier-duarte-se-declara-culpable-y-recibe-condena-de-9-anos-de-prision>, accessed on 13 July 2021.

²³ Raúl Flores Martínez, "Juez rechaza frenar orden de captura contra Javier Duarte por desaparición forzada", *Excelsior*, 14 January 2022, <https://www.excelsior.com.mx/nacional/javier-duarte-sin-suspension-contra-orden-captura-desaparicion-forzada/1493009>, accessed 3 February 2021.

²⁴ "Javier Duarte quedó absuelto del delito de desaparición forzada", *Proceso*, 16 November 2024, <https://www.proceso.com.mx/nacional/2024/11/16/javier-duarte-queda-absuelto-del-delito-de-desaparicion-forzada-340497.html>, accessed 26 November 2024.

²⁵ RNPDNO, available at <https://versionpublicarnpdno.segob.gob.mx/>.

²⁶ As the CED itself has highlighted "only a minimal percentage of cases of disappearance – between 2 per cent and 6 per cent – had been brought before the courts, and only 36 judgments had been issued in such cases at the national level." Report of the Committee on Enforced Disappearances on its visit to Mexico under article 33 of the Convention, Information on the visit and findings (art. 33, para. 1), [CED/C/MEX/VR/1 \(Findings\)](#), para. 25. As detailed below, in the cases of Coahuila, Nayarit and Veracruz, where convictions of State officials do happen – whether in Mexico or the US – they are often regarding drug trafficking, corruption or illicit enrichment charges, but do not hold these officials responsible for the crimes of enforced disappearance and, thus, leave victims without adequate relief and reparations.

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Data from RNPdNO: Disappeared persons by State and gender (01/01/2006 to 19/12/2024)²⁷

State	Men	Women
AGUASCALIENTES	326.00	108.00
BAJA CALIFORNIA	2208.00	694.00
BAJA CALIFORNIA SUR	658.00	118.00
CAMPECHE	69.00	28.00
COAHUILA	2680.00	701.00
COLIMA	708.00	227.00
CHIAPAS	1029.00	325.00
CHIHUAHUA	3190.00	522.00
CIUDAD DE MEXICO	3092.00	1774.00
DURANGO	775.00	214.00
GUANAJUATO	2126.00	654.00
GUERRERO	2970.00	642.00
HIDALGO	679.00	353.00
JALISCO	11606.00	1904.00
ESTADO DE MEXICO	5615.00	3554.00
MICHOACAN	5104.00	984.00
MORELOS	1261.00	560.00
NAYARIT	1223.00	286.00
NUEVO LEON	4926.00	1660.00
OAXACA	408.00	208.00
PUEBLA	1488.00	789.00
QUERETARO	454.00	127.00
QUINTANA ROO	899.00	369.00
SAN LUIS POTOSI	813.00	188.00
SINALOA	5286.00	472.00
SONORA	3948.00	806.00
TABASCO	927.00	870.00
TAMAULIPAS	9386.00	2418.00
TLAXCALA	101.00	48.00

²⁷ “Personas desaparecidas y no localizadas” (*Disappeared and missing persons*), all federal entities, 01/01/2006 to 19/12/2024. RNPdNO, available at <https://versionpublicampdno.segob.gob.mx/>.

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VERACRUZ	5170.00	1261.00
YUCATAN	207.00	65.00
ZACATECAS	3043.00	579.00
UNKNOWN	264.00	81.00

