VIOLATIONS AGAINST FREEDOMS OF INQUIRY AND EXPRESSION IN OAXACA DE JUÁREZ


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I. CONDITIONS OF THE DELEGATION

1. Mandate

This report presents the findings from a fact-finding visit to Oaxaca, Mexico, of the Latin American Studies Association (LASA). The visit took place between 15 and 22 June 2007, with the purpose of investigating and reporting on recent developments in Oaxaca that affect the exercise of freedoms of inquiry and expression on the part of researchers, teachers, cultural workers, and intellectuals associated with universities, schools, nongovernmental organizations, and similar institutions.

LASA is the most important organization of scholars and students of Latin America and has 6000 members throughout the Americas and other parts of the world.

The mandate of the LASA delegation was to determine whether there was credible evidence of significant violations of the freedoms of intellectual inquiry and expression affecting researchers, teachers, cultural workers, or other such individuals or groups in the area. Such violations were to include, but were not limited to, politically motivated homicides, physical torture or intimidation, illegal judicial detention, the public targeting of individuals on the basis of their political beliefs or affiliations, involuntary separation from employment at educational or cultural institutions on the basis of an individual’s political beliefs or affiliations, and so forth. (See Appendix 3.)

If, upon investigation, the delegation determined that such violations had occurred, it would seek to ascertain the principal causes or sources of them. It would also make a reasonable effort to identify what actions should be taken by municipal, state, or federal governmental authorities; by national or international human rights organizations; or by other relevant actors to end such violations and to establish conditions for the effective exercise of the freedoms of inquiry and expression.

2. Background to the Conflict

Beginning with a strike and sit-in by 70,000 elementary and secondary school teachers and their union, Sección 22, in May 2006, a major social conflict developed in Oaxaca when, on 14 June 2006, the Governor of Oaxaca, Ulises Ruiz Ortiz, sent police to dismantle the sit-in. In the following weeks and months, tens of thousands of Oaxaca citizens from all walks of life, including thousands of university students and a smaller number of professors, became involved in efforts to support the teachers and demand the resignation of the governor, for example, through a series of “megamarches.” During this time opposition forces formed a broad coalition known as the Asamblea Popular de los Pueblos de Oaxaca (APPO), protesters occupied and broadcast from 12 radio stations, protesters erected barricades throughout the city, and, at the end of October 2006, President Fox sent over 4000 members of the Federal Preventative Police (PFP) to try to quell the upheaval. Reflecting tensions between the state and federal governments, the governor’s previous requests for federal police intervention had been ignored.
In the course of many months, at least 23 persons were killed, hundreds of people were arrested and imprisoned, and over 1200 complaints were filed with human rights commissions – including by students, professors, and others from Oaxaca universities and other institutions of higher learning (e.g., academic centers without students) – alleging torture and harassment at the hands of the authorities. (For a chronology of events, see Appendix 4.)

As we submit this report in August 2007, the political situation in Oaxaca continues to be polarized and tense with periodically heavy police presence in various parts of the city and fear and insecurity on the part of many citizens that violent government repression against teachers, protesters, and others could erupt at any moment.

3. Methods and Scope

The fact-finding delegation was organized by the Latin American Studies Association (LASA) and was composed of Matthew Gutmann (anthropologist, Brown University, chair of the delegation), Marysa Navarro (historian, Dartmouth College, president of LASA 2003-04), Orlandina de Oliveira (sociologist, Colegio de México), and Teresa Valdés (sociologist, Universidad Católica de Chile, Universidad de Buenos Aires, and Centro de Estudios para el Desarrollo de la Mujer, Chile). Robin Kirk (Director, Duke Human Rights Center, Duke University) served as the special advisor to the delegation. The delegation was formed in response to a request to LASA to form a fact-finding delegation signed by a substantial number of LASA members and members of Mexico’s academic, cultural, and human rights communities (see Appendix 2).

Members of the delegation were highly knowledgeable about social and political conflict in the region. In Oaxaca, the group met with over 30 people from academic institutions, the state government, human rights and other non-governmental organizations, the church, and artists and intellectuals about the impact of the conflict on academic freedom and individuals affiliated with academic institutions (see Appendix 1). The members of the delegation maintained absolute independence, impartiality, and objectivity in their investigation of the events.

