

MEXICO

ACTIVATION OF ARTICLE 34 OF THE INTERNATIONAL CONVENTION FOR THE PROTECTION OF ALL PERSONS FROM FORCED DISAPPEARANCE



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On this occasion, Amnesty International is writing to the Committee in relation to its decision to request from the Mexican State all relevant information on the situation of enforced disappearances, pursuant to the procedure under Article 34 of the International Convention for the Protection of All Persons from Enforced Disappearance (CPED), announced at its 28th session.

1. INTRODUCTION

On this occasion, Amnesty International is writing to the Committee in relation to its decision to request from the Mexican State all relevant information on the situation of enforced disappearances, pursuant to the procedure under Article 34 of the International Convention for the Protection of All Persons from Enforced Disappearance (CPED), announced at its 28th session.

Amnesty International stands in solidarity with the work that family members from more than 234¹ groups have undertaken to search for and locate their missing loved ones and to obtain truth, justice and reparation for the harm done to them. The organisation also welcomes the decision taken by this Committee, as it considers it a historic milestone that opens dialogue with the Mexican authorities to address the serious crisis of disappearances and forensic issues facing the country, characterised by more than 133,000 missing persons^{a n d} more than 72,000 unidentified bodies.

Amnesty International notes with concern that, in response to the Committee's resolution, the Mexican State has maintained a narrative that minimises the magnitude of the crisis.

An example of this are the recent statements made by the President of Mexico, who categorically denied that forced disappearances occur in the country, asserting that they are solely linked to organised crime violence.⁴ Furthermore, it is noteworthy that during the presentation of the first-year government report, the President did not address the challenges facing the current administration in this area, particularly in relation to the crisis of disappearances.⁵

In support of this narrative, the Legislative Branch, through a misinterpretation of Article 34, has questioned this Committee⁶ and the National Human Rights Commission (CNDH), whose mandate is the protection and defence of human rights at the federal level, without having first conducted a thorough and in-depth analysis, has denied that the country is experiencing a crisis of enforced disappearances or that these are the result of state policy, and has questioned the Committee's decision to activate the procedure under Article 34.⁷

This communication is not intended to be a detailed report on enforced disappearances and their nature in Mexico. However, the organisation aims to provide input so that the Committee, through the procedure it has initiated, can cover the different aspects of the situation of enforced disappearances in Mexico.

¹ Heinrich Böll Foundation, *The disappearance of persons in Mexico and the role of women in their search*, 2021.

² Government of Mexico, National Registry of Missing and Unlocated Persons (RNPNDNO), <https://versionpublicarnpdno.segob.gob.mx/Dashboard/Index>

³ Efraín Tzuc and Mayela Sánchez, *AMLO's six-year term ends with more than 72,100 unidentified bodies, A dónde van los desaparecidos and Quinto Elemento Lab*, 24 September 2024, <http://quintoelab.org/project/sexenio-amlo-72-mil-cuerpos-crisis-forense>

⁴ Government of Mexico, *Press release: Committee against Enforced Disappearance*, 5 April 2025, <https://www.gob.mx/segob/prensa/tarjeta-informativa-394864?state=published#:~:text=The%20Government%20of%20Mexico%20rejects,of%20a%20policy%20of%20Estado.>

⁵ Presidency of the Republic, *Stenographic version. First Government Report by President Claudia Sheinbaum Pardo*, 1 September 2025, <https://www.gob.mx/presidencia/articulos/version-estenografica-primer-informe-de-gobierno-de-la-presidenta-claudia-sheinbaum-pardo-palacio-nacional>

⁶ The Senate misinterprets Article 34 of the Convention, as it assumes that this Committee asserts that disappearances in Mexico are systematic and widespread, when the nature of Article 34 is quite different. See Senate of the Republic, Senate rejects assertions by the Chair of the UN Committee on Enforced Disappearances, 8 April 2025, https://comunicacionsocial.senado.gob.mx/informacion/comunicados/11522-senado-rechaza-aseveraciones-del-presidente-del-comite-contra-la-desaparicion-forzada-de-la-onu?utm_source=chatgpt.com

⁷ National Human Rights Commission, Details on the disappearance of persons in Mexico in response to the statement by the UN Committee on Enforced Disappearances, 13 April 2025, <https://x.com/CNDH/status/1911504023833767999/photo/1>

First, the organisation will make a series of general observations on the nature and characteristics of enforced disappearances in Mexico, particularly their systematic and widespread nature. Second, Amnesty International will review recently approved constitutional reforms that have an impact on access to rights for disappeared persons and their families. Third, given the picture outlined throughout the document, the organisation will make special mention of the lack of protection for women searching for disappeared persons. Finally, the organisation will present its conclusions.

