Immigration and Refugee Board of Canada

MEX105980.E

Mexico: Treatment of Tzeltal people in Chiapas by society and authorities, including displacement of members or supporters of the Zapatista National Liberation Army (EZLN); situation in Tenejapa in 2011 and presently (2015-September 2017).

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1. Tzeltal People

According to an entry on the Tzeltal people published in *Native Peoples of the World: An Encyclopedia of Groups, Cultures and Contemporary Issues* and prepared by Gloria E. Chacon, Assistant Professor of Literature at the University of California, San Diego, specializing in indigenous studies (UCSC 2 June 2015), the Tzeltal are a group of "Maya Indians that live primarily in the eastern highlands of Chiapas in southeastern Mexico" (Chacon 2013, 166). According to sources, the Tzeltal people account for approximately one third of the indigenous population of Chiapas (Rodríguez and Fortier 2007, 91; Houston Institute for Culture 2004).

A BBC report notes that "the levels of poverty and marginalisation in Chiapas are among the highest in Mexico, particularly for indigenous peoples, who make up roughly 65% of the local population" (BBC 1 Jan. 2014). In correspondence with the Research Directorate, a Professor of social anthropology at Universidad Iberoamericana in Mexico City, specializing in the study of indigenous groups in Chiapas, noted that the Tzeltal population in Chiapas receives [translation] "unequal treatment" from mestizo [mixed race] society, while indicating that the human rights situation varies for Tzeltal groups depending on political and religious affiliation, as well as economic status (Professor 7 Sept. 2017).

1.1 Zapatista National Liberation Army (EZLN) in Chiapas

According to the encyclopedia entry, the Tzeltal participated in the 1994 Zapatista uprising which asserted indigenous rights (Chacon 2013, 166).

For further information on the Zapatista National Liberation Army (Ejército Zapatista de Liberación Nacional, EZLN), see Response to Information Request MEX103776 of June 2011.

A 2014 report by Al Jazeera notes that "the Zapatistas remain popular at the local level" in Chiapas (Al Jazeera 1 Jan. 2014). Associated Press (AP) reports that the 20 years following the Zapatista rebellion have featured periods of tense relations between the government and the Zapatista movement (AP 1 Jan. 2014).

In 2011, *La Jornada*, a Mexico City-based newspaper, reports that Tzeltal communities are being persecuted by government groups in an attempt to deprive the Zapatistas of their land (*La Jornada* 7 Oct. 2011). According to the Professor, indigenous EZLN supporters are [translation] "victims of systematic repression and harassment" by members of governmental institutions, paramilitary groups, non-zapatista...
armed groups and members of the civilian population (Professor 7 Sept. 2017). The Professor also noted that being an EZLN supporter in Chiapas, including in Tenejapa, poses a high risk (ibid.).

1.2 Displacement of members and supporters of the EZLN

According to a 2014 report by the International Displacement Monitoring Centre (IDMC), which monitors internal displacement around the world under the aegis of the Norwegian Refugee Council (IDMC May 2015, 3), "30,000 IDPs [internally displaced people] have been living in protracted displacement in Chiapas since the 1994 to 1995 Zapatista conflict, with no durable solutions in sight" (ibid., 19). A 2012 report by the same source highlighted that "99 per cent of those affected [were] members of indigenous groups with an acknowledged special attachment to their land" (IDMC Apr. 2013, 39). The same source further adds that because many indigenous IDPs in Chiapas "have lost access to their land and livelihoods, they have reportedly become poorer as a result of their displacement" (ibid.). According to the professor, in the past two years, the indigenous population has experienced a lot of displacement due to the political situation in the region, caused by the arrival of new political parties which created social conflict resulting in the appearance of armed fronts and divisions in the indigenous communities (Professor 7 Sept. 2017).

SinEmbargo, a digital Mexican newspaper, reports that in cases of dispossession in Chiapas, operators of the state government, with the support of police, force indigenous groups and Zapatista supporters to leave their land, with impunity (4 Feb. 2015).

El Universal, a national Mexican newspaper, reports that in 2016 indigenous Zapatistas staged a protest in San Cristóbal de las Casas, in Chiapas, to demand an end to "harassment and threats" to a group of 47 displaced supporters of the EZLN, 36 of which were living in "inhumane conditions, without employment or medical attention" (El Universal 3 Feb. 2016). According to another report by the same source, in July 2017, members of four indigenous communities, displaced by political conflict, staged a protest outside the state palace of the government in Tuxtla Gutiérrez, in order to claim a safe return and reparations for losses and financial damages (ibid. 10 July 2017).