4. Legal foundations

As a result of its visit to Oaxaca the delegation has serious questions about the ability of scholars and intellectuals to exercise fundamental rights guaranteed by the Mexican constitution and international accords protecting the right to life, due process and freedom of thought, assembly and expression. For instance, the American Convention on Human Rights,¹ which Mexico ratified in 1981, guarantees the right to life and protects against torture or cruel or degrading treatment. Specifically, Articles 7 and 8 guarantee the right to due process, which in the case of the events we document was routinely violated by state and federal forces. In addition, Article 13 protects the right to free thought and expression as long as those exercising it do not advocate violence. In Oaxaca, the delegation interviewed intellectuals who called for dialogue and peaceful resolution to the conflict who were nonetheless subject to violent threats, for example on
“Radio Ciudadana,” a pirate radio that came into existence during the conflict to support the government and threaten protesters, including many intellectuals and others associated with universities.

Mexico has also ratified the Covenant on Civil and Political Rights in 1981. Using language virtually identical to the American Convention, the CCPR also protects the right to due process, free thought and expression and a ban on torture or cruel or degrading treatment. In 2002, Mexico ratified the CCPR’s optional protocol, which allows Mexican citizens to submit allegations of violations to the United Nations Human Rights committee. In its own constitution, the Mexican state protects the right to protest peacefully, to write and publish and assemble for peaceful purposes.

5. Conclusions of other reports

Our purpose as a delegation was not to investigate human rights abuses in general but to focus on the impact of events in Oaxaca on persons affiliated with and on places of higher education. Nonetheless the delegation learned much from previous international, national, and local human rights reports on the conflict in Oaxaca. We include some of their summary conclusions here:

“Public powers have not guaranteed the full exercise of the freedoms of expression, thought, association, assembly, political participation, movement, and the right to demonstrate. Using physical force and coercion they have prevented the exercise of these fundamental rights, violently dispersing sit-ins and peaceful marches, preventing the full exercise of office by legally elected communal representatives, attacking journalists and harassing the media.” (CCIODH, 2007, p. 218.)

In its first report, the Comisión Nacional de Derechos Humanos (CNDH) stated, “the Federal Preventive Police who intervened to restore public order [in October and November 2006] have used repeated and excessive violence” (CNDH, 18 Dec. 2006, p. 17.) Between June and December 2006, CNDH received 1211 complaints of human rights violations in Oaxaca, including for homicide, torture, and disappearances.

In May 2007, the CNDH issued another report declaring that, based on evidence they had compiled, there had been in Oaxaca violations of the right to assembly and violations of personal freedom in the form of “arbitrary detentions and illegal incarceration,” that the physical integrity and safety of persons was violated by “acts of torture” by government authorities, that freedom of expression and the right to information had been violated. The CNDH also charged “federal authorities” with violating the right to life itself. (CNDH, 2007, p. 2.)

“In June [2006], state police used excessive force against striking teachers occupying Oaxaca city centre and bringing it to a standstill.” “Federal and state authorities failed to effectively investigate allegations of serious human rights violations by the end of the year [2006].” (Amnesty International, 2007, p. 2.)
“The RODH [Red Oaxaqueña de Derechos Humanos] notes the manner in which
the right to free expression has been denied, the imprisonment of social leaders, the
censoring and attacks on the media and journalists…. From the first, these
demonstrations worried state officials, who showed their intolerance through a repression
orchestrated by the federal and state governments.” (RODH, 2007, p. 118.)

II. INTELLECTUALS AND ACADEMIC INSTITUTIONS

1. Context of the Conflict

In order to understand the impact of the social conflict on academic institutions
and intellectuals, the delegation found it necessary to determine the broad outlines of the
historical, sociopolitical, and socioeconomic context for the events that took place more
generally in Oaxaca in 2006.

In the last twenty years, Mexico has experienced a “democratization” of political
processes, and the party that long controlled virtually every political office at federal and
local levels for several decades, the Partido Revolucionario Institucional (PRI), has lost
many elections, including the last two presidential elections. In contrast, in the last
decade, the PRI has continued to govern in Oaxaca. Intellectuals and representatives of
human rights organizations stated to the delegation that the conflict in 2006 stems in part
from the continuing local problems of corruption, cronyism, and corporatism within the
PRI in Oaxaca. The delegation concluded that the political climate in Oaxaca during the
conflict of 2006 was one of governmental intolerance, intimidation, and suppression of
independent social protest.

Oaxaca de Juárez is a metropolitan area of around 500,000 people located in a
mountain region 300 miles south of the Mexican capital. Over one-half the population of
the state, totaling over 3.7 million people, self-identifies as indigenous, belonging to one
of the many peoples of the state, such as the Zapotec, Mixtec, Mazatec, Huave, Mixe, and
Trique. According to nearly all indices, living standards in the state of Oaxaca are among
the lowest in Mexico, especially in the countryside. The state has 570 municipios, fully
one-fifth of all municipios in the country. Of these, 418 are governed by a system of usos
y costumbres, a process grounded in indigenous community assemblies rather than
electoral politics. Economically the state depends heavily on international and national
tourism, which was severely affected by the conflict in 2006.