2. NATURE AND CHARACTERISTICS OF ENFORCED DISAPPEARANCES IN MEXICO

As mentioned above, the narrative presented by Mexican authorities in response to international scrutiny is that disappearances in Mexico are carried out by organised crime. While this assertion is partially correct, it oversimplifies the phenomenon of disappearances in the country and ignores the fact that in many of these cases, organised crime operates with the authorisation, support or acquiescence of the authorities.⁽⁸⁾ In addition, there are also cases where public servants are directly responsible for forced disappearances.⁽⁹⁾

This has been corroborated by the Inter-American Commission on Human Rights (IACHR), which stated that it had received extensive and consistent information on "the existence of a practice of enforced disappearances at the hands of State agents or with their participation, acquiescence or tolerance".¹⁰ For its part, this Committee has warned of "the existence of various patterns in the commission of forced disappearances affecting the vast majority of federal entities. Enforced disappearances continue to be committed directly by public officials at the federal, state and municipal levels. In addition, organised crime has become a central perpetrator of disappearances, with various forms of collusion and varying degrees of participation, acquiescence or omission on the part of public officials."⁽¹¹⁾ Finally, when addressing the issue of enforced disappearances in the context of security in Mexico, the Working Group on Enforced or Involuntary Disappearances (WGEID) has stated that a possible enforced disappearance can only be ruled out after a thorough, independent and impartial investigation, while acknowledging that some of the cases it has received could be described as enforced disappearances with the direct or indirect involvement of state agents.⁽¹²⁾

Amnesty International recognises that the reality of violence and human rights violations and abuses occurring in Mexico presents challenges for classifying disappearances as enforced. However, these problems should not be transferred to the victims and their families, loved ones and communities, much less imply differences in determining the scope of the state's obligations to search, investigate and punish, and to protect those who seek justice.¹³ In this regard, Amnesty International considers that the state's obligations arising from disappearances are applicable regardless of whether, based on an independent, impartial and thorough investigation, it can be determined whether or not a particular disappearance is enforced. That is, *a priori*, the involvement of state agents in the

⁸Open Society Justice Initiative, *Undeniable Atrocities: Confronting Crimes Against Humanity in Mexico*, p. 10

⁹Open Society Justice Initiative, *Undeniable Atrocities: Confronting Crimes Against Humanity in Mexico*, p. 10

¹⁰ IACHR, Human Rights Situation in Mexico, OEA/Ser.L/V/II, 31 December 2015, para. 100.

¹¹ UN CDF, Report of the Committee on Enforced Disappearances on its visit to Mexico under Article 33 of the Convention, CED/C/MEX/VR/1, 18 May 2022, para. 13.

¹²Working Group on Enforced or Involuntary Disappearances, Report on Mission to Mexico, A/HRC/19/58/Add.2, 20 December 2011, paras. 20 and 21.

¹³ Amnesty International, Searching without fear: international standards applicable to the protection of women searchers in the Americas (AMR 01/8458/2024), p. 8.

disappearances and the treatment that should be given to these cases is that of maximum protection and guarantee of the *pro persona* principle.

However, according to Article 5 of the Convention, the widespread or systematic practice of enforced disappearance constitutes a crime against humanity, as defined in applicable international law. The Rome Statute of the International Criminal Court provides that certain crimes, including enforced disappearance of persons, constitute crimes against humanity when committed "as part of a widespread or systematic attack against a civilian population." In the case of Mexico, there is consistent evidence that reasonably leads one to believe that disappearances are indeed widespread and systematic, as will be discussed further below.

The organisation considers that in the particular case at hand, the standard of proof that should govern the case is that of "well-founded indications," as the Committee mentions in its communication with Mexico, which means that sufficient information raising concerns about indications of widespread or systematic disappearances in the country is sufficient to bring the case before the General Assembly.

2.1 WIDESPREAD DISAPPEARANCES

As the Committee is aware, it has been accepted that the term "widespread" refers to the large-scale nature of the attack and the number of victims.¹⁴ International criminal law does not require a specific number of victims, but rather generally analyses each case on its own merits, taking into account various factors, such as whether the attack was carried out in different geographical areas of the country.¹⁵

With regard to the situation of disappearances in Mexico, since 2015, the Committee has warned that "there is evidence of widespread disappearances throughout much of the State party's territory, many of which could be classified as enforced disappearances, including those that began after the Convention entered into force."¹⁶ For its part, in the same year, the IACHR warned that "the official figures provided, together with the information received from various regions of the country, show that disappearances are widespread in Mexico".¹⁷ Finally, during its visit in 2023, the same Committee lamented "the persistence of a widespread situation of disappearances in the State party".¹⁸

The situation regarding disappearances has not improved since the last time the persistence of a widespread situation of disappearances was recognised, when there were 111,540 missing and unlocated persons. On the contrary, it has worsened. Thus, the National Registry of Missing and Unlocated Persons (RNPDNO) counts 133,101 missing and unlocated persons, that is, 20,396 more missing and unlocated persons.⁽¹⁹⁾

The disappearance crisis goes hand in hand with a forensic crisis that includes more than 72,100 unidentified bodies²⁰ and the location of 5,696 clandestine graves in Mexico.²¹ According to the

¹⁴ ICTY, Kunarac et al., SA, Judgment, Case No. IT-96-23 and IT-96-23/1-A, 12 June 2002, para. 94; ICC, Katanga, SPI II, Judgment pursuant to Article 74 of the Statute, Case No. ICC-01/04-01/07, 7 March 2014, para. 1123.