The widespread nature of these crimes is evidenced not only by their high numbers and geographic extent, but also by information pointing to the existence of drug trafficking in the whole territory of Mexico and the collusion of high-level state officials with these illegal activities. In this sense, corruption and impunity has contributed to high levels of violence and extended to the highest levels of government, including at the federal level. Two emblematic cases demonstrate this trend. On 16 October 2024, Genaro García Luna, former Secretary of Public Security in Mexico from 2006 to 2012, was sentenced in the United States for assisting the Sinaloa cartel in exchange for millions of dollars in bribes. This occurred while García Luna was in charge of security policies in the so-called “war against drugs”, initiated by former President Felipe Calderón in 2006.²⁸ Previously, in October 2020, US federal prosecutors had arrested former Mexican Defence Minister, General Salvador Cienfuegos Zepeda, on charges that he conspired to protect drug traffickers. However, a month later the Justice Department dropped the charges and returned Cienfuegos to Mexico, where all national charges were then dropped by Mexican prosecutors.²⁹ This was done despite the fact that Cienfuegos’ tenure as Secretary of National Defence during Enrique Peña Nieto’s presidency had been marked by serious human rights violations by the military, including enforced disappearances, and he had refused the GIEI (a group of experts appointed by the Inter-American Commission on Human Rights) access to interview soldiers in the Ayotzinapa case.³⁰

IV. Conclusion and recommendations to the CED

As detailed in this document, FIDH believes that there is clear evidence that the crime against humanity of enforced disappearance has been committed in Mexico on both a widespread and systematic basis. This has occurred with almost total impunity, which is a result of both a lack of capacity and a lack of will by the Mexican authorities.

In this regard, FIDH recommends that the CED:

- Urgently bring to the attention of the General Assembly of the United Nations, as set forth in Article 34 of the ICPPED, the systematic and widespread patterns of enforced disappearances committed in Mexico, as set forth in this document.
- Urge the State Parties to the ICPPED, including Mexico, that have also ratified the Rome Statute to refer the case of Mexico to the International Criminal Court. While the cases described in this

²⁸ [“Ex-Mexican Secretary of Public Security Genaro Garcia Luna Sentenced to Over 38 Years’ Imprisonment”](#), U.S. Attorney’s Office, Eastern District of New York, 16 October 2024; Elías Camhaji, [“Genaro García Luna, sentenciado a 38 años de cárcel por narcotráfico y delincuencia organizada”](#), *El País*, 16 October 2024.

²⁹ Tim Golden, [“Dropping the Charges Against General Cienfuegos Was William Barr’s Call”](#), *Pro Publica*, 8 December 2022.

³⁰ Stephanie Brewer, [“Explainer: Key Points for Understanding Mexico’s Cienfuegos Case”](#), *WOLA*, 19 January 2021.

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document refer to facts occurred in Mexico, the violence committed by drug trafficking cartels has become trans-national and continues to expand alarmingly throughout the Latin American region.

V. List of annexes

Annex	Name	Date	Brief description
COAHUILA			
I.A	FIDH - Coahuila communication to ICC (English) (Public version)	July 2017	Communication under Article 15 of the Rome Statute of the International Criminal Court on the alleged commission of crimes against humanity in Coahuila, Mexico. Submitted to the ICC in July 2017.
II. NAYARIT			
II.A	Public version of Nayarit communication to the ICC	June 2021	Public report titled “Mexico Criminal Structure Within the Public Prosecutor’s Office of the State of Nayarit and Crimes Against Humanity”
II.B	Veytia case documents	Between 2 March 2017 and 26 September 2019	US case file documents Edgar Veytia (<i>United States v. Edgar Veytia</i> , 1:17-cr-00115-CBA).
II.C	Recommendations of the Commission for the Defence of Human Rights for the State of Nayarit (<i>Comisión de Defensa de los Derechos Humanos para el Estado de Nayarit</i>)	6 September 2017 and June-July 2020	This annex compiles three recommendations issued by the Commission for the Defence of Human Rights for the State of Nayarit, which detail the shortcomings and human rights violations of the acts or omissions of authorities of the Public Prosecutor’s Office of Nayarit in investigations of cases of disappearances in 2017. In addition, recommendations are issued for two specific cases: recommendation 06/2020, regarding an enforced disappearance on on 23 June 2017 and recommendation 07/2020, regarding an enforced disappearance on 13 August 2017.
II.D	“ <i>Mantas</i> ” in Nayarit	No date	These two ‘ <i>mantas</i> ’ or ‘ <i>narco-mantas</i> ’ - public messages signed by drug trafficking cartels - were shared by collectives of families of the disappeared with FIDH. The