For over twenty years the teachers’ union in Oaxaca State has held a sit-in
(plantón) during May and June in the central square—Zócalo of Oaxaca City as part of its
tactics to demand improvements in working conditions and pay. For over twenty years
the sit-in was tolerated by a series of state governments while they negotiated with the
union. On 14 June 2006, at 4:30 AM, Governor Ulises Ruiz ordered state police to
disperse the teachers from the Zócalo in an act that henceforth became known as “el
desalojo.” The sudden and forcible removal of the teachers on 14 June 2006 was
unprecedented and emblematic of arbitrary and harsh government actions against
citizens. A protest the day after the desalojo drew tens of thousands of people, many of whom did not otherwise support the teachers’ union.

Given the strong ties between indigenous communities and the teachers’ movement (becoming a teacher is one of the few professions available in the communities outside farming) several indigenous intellectuals were involved “organically” from the outset in organizing forums in indigenous communities around the state to discuss the conflict and to decide whether to participate as indigenous peoples in APPO. The role of these indigenous intellectuals was thus noteworthy both on academic campuses and in communities in the surrounding parts of the state where debates took place concerning whether and how to become involved with the protests.

The desalojo of the yearly plantón provoked widespread repudiation and protest, mobilizing sectors of Oaxaca citizens who normally did not get involved in teachers’ issues. These protests, in turn, provided an outlet for the expression of discontent regarding a series of long-term structural issues in Oaxaca society; this discontent deepened in response to repression at the hands of government and government-aligned forces. APPO congealed as the political network that led the mobilization for teachers’ rights, against government repression, and, eventually, for all manner of political alternatives. Of great importance, these social protests went far beyond APPO militants and loyalists. Oaxacan society became even more openly polarized, not simply along pro- and anti-APPO lines, but rather gathering those who were supporters of the government and the PRI political regime in Oaxaca, versus those who were critical of government handling of the conflict and who insisted on defending broader principles such as human rights, democracy, and working to resolve fundamental social inequalities in Oaxaca.

The conflict, crisis, and social upheaval in Oaxaca also took place during the period of highly contested presidential elections, held on 2 July 2006, in which Oaxaca’s Governor Ruiz was the national campaign manager for Roberto Madrazo, the candidate of the PRI. On 2 July 2006, Madrazo lost and, for the first time in Oaxaca history, PRI candidates lost nearly all races for district federal offices. This stood in contrast to the elections in 2004, when Ruiz took office amid widespread charges of electoral fraud.

During the conflict of 2006, the government retained exclusive control of firearms and other tools of state violence, including but not limited to tear gas, pepper spray, water canons with chemicals, medium and high caliber arms, helicopters and anti-riot vehicles that were used against women, men, children, the elderly, students, professors, whether onlookers, passers-by, or protesters. Some protesters, including university students, in the course of the conflict resorted to violence (e.g., throwing rocks at the police). However the violence of the state and federal police was greatly disproportionate.

The figures compiled by reliable international, national, and local human rights groups indicate that as a direct result of government and government-supported actions carried out by police and parapolicia at least 23 persons were killed and over 300 were arrested and imprisoned, many of whom were held in jails illegally, tortured, threatened,
and some women prisoners were raped. Three of the key dates in the conflict of 2006 were marked by violence: the removal of the sit-in on 14 June; the murder of North American photojournalist Bradley Will and four other people on 27 October (see Appendix 6); and the general and especially brutal confrontation between the federal police and protesters throughout the city on 25 November.

The murder of Bradley Will on 27 October was of great importance because it drew international press coverage and galvanized opposition to the state government on the part of many intellectuals and other citizens in Oaxaca who had previously attempted to remain outside the fray. Bradley Will was a graduate of Allegheny College in Pennsylvania and was working with Indymedia to video the conflict in Oaxaca.6

2. Overview of Universities in Oaxaca

The primary universities in Oaxaca – the Universidad Autónoma “Benito Juárez” de Oaxaca (UABJO), the Universidad Pedagógica Nacional (UPN), and the Instituto Tecnológico de Oaxaca (ITO) – are all federal universities. The UABJO, for example, depends on federal funds for 89 percent of its budget; the state provides the remaining 11 percent. In 2005, UABJO had over 29,000 students, most of whom were licenciatura undergraduates; the university employed close to 3000 professors and administrators and other personnel. Also of significance, the UABJO receives less funds per student than any other federal university in Mexico.