¹⁵ Interdisciplinary Group of Independent Experts on Nicaragua, Report on the acts of violence that occurred between 18 April and 30 May 2018, para. 226.

¹⁶ UN CRPD: Concluding observations on the report submitted by Mexico under Article 29, paragraph 1, of the Convention, CED/C/MEX/CO/1, 5 March 2015, para. 10.

¹⁷ IACHR, Situation of Human Rights in Mexico, OEA/Ser.L/V/II, 31 December 2015, para. 105.

¹⁸ Concluding observations on the supplementary information submitted by Mexico under Article 29, paragraph 4, of the Convention, CED/C/MEX/OAI/2, 29 September 2023, para. 5.

¹⁹ RNPDNO, Statistical Version, [//versionpublicarnpdno.segob.gob.mx/Dashboard/ContextoGeneral](https://versionpublicarnpdno.segob.gob.mx/Dashboard/ContextoGeneral). Data from 31 December 1952 to 4 September 2025.

²⁰ Efraín Tzuc and Mayela Sánchez, "AMLO's six-year term ends with more than 72,100 unidentified bodies, Where do the disappeared go and Quinto Elemento Lab", 24 September 2024, [//quintoelab.org/project/sexenio-amlo-72-mil-cuerpos-crisis-forense](https://quintoelab.org/project/sexenio-amlo-72-mil-cuerpos-crisis-forense)

²¹ Official data available as of 30 April 2023. CNB, Map of clandestine grave discoveries, [//hallazgosfosasclandestinas.segob.gob.mx/](https://hallazgosfosasclandestinas.segob.gob.mx/)

RNPDNO, the states with the highest number of disappearances are Jalisco (15,518), Tamaulipas (13,519), the State of Mexico (14,445), Nuevo León (7,043) and Veracruz (6,994), while Baja California, Mexico City, the State of Mexico, Jalisco, Chihuahua, Tamaulipas and Nuevo León account for 71.3% of unidentified bodies.⁽²²⁾ Although these figures help to give an idea of the scale of the situation, there may be significant underreporting and the figures may in fact be much higher.⁽²³⁾

The disappearances occurred mainly during two historical periods. The first was between 1965 and 1990, a period colloquially known as the "Dirty War," which was characterised by the systematic and widespread commission of serious human rights violations and crimes under international law against various sectors of the population in a counterinsurgency campaign.²⁴ The RNPDNO counts 1,072 people as disappeared and not located for that period,²⁵ while, according to the Mechanism for Truth and Historical Clarification (MEH), approximately 517 people were forcibly disappeared during those years.²⁶

The second phase began during the presidency of Felipe Calderón Hinojosa (2006-2012) and continues today. It was unleashed during the misnamed "war on drug trafficking" or "war on drugs,"⁽²⁷⁾ where the main public security strategy has been militarisation, that is, a policy based on the massive deployment of armed forces in regions with a presence of organised crime, with little coordination and limited subordination to civil authorities. This policy has been strengthened in recent years. In 2019, the government of Andrés Manuel López Obrador created the National Guard, which has been led since its inception essentially by military personnel.⁽²⁹⁾ The National Guard has been the main state security force and in 2024, through the approval of a constitutional reform to Article 21, it was integrated into the Ministry of National Defence, making it part of the permanent Armed Forces of the State.⁽³⁰⁾

Thus, from Calderón's presidency to date, the RNPDNO has recorded 118,207 missing and unlocated persons, representing 89% of the total number of disappearances.³¹ This is a clear indication that the crisis of disappearances in the country, far from being a problem that has been overcome, is a consolidated practice that has worsened in recent years. The numbers of missing and unlocated persons in the country are alarming and confirm the widespread nature of these disappearances, as mentioned by both the Committee and the IACHR. Added to this is the fact that the phenomenon is widespread in all of the nation's federal entities, since, although the numbers vary significantly, there is not a single one in which no missing persons are reported.

²² UN CRPD, Report of the Committee on Enforced Disappearances on its visit to Mexico pursuant to Article 33 of the Convention, CED/C/R.9, 12 April 2022, para. 29.

