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## Chiapas Delegation Concludes Historical Repression of Indigenous People Must be Addressed

by Sharon Healey

The victims of the uprising that began on New Year's day in the southern Mexican State of Chiapas have been buried, the rebels have retreated into their jungle hideaways, the former governor they kidnapped has been released, and thousands of the displaced indigenous people are now returning home. But according to a soon to be published report, compiled by a human rights delegation that visited Chiapas in the wake of the insurrection, the underlying social and economic inequities giving rise to the uprising still persist in this poorest of Mexican states.

The 13-member delegation, organized by Minor Sinclair, director of the Ecumenical Program on Central America and the Caribbean, visited Chiapas from February 4th to February 10th, 1993. The group travelled through towns taken over by the Ejército Zapatista de Liberación

Underlying social and economic inequities giving rise to the uprising still persist in this poorest of Mexican states.

Nacional (Zapatista Army for National Liberation - EZLN), an armed rebel group of Mayan Indians named after the revolutionary hero Emiliano Zapata.

Professor Rick Wilson, director of the Washington College of Law's International Human Rights Law Clinic and member of the delegation explained that since the violations of the human rights and humanitarian law were being adequately documented by other human rights organizations, the delegation decided to concentrate their efforts on their second objective: to investigate and analyze the underlying causes which ignited the insurgent action by the EZLN.

The group interviewed local civilians, military and government officials as well as internally displaced people, most of whom were indigenous Indians who had fled their communities during the fighting. News reports estimate that over 20,000 people were displaced by the conflict. Many fled across the border into Guatemala while others sought refuge in primitive temporary shelters erected by the government. These shelters included

individual houses, a stadium and a converted coffee processing plant.

Professor Wilson stated that the population was split in its opinion on the uprising. Many people interviewed by the delegation were sympathetic to the demands of the Zapatistas, which include free democratic elections, self-government, and respect for Indian land rights. Some, however, told him that they were afraid to return to their communities because they feared reprisals from the Zapatistas for not joining the rebel movement, though Wilson contended that "all evidence points to the fact that the government had whipped up these fears and there was no evidence that the Zapatistas took reprisals."

The delegation members had the opportunity to see the extent to which the government exerted control over Chiapas' indigenous communities when they witnessed the orchestration of a visit from the governor. Professor Wilson explained that the displaced people were brought from the shelters to the main plaza and positioned around the area where the governor was to speak. "They were handed signs saying 'we want the army,' and 'the army is our friend.' Some couldn't read and were holding the signs upside down," he said.

The delegation found that a lack of real democracy and opportunity for political participation contributed to the frustrations giving rise to the conflict. Since 1929, Mexico has been ruled at the local and national levels by the Partido



Temporary camp, outside of Las Margaritas in Chiapas, set up by the local municipality for those displaced by the uprising.

Revolucionario Institucional (PRI), described by Professor Wilson as a "velvet fist dictatorship that had penetrated every level of government and strokes the people by giving out little handouts." The delegation concluded that endemic corruption permeated throughout the administration of justice while considerations of justice usually gave way to powerful political and economic issues.

The delegation also reported that the uprising was further fueled by changes in the Mexican constitution effecting the "ejido" laws under Article 27. The ejidos system, communal lands collectively owned by members of the tribal villages, had been resurrected following the Mexican Revolution under Article 27 of the Mexican constitution in the early 1900s. The ejido system of communal landholding had previously been eroded and absorbed by large land estates. Recent negotiations over the North Atlantic Free Trade Agreement, though, induced changes in Article 27, which effectively eliminated the protection of ejido lands, by allowing titles to be transferable and by eliminating restrictions on ownership of land by private corporations.

Chiapas is currently reported to have the highest level of pending petitions for land reform in the country with some claims dating to the 1940s. Squatters are often forcibly removed in violent confrontations with landowners and the police who support them. To complicate matters, the government created a hodgepodge of conflicting titles, often allocating the same land twice or incorporating previ-

Chiapas, continued next page



Members of the delegation observe a spontaneous rally in Las Margaritas following a government-sponsored public rally at which local activists were not permitted to speak.



Chiapas, continued from previous page

ously allocated properties into Indian communal lands.