A few universities and institutions of higher learning in Oaxaca were significant sites where the conflict in Oaxaca in 2006 occurred. A small number of professors participated in various forums to promote dialogue and help elaborate the issues central to the conflict. In addition, students and to a far lesser extent professors from academic centers participated in APPO and other forms of protest throughout the period in question. Certain universities, such as the Pedagógica and another alternative university, the Universidad de la Tierra, were effectively closed throughout the conflict, while others were periodically closed in part or entirely. The delegation was informed that in general faculty and students from private universities, and the universities themselves, were not involved in the conflict. (See Appendix 5.)

The delegation determined that intellectuals responded to the social conflict in Oaxaca in several, sometimes overlapping ways. A small number played an active role in APPO and the public protests. A larger number were active in defending broader principles such as democracy and freedoms of inquiry and expression. The largest number tried to distance themselves from the conflict for reasons of fear, apathy, and uncertainty. Another smaller group of intellectuals openly supported the government against the teachers and APPO.

In general the delegation found that intellectuals aligned with APPO and the social protests suffered the most severe and direct consequences for their beliefs and activities (several people interviewed put the number at 5 percent, though certainly no rigorous count was or could be made). We describe some of these intellectuals below.
The intellectuals in the second category, those who strived to defend basic rights and liberties “behind the scenes” through providing information and analysis, generating public dialogue about the conflict, also were at risk for their actions. This situation is very serious because it reflects an effort on the part of government and government-aligned forces to close down civil society and limit the critical social and political role that intellectuals play in such a conflict. Those intellectuals who either stayed out of the conflict or supported the government suffered no consequences for their actions that the delegation was able to detect.

Thus the delegation found a diversity of opinions, positions, concerns, and fears on the part of researchers, teachers, cultural workers, and intellectuals whom we interviewed in June 2007 about the conflict. The initial response of many of these persons following 14 June 2006 was surprise and disbelief. Most of those we interviewed were critical of the teachers’ union to varying degrees. It appears that early on most intellectuals sought to remain neutral and not get involved in the conflict. A minority of university professors participated from the beginning in meetings, debates, protection of individuals in hiding, writing articles for the local and national press.

The response of academics, in other words, was complex and certainly not uniform or consistent. Even academics we interviewed who were most critical of the teachers’ union and APPO, however, noted that there were many instances of human rights violations and police brutality supported by the government and that polarization of the population in general was exacerbated by the government as well as the protesters.

Defending the autonomy of universities and other institutions of higher learning was of paramount importance to most people the delegation interviewed. Critics of the protesters told us, however, that although they acknowledged the inviolability of universities as represented in the concept of autonomy, they wished the Rector of the UABJO had allowed police to enter that campus. Critics of the government told us that one of the important accomplishments of the social protests in 2006 was to maintain university autonomy, despite pressure from state and federal authorities to allow police to enter certain campuses.

3. Impact of conflict on academic institutions

Major confrontations took place at the main UABJO campus between protesters and local and federal police forces, including in November 2006. Students also took over the UABJO Radio Universidad early in the conflict and used the station to broadcast messages and information for several months.

The Rector of the UABJO, Francisco Martínez Neri, stated to the delegation that throughout the conflict he sought to defend the university’s autonomy and to defend the right of students and professors to free expression and assembly. Nonetheless, on 22 July, 27 October, and 25 November unknown persons presumably aligned with the government discharged firearms against UABJO structures with protesters inside.
Although the participation of professors in day to day protest activities was minimal, within the UABJO, students and faculty from the Faculties of Medicine and Law participated in the megamarches, forums, and other forms of social protest and the university became a site for public forums, for example, the National Forum in August took place in the Faculty of Law on “Building Democracy and Governability in Oaxaca.” Over 1500 intellectuals, students, activists, and others from throughout the state and other parts of Mexico participated in this event convened to discuss and debate democratic citizenship and the role of the government in Oaxaca. Professors and students from the Faculty of Law also provided legal counsel to more than 20 persons affiliated with the university whom the police arrested. From June through November 2006, students from the Faculty of Medicine formed first-aid brigades to assist people injured in marches and other protests and set up a medical relief station in a church in the downtown area.

On 14 June 2006, with the express desire to “democratize the media,” local university students took over the radio station of the UABJO, Radio Universidad. Radio Universidad was associated directly with the UABJO for its name, its location on the campus, and the students and faculty who ran the broadcasts.