²³ UN CDF, Report of the Committee on Enforced Disappearances on its visit to Mexico under article 33 of the Convention, CED/C/R.9, 12 April 2022, para. 12.

²⁴ Historically, the Dirty War period spanned from the 1960s to the late 1970s. However, the recent Final Report of the Mechanism for Access to Truth and Historical Clarification Was the State (1965-1990) refers to human rights violations over a broader period spanning from 1965 to 1990. See MEH, "Fue el Estado (1965-1990)", Volume 1, p. 14.

²⁵ RNPDNO, Statistical Version, [//versionpublicarnpdno.segob.gob.mx/Dashboard/ContextoGeneral](https://versionpublicarnpdno.segob.gob.mx/Dashboard/ContextoGeneral). Data from 1 January 1965 to 31 December 1990.

²⁶ MEH, "It Was the State (1965-1990)", Volume 1, p. 95.

²⁷ University Network for Human Rights and Fundar, "Disappearances in Mexico, Active Impunity and Obstacles to Justice and Search," 2024, p. 8.

²⁸ Amnesty International, "Changing the Paradigm: From the Militarisation of Public Security to Citizen Security" (41/8665/2024), p. 8.

²⁹ Official Gazette of the Federation (DOF), Decree amending, adding and repealing various provisions of the Political Constitution of the United Mexican States, regarding the National Guard, 26 March 2019, dof.gob.mx/nota_detalle.php?codigo=5555126&fecha=26/03/2019#gsc.tab=0

³⁰ DOF, Decree amending and adding Articles 13, 16, 21, 32, 55, 73, 76, 78, 82, 89, 123 and 129 of the Political Constitution of the United Mexican States, regarding the National Guard, 30 September 2024, dof.gob.mx/nota_detalle.php?codigo=5739985&fecha=30/09/2024#gsc.tab=0

³¹ RNPDNO, Statistical Version, [//versionpublicarnpdno.segob.gob.mx/Dashboard/ContextoGeneral](https://versionpublicarnpdno.segob.gob.mx/Dashboard/ContextoGeneral)

Given this pattern of widespread disappearances³², the Mexican authorities' denial of the situation stands out, as does the almost total impunity of the cases and the revictimisation of the victims.³³ These disappearances take place in various ways. Similarly, the people who are victims of disappearance are also diverse. Sometimes, those suspected of responsibility are public servants at the three levels of government (municipal, state, or federal), or individuals associated with organised crime, with various forms of participation, acquiescence, or omission on the part of the authorities.⁽³⁴⁾ However, there is no official information on those responsible for the crimes and their degrees of participation. The RNPDO also fails to account for the high level of impunity surrounding the issue of disappearances in the country. The failure of the authorities to generate this information, as well as reliable contextual analysis, has prevented the correct characterisation of disappearances in the country and, therefore, their adequate approach to combat them.

2.2 SYSTEMATICITY

As the Committee is well aware, the term "systematic" refers to organised acts of violence and the improbability that these occur randomly.³⁵ This systematic nature can "often be expressed through patterns of criminality, in the sense of non-accidental repetition of similar criminal conduct on a regular basis".³⁶ To determine whether an attack was "systematic," it is necessary to assess whether a series of repeated actions were carried out with the aim of producing the same effects on a civilian population and, consequently, to consider whether: (i) identical or similar criminal practices can be identified; (ii) the same *modus operandi* was used; or (iii) the victims were treated in a similar manner across a wide geographical area.³⁷

As previously noted, enforced disappearance of persons is a nationwide phenomenon, generally linked to organised crime structures and characterised by the direct participation, collusion or acquiescence of State agents. This pattern produces a systemic effect of fear among the population with the aim of controlling the territory and facilitating the execution of highly profitable illegal activities.³⁸ In addition, similar patterns of enforced disappearance have been identified throughout the national territory, with documented practices such as execution, dismemberment of bodies, burning of bodies, dissolution of bodies with acid, and subsequent burial in clandestine graves.

In this regard, civil society organisations have documented specific cases relating to crimes against humanity in Mexico and have even submitted communications to the Office of the Prosecutor of the International Criminal Court. Among the cases documented, the situation in various states has been analysed, such as Coahuila,³⁹ Nayarit,⁴⁰ Jalisco,⁽⁴¹⁾ and Veracruz.⁴² Among the

³² UN CRPD, Concluding Observations Mexico (previously cited), 5 March 2015, para. 10; Observations Mexico (previously cited), 29 September 2023, para. 5.; IACHR, Human Rights Situation in Mexico, (previously cited), 2015, para. 105.

³³ UN CRPD, Report on visit to Mexico (previously cited), 18 May 2022, para. 24.

³⁴ University Network for Human Rights and Fundar, "Las desapariciones en México" (previously cited), 2024, p. 16

³⁵ ICTY, Blaškić, SPI I, Judgment, Case No. IT-95-14-T, 3 March 2000, para. 203.