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			first one accuses members of the Public Prosecutor's Office of handling drug sales. The second, signed by 'Mazatlecos "H2"', blames the Public Prosecutor's Office for disappearances and the clandestine graves found in Pantanal and San Blas.
III. VERACRUZ			
III.A	Public version of Veracruz communication to the ICC	February 2022	Public version of communication under Article 15 of the Rome Statute of the International Criminal Court on the alleged commission of crimes against humanity in Veracruz, Mexico. Confidential version and annexes submitted to the ICC on December 20, 2021.
III.B	CNB – Search, identification and registration of missing persons (13 July 2020)	13 July 2020	Document from the <i>Comisión Nacional de Búsqueda</i> (National Search Commission, CNB) detailing the situation of missing persons in Mexico (including national register of clandestine graves) as of 13 July 2020.
III.C	CNDH - Recommendation 4/2018 (2018)	28 February 2018	Recommendation issued by the <i>Comisión Nacional de Derechos Humanos</i> (National Human Rights Commission, CNDH), on 28 February 2018, on the enforced disappearance of an activist in Veracruz, in March 2016.
III.D	CNDH – Recommendation No. 5VG/2017 (2017)	19 July 2017	Recommendation issued by the <i>Comisión Nacional de Derechos Humanos</i> (National Human Rights Commission, CNDH), on 19 July 2017, on the enforced disappearance and arbitrary execution of five young people in Tierra Blanca, Veracruz.
III.E	CNDH – Recommendation No. 80/2020 (2020)	10 December 2020	Recommendation issued by the <i>Comisión Nacional de Derechos Humanos</i> (National Human Rights Commission, CNDH), on 10 December 2020, on the enforced disappearance of three persons in Orizaba, Veracruz.
III.F	Veracruz State Human Rights	2018	Recommendation issued by the Veracruz

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	Commission – Document CEDH/1VG/DAM-1 195/2016 - REC-03-2018		State Human Rights Commission on the enforced disappearance of five young people in Cardel, Veracruz, four of whom were found in the Colinas de Santa Fe grave (including Miguel Ángel Sandoval Cervantes and Arturo, whose cases are detailed in the communication). The State Commission states that the Veracruz State Office for Public Security was responsible for the enforced disappearance and subsequent extrajudicial execution of these four victims.
III.G	Veracruz State Human Rights Commission – Document CEDH/1VG/VER/0271/2016 – REC 03/2017	2017	Recommendation issued by the Veracruz State Human Rights Commission in the case of eight municipal police officers who disappeared in the municipality of Ursulo Galvan on 11 January 2013, who were intercepted by patrol cars of Veracruz State Office for Public Security.
III.H	Veracruz State Human Rights Commission - General Recommendation 01/2017	2017	General recommendation issued by the Veracruz State Human Rights Commission, which describes a pattern of irregularities in 81 investigations initiated for disappearances; and the deficient fulfilment of the duty to redress human rights violations by state authorities.
III.I	Veracruz and Boca del Río Decree (File no. 1610)	20 December 2011	Decree adopted by the Veracruz state government, 20 December 2011, which established that the human, material and financial resources of the Intermunicipal Police would be transferred to the Veracruz State Office for Public Security, which would operate with the support of the Navy.
III.J	RNPDNO – <i>Desapariciones en Veracruz del 01/01/2006 al 24/08/2021</i> (Disappearances in Veracruz from 01/01/2006 to 24/08/2021)	2006 to 2021	Screenshot of the <i>Registro Nacional de Personas Desaparecidas y No Localizadas</i> (National Register of Disappeared and Missing Persons), of missing persons in Veracruz from 2006 to 2021. Search conducted at https://versionpublicarnpdno.segob.gob.mx/Dashboard/Index .

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