The students and other protesters controlled the radio station more or less continually until 25 November. Radio Universidad became and remained an important source of information for the opposition. Carlos Plascencia, who became the radio’s director after the conflict, told the delegation it was known also as “The Radio of Truth” (la radio de la verdad) and that it was a platform “to be heard, to hear others, and to say what could not be said in other media outlets.” Protesters used the radio to further distinct agendas and political opinions. On 14 July and 8 August unidentified persons used acid to temporarily destroy transmission consoles in the Radio Universidad.

When the delegation asked the Rector who perpetrated these attacks, he replied, “Who benefited from these attacks? It is not hard to see.” Rector Martinez told the delegation he wanted to defend all persons affiliated with the UABJO who wished to participate, including through using Radio Universidad to support the opposition to the governor and police. He emphasized to the delegation his belief that the radio “must give space to society” generally and that he was convinced that the students “contributed a lot and learned a lot” through their takeover of the radio and elsewhere in the protest movement. During the conflict, he told us, the only time he argued strongly with the students to evacuate the Radio Universidad was when he thought a threat of physical assault on the radio station by the federal police was imminent. He was gratified that he was able to convince them to leave and thus avoid a physical assault.

There were also confrontations between student protesters and the police at the Instituto Tecnológico de Oaxaca (ITO). 14 professors from the ITO issued a statement to the press publicly declaring themselves against the police repression and social injustice in Oaxaca. On 25 November 2006, the federal police arrested several ITO students.

According to Dr. Salomon Nahmad, director of the Centro de Investigaciones y Estudios Superiores en Antropología Social Pacifico Sur, the political situation of
government repression in Oaxaca was so tense during the conflict, and the threats to burn individuals’ homes from Radio Ciudadana so menacing, that he and other social scientists decided they should hold meetings outside the city. Despite the desire of Dr. Nahmad and other academics in Oaxaca to meet in Oaxaca, for reasons of security, a social science forum on the conflict in Oaxaca was held instead in Mexico City.

The alternative university Universidad de la Tierra depends on tuition paid by foreign students, especially those in the International Honors Program from the United States, to support the education of indigenous students from around the state. Following a U.S. State Department warning about study in Oaxaca, enrollment by foreign students dropped precipitously and income for Unitierra dropped over 60 percent and programs for indigenous students had to be cancelled or drastically curtailed. According to two professors we interviewed, most of the Oaxaca students from the university participated in protest activities against the government and governor during 2006.

Web-based communication was important throughout the conflict. A web-site in which students of the Universidad de la Tierra participated, “Oaxaca Libre,” became a regular source of reliable information, according to Dr. Gustavo Esteva. He told the delegation that he had been informed by the students that the website had been attacked cyberoptically at least seven times, with a major and sophisticated attack on 25 November, in which outside sources changed basic codes for the site.

4. Impact of conflict on intellectuals

A minority of intellectuals and students became important spokespeople for the anti-government protests in Oaxaca in 2006. They were able to document and analyze a situation that some preferred to keep local and hidden, and instead speak out and publish their views and experiences to a wider national and international audience. They lent legitimacy and weight to the protests. They provided a key source of information and critical examination of the emergence of the social movements and organizations and the changes in Oaxaca society. They documented the significance of the conflict and the development of structures such as APPO that relied more on consensus and cooperation than hierarchical leadership structures. These intellectuals and students also participated in a variety of groups and forums, including initiatives for dialogue and peace in which others from local businesses, the Church, indigenous peoples, women’s organizations, and teachers also sought peaceful resolution to the conflict.

At the same time, as stated above, most intellectuals decided not to publicly support or oppose the government or protesters. Delegation interviews indicate that factors mitigating against participation included fear of reprisals, confusion, indifference, and frustration based on the belief that no viable channels were available to resolve the conflict.

According to Dr. Margarita Dalton, “black lists” appeared during the conflict with the names of people, including academics, involved in the social protests, in this way threatening their persons, homes, and families. According to Yésica Sánchez of the Liga
Mexicana para la Defensa de los Derechos Humanos (LIMEDDH), pro-government parapolicía kidnapped university students active in the social protests and threatened them with expulsion from the university.

The delegation believes that pro-government, albeit often anonymous, persons targeted for intimidation and threats certain individual professors and students and others affiliated with universities and other institutions of higher learning. In addition, although most academics and students affected by the conflict were not uniquely targeted, those intellectuals and students who sought to defend freedoms of inquiry and expression were nonetheless targeted as part of the larger groups of protesters.