³⁶ ICC, Situation in Côte d'Ivoire, SCP III, Decision pursuant to Article 15 of the ICC Statute concerning the authorisation of an investigation into the Situation in the Republic of Côte d'Ivoire, Case No. ICC-02/11-14, 3 October 2011, para. 54

³⁷ ICC, The Prosecutor v. Al Hassan Ag Abdoul Aziz Ag Mohamed Ag Mahmoud, Trial Chamber X, Judgment, 26 June, paras. 1114.

³⁸ GIEI. Reports. See: <https://www.oas.org/es/CIDH/jsForm/?File=/es/CIDH/GIEI/Ayotzinapa/Informes.asp>

³⁹ International Federation for Human Rights (FIDH), Document submitted to the Committee on Enforced Disappearances regarding the situation in Mexico, 8 April 2025.

⁴⁰ FIDH, Document submitted to the Committee on Enforced Disappearances regarding the situation in Mexico, 8 April 2025; FIDH, IDHEAS, Criminal structure in the Attorney General's Office of the state of Nayarit and crimes against humanity, June 2021, [FIDH-IDHEAS-Report-Nayarit-Spanish.pdf](#).

⁴¹ FIDH, Mexico referral under art. 34 of the Convention: information indicating systematic character of recent cases, 22 April 2025.

⁴² FIDH, Document submitted to the Committee on Enforced Disappearances regarding the situation in Mexico, 8 April 2025; FIDH, Mexican Commission for the Defence and Promotion of Human Rights (CMDPDH) and Northwest Citizen Commission for Human Rights (CCDH), Communication pursuant to Article 15 of the Rome Statute of the International Criminal Court on the alleged commission of crimes against humanity in Mexico between 2006 and 2012.

The main findings highlight the documentation of disappearances committed by state actors, or by non-state actors acting with the support, authorisation or acquiescence of the state, as well as specific patterns of enforced disappearances detailing various cases, especially collusion between authorities at all three levels of government and criminal groups. One of the most common practices is the illegal detention of individuals by authorities, who are then handed over to criminal groups or released and disappeared. Of particular note is the occasional use of public resources during the commission of enforced disappearances, including official vehicles and facilities.

It is also important to mention the existence of forced recruitment camps, such as Rancho Izaguirre, found in Teuchitlán, Jalisco, where organised crime recruited young people against their will and subjected them to forced disappearance through deception, such as false job offers.⁴³ Among those implicated in the crimes committed at Rancho Izaguirre who have already been arrested are three former police officers. One of them was the chief of the municipal police in Tala, Jalisco.⁽⁴⁴⁾ In this case, the families searching for their loved ones denounced the accumulation of serious omissions by the local prosecutor's office, which raises suspicions of possible collusion with organised crime, given the lack of willingness to investigate the facts.⁽⁴⁵⁾

Ultimately, most disappearances in Mexico go unpunished, with a lack of investigation into the cases and even obstruction of justice in some of them. Impunity is one of the main challenges in the area of disappearances, as it is almost absolute considering the low number of convictions for this crime. According to data from Impunidad Cero, from 2019 to 2022, the cumulative impunity rate for the crime of disappearance was 99.6% nationwide. ⁽⁴⁶⁾

This is reinforced by the Committee's own statement that, as of 26 November 2021, it had received information indicating that only between 2% and 6% of cases of disappearance had been prosecuted and only 36 convictions for disappearance had been handed down nationwide.⁴⁷ For its part, a recent investigation indicates that there have been 14 convictions by federal judges for cases of disappearance in the last nine years, with a total of 40 convictions and 62 acquittals since 2006, without specifying how many cases were classified as enforced disappearance and how many as disappearance of private individuals. At the state level, there were 471 convictions between January 2017 and January 2025: 359 convictions and 90 acquittals. Of these, 68 convictions were for enforced disappearance, 201 for disappearances committed by private individuals, and in 202 cases the crime was not specified. ⁽⁴⁸⁾

Amnesty International agrees with recent investigations that indicate that impunity in Mexico is not random, involuntary or due to a lack of institutional capacity, but rather the result of decisions made by the authorities responsible for investigating crimes.⁴⁹ This *active impunity* occurs through conscious mechanisms or acts such as tampering with the scene of the crime and planting false evidence; refusing to receive complaints; intimidating and threatening victims, family members and witnesses; bringing charges against victims; the reluctance of civil authorities to investigate members of the armed forces; the reluctance of authorities to investigate cases of narco-politics; and attempts to discredit or tarnish the reputation of victims and the organisations that support them.⁵⁰ The four GIEI reports on the Ayotzinapa case,

⁴³ FIDH, Mexico referral under art. 34 of the Convention: information indicating systematic character of recent cases, 22 April 2025.