1.3 State Protection

Sources indicate that, in 2012, the state of Chiapas adopted the Law for Prevention and Response to Internal Displacement (The Brookings Institution 17 Feb. 2012; El Universal 14 Feb. 2012). However, according to some sources, application of the law has been lacking (IDMC May 2015, 19; Frayba Oct. 2014, 12). The Fray Bartolomé de las Casas Human Rights Centre (Centro de Derechos Humanos Fray Bartolomé de Las Casas, Frayba), a non-profit, independent NGO that was founded in 1989 and promotes human rights in the state of Chiapas (Frayba n.d.), reports that the Mexican government is a [translation] "persistent offender" regarding forced internal displacement and human rights violations (ibid. Oct. 2014, 11).

El Universal reports that the National Commission for Human Rights (Comisión Nacional de los Derechos Humanos, CNDH) have asked the federal government to create a national law regarding displacement and quotes the CNDH as noting that the country's legal system lacks regulation regarding forced internal displacement (El Universal 12 May 2016). According to the professor, no official program exists to assist victims of armed conflict and forced displacement (Professor 7 Sept. 2017). The IDMC reports that "[e]fforts to assist IDPs have been piecemeal and fragmented" (IDMC 31 Dec. 2013).

1.4 Civil Society

Sources indicate, without providing further details, that the Indigenous Development Commission (Comisión Nacional para el Desarrollo de los Pueblos Indígenas, CDI) provides some assistance to IDPs, including housing (IDMC 31 Dec. 2013; CDI 12 May 2016).

2. Situation in Tenejapa in 2011

According to sources, on 4 December 2011 four families of Zapatista sympathizers were displaced in Tenejapa after they were assaulted by individuals affiliated to the Institutional Revolutionary Party (Partido Revolucionario Institucional, PRI) (La Jornada 7 Mar. 2013; SinEmbargo 4 Feb. 2015).

The following information comes from several reports in La Jornada:

The displaced families belong to the Tzeltal community of Banavil, in Tenejapa (17 July 2013). The families stated that they were [translation] "attacked with fire arms, displaced, incarcerated, persecuted like criminals, and mocked by the authorities" due to their being indigenous and EZLN supporters (7 Dec. 2013). Lorenzo López Girón, one of the victims and son of Alonso López Luna, who disappeared following the incident, is quoted as saying that the public prosecutor [translation] "has been an accomplice of the aggressors and has
refused to search for his father’s body” (7 Mar. 2013). In a press release on the commemoration of the fifth year of the disappearance of López Luna, Frayba indicated that on 21 February 2013, one of the members of the displaced families, an 11 year old girl, died due to the [translation] "consequences of suffering the vulnerability of forced displacement," as the family remained in a "precarious" situation (5 Dec. 2016).

Sources also indicate the following about the incident of 4 December 2011:

- Pedro Méndez López was killed (La Jornada 20 Jan. 2012; Frayba Oct. 2014, 22);
- Lorenzo López Giron was injured and arrested in the incident (ibid.; La Jornada 7 Mar. 2013);
- Six others were injured (La Jornada 7 Dec. 2013; Frayba Oct. 2014, 22);
- Alonso López Luna was disappeared (ibid.; La Jornada 20 Jan. 2012). According to La Jornada, he is an indigenous Tzeltal from Banavil, Tenejapa (ibid. 5 Dec. 2016). The same source reports that on 23 December 2011, a severed arm was found in Mercedes, adjacent to Banavil, which, according to the family, belongs to López Luna, based on a scar he had on one of his fingers (ibid. 20 Jan. 2012). La Jornada states that evidence suggests that López Luna was killed (ibid. 17 July 2013). According to Frayba, five years after his disappearance, the government has not searched for his body (ibid. 5 Dec. 2016);
- EZLN supporter Francisco Santiz Lopez was arrested and imprisoned for 14 months (ibid. 7 Mar. 2013). La Jornada indicates that although witnesses report that he was not present at the time and place of the incident, he was accused of having initiated the violence (ibid. 20 Jan. 2012). A judge reportedly declared that the charges against him were unfounded (ibid. 8 Oct. 2012).

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of sources consulted in researching this Information Request.

References


Additional Sources Consulted

**Oral sources:** Centro de Derechos Fray Bartolomé de las Casas; Centro de Derechos Humanos Fray Francisco de Vitoria; Centro de Derechos Humanos Miguel Augustín Pro Juárez; Comisión Mexicana de Defensa y Promoción de los Derechos Humanos; Congreso Nacional Indígena; Federación Indígena Empresarial y Comunidades Locales de México; Mexico – Comisión Nacional para el Desarrollo de los Pueblos Indígenas, Consejo Nacional para Prevenir la Discriminación; UN – Special Rapporteur on the Human Rights of Internally Displaced Persons.

**Internet sites, including:** Agencia Mexicana de Noticias; Amnesty International; ecoli.net; Estudios Políticos; Freedom House; The Guardian; Human Rights Quarterly; Human Rights Watch; International Crisis Group; IRIN; Minority Rights Group International; Mundo de Hoy; NOTIMEX; Radio France internationale; Radio Free Europe / Radio Liberty; ReliefWeb; Reuters; UN – OHCHR, Refworld.

Tips on how to use this search engine.