5. UABJO Rector Francisco Martínez Neri

The delegation notes the important role played by UABJO Rector Francisco Martínez Neri throughout the conflict. With few exceptions, the people interviewed by the delegation spoke with respect for the words and actions of the Rector in his attempts to preserve the autonomy of the university. The Rector told the delegation that he was also concerned during the conflict to insure that, “We would defend the participation of any professor and any student” in the social protests. After university students took over Radio Universidad, the Rector told the delegation, there were personal attacks on him such as announcements on Radio Ciudadana that persons were headed to his house to burn it down.

In our interview the Rector detailed the events that transpired at the university 2 November: after hearing on the radio that the police was trying to enter the university, the Rector called Mexican President, the Secretary of the Interior, and the PFP that had entered Oaxaca days before. He demanded that “they withdraw from the university.” When he arrived at the university himself, “I observed that a group of state police was trying to force a door to enter” the university.

Helicopters from the Federal Preventive Police were dropping “bombas” of tear gas within the university. He characterized the scene as “a war zone” (un espacio de guerra) He again called Gobernación and was assured that the policy of the government was not to enter the university. The Rector replied that “there are people trying to enter” and that the police had indeed entered the “sports area” of the university; “I have no doubt that they entered,” he informed the delegation. The Rector concluded that even if officially the federal and state police did not intend to enter, there were scattered attempts by some groups of police to do so. Nonetheless, the police were prevented from entering the main campus of the university.

Despite pressure from the government the Rector defended the autonomy of the university and the police were unable to occupy the university grounds.
6. Threatened intellectuals

The delegation spoke with intellectuals who believed they had been threatened for their activities in protest against the governor and government, and the delegation learned of other intellectuals who had faced similar violations of the freedoms of inquiry and expression. In this report we provide information on several of the most important cases.

Dr. Bertha Muñoz is a medical doctor and professor in the Faculty of Medicine at the UABJO. She became a regular announcer on Radio Universidad. According to all credible accounts received by the delegation, Dr. Muñoz repeatedly called for pacifism and decried the violence of some in the movement, as she explained, scolded, and in general tried to bring greater calm to the situation. Despite her calls for peace, Dr. Muñoz nonetheless received death threats and was forced into hiding. Dr. Muñoz was threatened repeatedly on Radio Ciudadana.

Dr. Víctor Raúl Martínez is a professor-researcher at the Instituto de Investigaciones Sociológicas UABJO. In the years leading up to the conflict he was well known in the city for his activities with a variety of academic, civic, and religious organizations. He has also been a well-known columnist for the newspaper Noticias and a regular commentator on Radio HIT. Dr. Martínez also has provided one of the first scholarly studies of the conflict and protests in his book, Autoritarismo, movimiento popular y crisis política: Oaxaca 2006 (UABJO, 2007). Dr. Martínez and others we interviewed in Oaxaca believe that because he was active in the APPO and the Forum on Pueblos Indígenas in November 2006, he received threats on his life and against his family. These threats were received by telephone calls to him, his wife, and two of his brothers (whom the delegation also interviewed). His photograph was published on an anonymous website (see Appendix 7) with 25 others that announced: “These are the delinquents who have kidnapped your city. Grab them wherever you see them or go find them in their homes!” Five of the 25 persons reportedly had been killed by July 2007. Dr. Martínez was threatened repeatedly on Radio Ciudadana.

Ramiro Aragón Pérez is a biologist with a specialization in ornithology who has worked in Mexico and the United States with a number of conservation organizations, including Grupo Mesófilo, an NGO dedicated to sustainable management of natural resources in indigenous communities. He is not a political activist or a member of APPO or Sección 22. Nonetheless, at 1 AM on 10 August 2006, police detained him with two others when they found a leftist leaflet and identification indicating one of his companions was a teacher. All three were beaten and kicked for more than 30 minutes and Aragón was burned with a cigarette. He and his wife and small children were threatened. He was taken to a jail south of Oaxaca City and later charged with possession of a musket from 1924 and with bullets that did not belong to the weapon, all of which he vehemently denied. Aragón was held in jail for three months, and was freed through a political negotiation with the federal Secretary of the Interior. Nonetheless, Aragón still has trumped up charges against him and has fled Mexico for his safety and fear of being returned to jail.
Among the other professors, administrators, and students who have been persecuted for their involvement in the social protests we note Aline Castellanos, a lawyer affiliated with the UABJO, who has been accused of planning the takeover of Canal 9; and Dr. Concepción Nuñez, a sociologist, and Dr. Margarita Dalton, an historian who were both attacked on Radio Ciudadana for their support of the protests. During 2006 and subsequently, Dr. Dalton regularly has spoken on the radio criticizing the government repression. The delegation found persuasive evidence, supported by interviews, that intellectuals who have a public presence in fostering discussions and dialogue are more at risk than those who remain quiet and uninvolved. Thus Dr. Dalton, for example, took such risks when she chaired a panel on “Politics of Inclusion and Respect for Diversity in Oaxaca” at the August National Forum. The panel addressed issues of structural violence and systematic discrimination of indigenous peoples and persons with different sexual preferences.