⁴⁴https://www.unotv.com/estados/jalisco/suman-15-detenidos-por-caso-del-rancho-izaguirre-en-teuchitlan-jalisco-entre-ellos-hay-expolicias/?utm_source=chatgpt.com

⁴⁵El País. Gertz Manero points the finger at the Jalisco Public Prosecutor's Office. See: <https://elpais.com/mexico/2025-03-19/gertz-manero-senala-a-la-fiscalia-de-jalisco-por-haber-dejado-seis-meses-sin-analizar-el-rancho-de-teuchitlan.html>

⁴⁶ Zero Impunity, *Impunity in crimes of disappearance in Mexico*, p. 51

⁴⁷ UN CDF, Report of the Committee on Enforced Disappearances on its visit to Mexico under Article 33 of the Convention, CED/C/MEX/VR/1, 18 May 2022, para. 35.

⁴⁸Animal Político, In the last nine years, 66,000 cases of missing persons in Mexico and only 373 convictions against those responsible, 24 March 2025, <https://animalpolitico.com/verificacion-de-hechos/te-explico/en-los-ultimos-9-anos-66-mil-casos-de-personas-desaparecidas-en-mexico-y-solo-373-condenas-contra-responsables>

⁴⁹ Anaya Muñoz, James Cavallaro and Patricia Cruz Marín; *Active impunity in Mexico*, p. 11

⁵⁰ Anaya Muñoz, James Cavallaro and Patricia Cruz Marín; *Active impunity in Mexico*, p. 11

document these dynamics in detail, as well as the collusion between organised crime and state officials at all levels, their cover-ups and protection.⁵¹

3. CONSTITUTIONAL REFORMS THAT IMPACT ACCESS TO RIGHTS FOR MISSING PERSONS AND THEIR FAMILIES

Impunity and the crisis of disappearances in the country may be exacerbated by the growing weakening of institutions that should serve as observers and counterweights to government action. This includes recent constitutional reforms approved *fast track* and with a qualified majority by the ruling party in Congress.

Among these, the judicial reform stands out, which will result in judges, magistrates, and ministers being selected by popular vote starting in 2025.⁵² This reform, accompanied by various irregularities in the first election, has raised serious concerns regarding judicial independence.⁵³ The judicial reform was accompanied by another reform to the Amparo Law. Among the consequences of the provisions of the Amparo Law is that any amparo proceeding against additions or reforms to the Constitution is inadmissible,⁵⁴ thus blocking the possibility of challenging constitutional reforms through amparo proceedings.

Amnesty International warns that the reform could further weaken access to justice in a country where the judicial system—starting with the prosecution service—has been criticised for its shortcomings and its *de facto* dependence on political power,⁵⁵ whose links to organised crime have been widely documented by the organisation and by Mexican civil society.⁵⁶

The organisation also draws the Committee's attention to the constitutional reform that eliminates the National Institute for Access to Information (INAI), which violates the right of access to public information,⁵⁷ a key tool for documenting cases of corruption and human rights violations, such as the involvement of authorities in state failures to investigate disappearances. The INAI served as a quick and easy mechanism for challenging the refusal of various authorities to provide information. With its disappearance, challenges will have to be resolved in the courts in proceedings that can last for years,⁽⁵⁸⁾ compounded by the risks posed by judicial reform, which could result in a lack of access to information.

Amnesty International also calls on the Committee to include in its analysis the constitutional reform that formalises the attachment of the National Guard (GN) to the Ministry of National Defence (Sedena), which means its formal militarisation and provides it with greater resources and powers to carry out investigative tasks.⁵⁹ This reform is the culmination of the growing militarisation of the

⁵¹ Interdisciplinary Group of Independent Experts, Ayotzinapa Reports, <https://centroprodh.org.mx/GIEI/?wpdmpro=informe-ayotzinapa-i>

⁵² Mexico United Against Crime (MUCD), *The risks of constitutional reform of the Federal Judiciary Analysis of the legislative initiative*; 2024, <https://www.mucd.org.mx/wp-content/uploads/2024/07/Analisis-MUCD-Reforma-PJ.pdf>

⁵³ *Mexicans United Against Corruption, Irregularities in the 2025 Judicial Election, an account of the damage*; <https://contralacorrupcion.mx/irregularidades-en-la-eleccion-judicial-2025-un-recuento-de-los-danos/>

⁵⁴ Amparo Law, regulating Articles 103 and 107 of the Political Constitution of the United Mexican States, https://dof.gob.mx/nota_detalle.php?codigo=5751769&date=13/03/2025#gsc.tab=0

⁵⁵ Ayotzinapa IV Report. Findings, progress, obstacles and pending issues. Interdisciplinary Group of Independent Experts. July 2023. Pages 12–13.