According to Professor Wilson, the manipulation of the concept of the ejido to advance political interests has been "an effective way to control and contain indigenous Indians in marginalized spots of land." He described the way in which small groups of Indians eke out subsistence existences on barren hillsides.

The Mexican government has responded to the demands put forth by the EZLN and negotiations are continuing, but the delegation's report concludes that if the negotiations do not address the historical human rights demands of the indigenous peoples of Chiapas, the fighting will likely resume.

Professor Wilson expects the report to be completed by the end of April. Copies of the report can be obtained from Minor Sinclair at Ecumenical Program on Central America and the Caribbean, 1470 Irvine Street, N.W., Washington, D.C. 20010; tel: (202) 332-0292. ☉

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## Schwartz Advocates for Minority Rights before UN

Professor Herman Schwartz was a member of the U.S. delegation to the United Nations World Conference on Human Rights held last June in Vienna Austria. Delegations from the 180 UN members attended the conference, the first in 25 years to focus exclusively on human rights. The following article is excerpted from his statement on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, delivered to the United Nations Human Rights Commission.

Mr. Chairman,

The issues before us are as old as recorded history and as fresh as this morning's news . . . Human beings seem unable to accept someone else's right to be different . . . The emergence of nationalism and pseudo-scientific racism in the last two centuries have introduced their own horrors: the murder of millions of Jews, Poles, Gypsies and others by

Hitler; Iraq's continued suppression of the rights of the Kurds; ethnic cleansing in the former Yugoslavia—the list seems endless . . .

Efforts to protect national minorities were made when the world map was redrawn after World War I. Concern for racial, religious, national and other minorities was the subject of one of the first actions of this Commission in 1947, when the Subcommission on Minority Rights was created. And in 1992 the General Assembly adopted an ambitious Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities. . .

[Recent] revolutionary transformations raised new hopes that democracy, development, and respect for human rights, goals acknowledged at the Vienna World Conference as "interdependent and mutually reinforcing," can be achieved. In many countries, however, these goals risk being dashed by the spread of hatred and resentment among the different national ethnic, religious, and linguistic minorities in those countries . . .

Our delegation's statement last week  
Schwartz, continued on page 8

## LL.M. Program Provides Both Knowledge and Experience

by Juli Gammon

Washington College of Law acting dean Claudio Grossman characterizes the goal of international law as striving to achieve "a world open for participation and cooperation for the benefit of all." Through its Master of Laws (LL.M.) program, the Washington College of Law (WCL) at The American University helps students further that goal while providing them with a solid foundation in international law.

In Fall 1993, 156 student from 51 countries, many with special interests in the field of international human rights, entered WCL's LL.M. program. These students are pursuing their specializations under the guidance of professors with significant academic and professional backgrounds. WCL's faculty serve on fact-finding missions, sit on the boards of nongovernmental human rights organizations and actively litigate international human rights cases. Professor Grossman, for example, was recently elected to serve on the Inter-American Commission on Human Rights of the Organization of

American States (OAS).

Like the faculty, students at WCL are also active with various international human rights-oriented organizations and operations located in the Washington, D.C., area. Many current students work with the OAS, lobby the U.S. government, serve with numerous nongovernmental organizations, and intern with law firms practicing in the area of human rights. Recently, several LL.M. students spent two weeks in Miami, Florida, volunteering legal services to Haitian refugees seeking asylum in the United States. The project, arranged by WCL professors and Church World Service, gave the students firsthand experience with refugee issues and U.S. asylum procedures. Such experiences, as well as other networking opportunities, help many students find permanent jobs following graduation both in the United States and in their home countries.

Students at WCL who wish to combine practical experience with their human rights interests can also participate in WCL's Human Rights Clinic. This

clinical education provides students with the experience of representing clients in U.S. immigration, deportation, and other proceedings.

WCL's Washington, D.C. location offers students a unique setting in which to explore their academic interests and professional goals. Research facilities available to students include the Library of Congress, the National Archives, the United Nations Depository and numerous private libraries. Students also can observe sessions of the U.S. Supreme Court as well as proceedings of the city, state, and federal governments.

The LL.M. program provides students from around the globe with the opportunity to gain both academic and practical experience in the field of human rights. The law school's goal is to impart to the students a greater understanding, as well as due regard, for the subject. In so doing, WCL is able to expand the scope of awareness and to extend the respect for the application of international human rights both in the United States and abroad. ☉