The role of several indigenous intellectuals in the conflict was significant for numerous reasons, including the fact that they were among the few university professors who beginning in June 2006 were outspoken in their opposition to the governor and state repression, and thus put at risk their own personal safety and academic careers. According to one Zapotec anthropologist, Mtro. Salvador Aquino, indigenous intellectuals more than their mestizo counterparts already experienced greater “instability” and “stigmatization” in the general academic community; with participation in the social protests in 2006, several indigenous intellectuals in Oaxaca faced greater threats against their person by government and government-affiliated persons and generally were the most vulnerable population in academic institutions.

III. MOBILIZATION, GOVERNMENT, AND SOCIETY

1. Selected social actors in the conflict

During our visit in June 2007, it was impossible to achieve a clear understanding of the teachers’ union local, Sección 22, nor was it in our mandate to do so. Nonetheless it was obvious that the annual strike and sit-in by the 70,000 teachers and other personnel in the union was a central concern to all parties in the conflict, that the removal of teachers from the Zócalo on 14 June sparked subsequent events in the city, and that the union played an important role in APPO and throughout the following months of social upheaval. It became clear to the delegation that many intellectuals and others we interviewed have serious concerns regarding corruption in the union, and that this contributed to a reticence on the part of some to participate in protest activities. Nonetheless, both the brutality of governmental response to the teachers and the fact that many people in Oaxaca – including police – have family and neighbors who are teachers contributed to support on the part of tens of thousands of people in Oaxaca for demands articulated by the teachers and APPO such as for the governor’s resignation. With the 14 June 2006 desalojo pent up grievances against the government on the part of many in Oaxaca spilled over. After this date, much more was at stake in the protests than the teachers’ wages and working conditions.
The APPO itself was characterized by many analysts interviewed as “a movement of movements” that brought together over 200 organizations, including the teachers’ union, civil society organizations, religious institutions, women’s organizations, political organizations, ecology movements, and, of great importance, organizations representing indigenous communities from throughout the state. The APPO seems to have relied on decision-making by consensus and was distinguished by its heterogeneity. Several people interviewed emphasized that indigenous peoples provided an important if not always well-recognized social base for the coalition. Others described the importance of APPO as reflecting “society organizing itself” in the face of general ungovernability in Oaxaca City.

Government representatives interviewed by the delegation, on the contrary, stated that APPO “uses poverty as a means of control” over people, is composed in good measure of “mercenaries from outside” Oaxaca, and has no real popular support or presence among the state’s population. Héctor Pablo Ramírez, Secretario Técnico of Oaxaca and former president of the PRI in the state, and Luz Divina Zárate, Secretaria de Comunicación Social for Oaxaca, stated in an interview with the delegation that “lumpen proletarians from other countries like Nicaragua” as well as malcontents from other states were imported by APPO to destroy the historic city center. They also accused PRD presidential candidate in 2006, Andrés Manuel López Obrador, of funding a social movement against the governor and government of Oaxaca. These assessments were at odds with all other interviews conducted by the delegation, including with people who supported the government of Oaxaca in the conflict.

The role of women in the protest activities of 2006 was enormous and fundamental. One reason for the participation of many women as leaders and activists was the fact that despite having passed a legislative agenda in Oaxaca in 2003 and 2004 pledging gender equality – issues as diverse as the inclusion of women candidates in elections, free childbirth, and justice for indigenous women prisoners – the state government had done nothing to fulfill these promises. From the beginning of the social upheaval following the events of 14 June 2006, women were at the forefront of marches, forums, and decision-making of all kinds in the movement. On 1 August, over 2000 women took over the state-run television Canal 9 saying “we are tired of hearing lies.” On 21 August, in the middle of the night, the transmission tower was destroyed. In response, the women and others from APPO took over twelve radio stations. Also on that day, the Coordinadora de Mujeres de Oaxaca Primero de Agosto was formed to promote and protect women’s presence in the social protests.