⁵⁶ Amnesty International: Facing a nightmare – enforced disappearances in Mexico. AMR 41/025/2013; Information for the UN Committee on Enforced Disappearances. 8th session. February 2015; EXPAND.

⁵⁷ See Network in Defence of Digital Rights, *Requiem for the INAI: a setback for the defence of digital rights*, <https://r3d.mx/2024/12/11/requiem-por-el-inai-un-retroceso-para-la-defensa-de-los-derechos-digitales/>

⁵⁸ Network in Defence of Digital Rights, *Requiem for the INAI: A setback for the defence of digital rights*, <https://r3d.mx/2024/12/11/requiem-por-el-inai-un-retroceso-para-la-defensa-de-los-derechos-digitales/>

⁵⁹ Intersecta and Data Cívica, *Analysis of the proposed constitutional reform on the armed forces*; <https://www.intersecta.org/posts/analisis-de-la-propuesta-de-reforma-constitucional-sobre-las-fuerzas-armadas>

public security in the country which, as the Committee warned in 2022, is a factor contributing to the increase in serious human rights violations and crimes under international law, including enforced disappearances,⁶⁰ and the opacity with which the armed forces operate, which contributes to the impunity of the crimes committed.⁶¹

4. LACK OF PROTECTION FOR WOMEN SEARCHING FOR MISSING PERSONS

As this Committee pointed out in its observations addressed to the Mexican State in 2023,⁶² Amnesty International notes with concern the absence of a national policy for the prevention and eradication of disappearances. With regard to the search for missing persons, the measures implemented have been ineffective in locating the more than 133,000 missing persons and identifying the more than 73,000 bodies found.

The authorities' failure to find missing persons has led their families, loved ones and communities to demand effective action from the State and even to undertake searches and investigations on their own, or on other occasions, only with the participation of police officers, without the presence of experts or other State agents skilled in search operations, facing various risks and violations of their human rights. In its most recent report, *Disappeared Again: Violence and Impact on Women Searchers in Mexico*, Amnesty International interviewed more than 600 women searchers to learn about the main forms of violence and impact they experience in carrying out their work. Among these forms of violence are murders, disappearances, threats, attacks, and extortion. Similarly, the organisation heard numerous testimonies regarding the stigmatisation and revictimisation experienced by the searchers, much of it coming from the authorities.⁶⁴ Finally, it should be noted that the murders have occurred after the women reported the threats they were receiving, either publicly or to the authorities, after the discovery of graves, the identification or arrest of probable perpetrators, or public complaints about institutional failures in the search.⁶⁵ The women interviewed also pointed out that investigations into disappearances are deficient, both in terms of the lack of progress in the investigation and in the search by the authorities.⁶⁶

Furthermore, Amnesty International notes the lack of effective coordination between the search commissions and the Attorney General's Office when conducting searches for missing persons.⁶⁷ Likewise, given the risks faced by the families of disappeared persons, the organisation notes the absence, on the part of the Victims' Care Commissions, of a comprehensive policy for the care of relatives of disappeared persons focused on guaranteeing rights, including comprehensive reparations for damages, and not just the provision of emergency or urgent support.

⁶⁰ UN CDF, *Report of the Committee on Enforced Disappearances on its visit to Mexico under Article 33 of the Convention*, CED/C/R.9, 12 April 2022.

⁶¹ Various civil society organisations have spoken out about the lack of transparency with which the armed forces operate. One example of this is their failure to provide public information in response to requests for access to information. See Miguel Agustín Pro Juárez Human Rights Centre, A.C., *Revés a la opacidad de la GN (Setback for the opacity of the National Guard)*, <https://centroprodh.org.mx/2021/09/30/revés-a-la-opacidad-de-la-gn/>

⁶² Committee on Enforced Disappearances, Concluding observations on the supplementary information submitted by Mexico under Article 29, paragraph 4, of the Convention; CED/C/MEX/OAI/2, 29 September 2023, para. 7.

⁶³ Amnesty International, *Disappearing again. Violence and harm faced by women searchers in Mexico* (AMR 41/9374/2025), p. 5

⁶⁴ Amnesty International, *Disappearing Again: Violence and Impact Faced by Women Searchers in Mexico* (AMR 41/9374/2025), p. 5

⁶⁵ Amnesty International, *Disappearing Again: Violence and Impact Faced by Women Searchers in Mexico* (AMR 41/9374/2025), p. 22

⁶⁶ Amnesty International, *Disappearing Again: Violence and Impact Faced by Women Searchers in Mexico* (AMR 41/9374/2025), p. 38

⁶⁷ Amnesty International, *Disappearing Twice: Violence and Impact Faced by Women Searchers in Mexico* (AMR 41/9374/2025), p. 43.

5. CONCLUSIONS

Amnesty International maintains that disappearances are widespread in Mexico and that the lack of disaggregated public information prevents a conclusive statement from being made about their possible systematic nature. However, there are indications that make it reasonable to assume that disappearances have been or are being committed systematically, particularly in various states such as Coahuila, Nayarit, Jalisco and Veracruz.

Amnesty International highlights the need to include in the Committee's forthcoming analysis the shortcomings and omissions on the part of the authorities in preventing disappearances, implementing effective measures to locate missing persons and guaranteeing families their right to truth, justice and comprehensive reparation, as these are factors that have an impact on the current crisis.

It should be reiterated that the authorities have failed to implement a national policy for the prevention and eradication of disappearances, which has contributed to the continued increase in disappearances. In addition to this lack of policy, there is a lack of funding⁽⁶⁸⁾ and a lack of efficient mechanisms for consulting and including families' associations in government decisions, as well as the delegitimisation of the human rights organisations that support these associations. Added to this is impunity, which is the main cause of the crisis of enforced disappearances in Mexico.

Due to the lack of information from the authorities and the limited capacity of civil society organisations, the existing documentation reflects only part of the situation of disappearances in the country, and the crisis is, in reality, much more serious and complex.

Amnesty International believes that the first step towards effectively resolving the crisis is to acknowledge that it exists. In addition, the authorities must listen to the diverse voices of those who have made significant efforts over the years to analyse the phenomenon of enforced disappearances, including family collectives, academics and civil society organisations, and accept international cooperation.

6. RECOMMENDATIONS

Amnesty International reiterates its support for the Committee's decision to initiate the procedure under Article 34 of the Convention and stands ready to contribute to the efforts with the Mexican State to properly address the crisis of disappearances affecting the country. Furthermore, should it decide to bring the matter to the attention of the United Nations General Assembly or to take other measures in accordance with Article 106(1) of the Committee's Rules of Procedure, the organisation submits for its consideration a series of recommendations addressed to the Mexican State:

6.1 MEASURABLE RESULTS:

Consider the crisis of disappearances and forensic issues facing the country as a priority and national emergency, requiring the implementation of all measures within the Mexican State's power, including budgetary measures, to find missing persons, recover and identify bodies, and solve cases.

These measures, however, must translate into concrete and measurable results, leading to a real reduction in disappearances and an increase in the number of bodies identified. In

⁶⁸Despite the Decree for the strengthening of search processes for missing and unlocated persons of 18 March 2025, which establishes the authorisation of additional resources for the National Search Commission, this measure is insufficient because it leaves out other responsible institutions, such as the Attorney General's Office and state prosecutors' offices. See: Fundar, Insufficient budget for an excessive crisis, 26 March 2025, <https://fundar.org.mx/presupuesto-insuficiente-para-una-crisis-desmedida/>; Fundar, Do we have the necessary resources to address the crisis of disappearances in Mexico?, 19 April 2025, <https://fundar.org.mx/tenemos-los-recursos-necesarios-para-enfrentar-la-crisis-de-desapariciones-en-mexico/>

Specifically, Amnesty International believes that the Mexican State should immediately reduce these figures to pre-2024 levels and then establish a downward trend. This would be the result of preventing and addressing the crisis of disappearances, vis-à-vis an increase in forensic identification.

6.2 RECOGNITION AND PROTECTION OF FAMILY MEMBERS:

Recognise the fundamental role that the families of disappeared persons have played in searching for their loved ones in the face of the State's omissions. Likewise, dignified search conditions must be guaranteed, including access to information, participation in decision-making and protection from the risks they face.⁶⁹

6.3 INTERNATIONAL TECHNICAL ASSISTANCE AGAINST IMPUNITY

Adopt concrete measures to eradicate impunity, which inevitably requires strengthening the independence and professionalism of the justice system, based on recognition of the magnitude of the crisis of disappearances in the country.

Ensure the integrity, probity, and independence of the personnel who lead both the Attorney General's Office and state prosecutors' offices, as well as ensure their autonomy and budgetary independence; and advance the professionalisation of the police at both the federal and state levels.

Consider and accept international technical assistance to design a roadmap with the reforms and practices necessary for institutional strengthening, so that prosecutors and police forces can effectively fulfil their functions in the pursuit of truth and justice.

⁶⁹Amnesty International, *Disappearing twice: Violence and abuse faced by women searching for missing persons in Mexico* (AMR 41/9374/2025).

Amnesty International is a movement made up of 10 million people that activates the sense of humanity within each of them and campaigns for changes that allow everyone to enjoy their human rights. Our vision is of a world where those in power keep their promises, respect the international law and are accountable. We are independent of any government, political ideology, economic interest and religious beliefs, and our work is funded primarily by membership fees and donations. We believe that acting out of solidarity and compassion towards our fellow human beings throughout the world can improve our societies.

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