On 26 October 2006, in the midst of the conflict, “Radio Ciudadana” appeared for the first time on the air. As indicated above, it was identified by most people we interviewed as a government outlet that broadcast the names and home addresses of activists and sometimes simply foreign residents (“get the foreigners with cameras”) with a call to “deal with them” and “expel them from Oaxaca.” At the same time that the governor was praised on the broadcasts by this radio as a, “a macho, a really good macho of a governor,” listeners were urged to “finish off the vermin on the barricades for once
and for all.” As noted above, the delegation interviewed several intellectuals who were threatened by name on Radio Ciudadana. Secretaría de Comunicación Social for the state of Oaxaca, Luz Divina Zárate, stated that “the government does not know where this station came from” and claimed to the delegation that it was a popular response to a situation in which “there were not channels of expression” in the face of violence.

Among those the government alleged were leaders of the Canal 9 takeover 1 August was a UABJO professor affiliated with the Faculty of Law. Director of Communications for the state government of Oaxaca, Luz Divina Zárate, told the delegation that the government had kept archives of broadcasts from the radio stations from when they were controlled by students and other protesters with the implication that these could still be used against the protesters in the future.

In addition to the above information, we also received reports of other attacks on press and media, including outlets in which intellectuals regularly participate as columnists and commentators. For example, on 9 August, armed assailants attacked newspaper Noticias in Oaxaca; and on 22 August, state police fired on photographers from the newspapers Milenio and Reforma.

2. Situation in Oaxaca today

The delegation’s June 2007 visit to Oaxaca occurred during the first anniversary of the 16 June 2006 desalojo. Superficially the city seemed different than it had been in June 2006. There was a small “representative sit-in” by the teachers’ union in the Zócalo and we saw clear physical signs of the conflict the year before, including bullet holes in the Faculty of Medicine of the UABJO and graffiti and protest posters on walls. In June 2007, there was less police presence in the city compared to the year before, classes were taking place at the universities, and there were no barricades blocking streets. Nonetheless, the political climate was repeatedly described as “polarized” and “tense,” revealing to us the fear on the part of many intellectuals with whom we spoke that open social conflict could again quickly erupt in Oaxaca. In fact, in July 2007, hundreds of heavily armed police were again stationed around the city, and on 16 July 2007, there was again a violent confrontation between police and protesters in which over 40 persons were arrested and more people were injured.

On 19 June 2007, Mexico’s Supreme Court announced the creation of an investigatory commission to look into possible human rights violations in Oaxaca. In response the Governor Ruiz stated to the press that this would be unnecessary because the state had already adhered to various recommendations made by the National Commission on Human Rights. People interviewed generally celebrated the Supreme Court decision.

IV. CONCLUSION AND RECOMMENDATIONS

During the conflict in 2006 in Oaxaca, universities and institutions of higher learning and individual researchers, teachers, cultural workers, and intellectuals
associated with universities, schools, nongovernmental organizations, and similar institutions in Oaxaca performed a vital role in establishing a civic space for information, debate, and independent and critical social commentary and protest. This space was crucial for intellectuals and other academics who wished to participate alongside other citizens to articulate the demands of various social actors, including indigenous peoples and women.

Violations of the rights of intellectuals aligned with APPO and others who sought to defend the freedoms of inquiry and expression are deplorable and are generally well-documented in other human rights reports cited here. This delegation adds its voice to others who have denounced these abuses. The principal finding of this delegation is that repression, violations, and a general atmosphere of threats extended broadly among researchers, teachers, cultural workers, and intellectuals associated with universities, schools, nongovernmental organizations, and similar institutions. These violations and threats are deeply disturbing as specific cases and chilling in their implications for democracy in Mexico.

The UABJO in particular was at the center of the conflict on an almost daily basis. The UABJO played a critical role in maintaining the value and autonomy of scholarly debate, engagement with social problems and participation in social affairs, dissemination of information otherwise unavailable in society, and a refuge from police and parapolícia attacks that occurred routinely throughout the city during the period of conflict. The administration, faculty, and students of the university ensured that autonomy and efforts to seek peaceful resolution to the conflict were in evidence.

The social polarization that occurred in the course of events in Oaxaca in 2006 was the result of generalized conflict in Oaxaca society reflecting obvious and extreme social inequalities. The social protest that occurred during this time was unprecedented in the history of the state in terms of scale and impact. The fear that the conflict could ignite was widespread in Oaxaca and the rest of Mexico in summer 2007.

The conflict and social protests in Oaxaca in 2006 represents a time when government repression was met with what one person the delegation interviewed described as “an effervescence of popular initiative.” Numerous intellectuals and others interviewed by the delegation spoke of positive changes and expectations in the state as a result of the conflict, including renewed efforts to address long-standing social problems of access to education and developing public spaces for dialogue and debate. An artist told the delegation that for everyone in Oaxaca regardless of political viewpoint, “there is a before and an after – Oaxaca will never be the same.” A reflection of the effervescence and transformation is found in the flourishing artistic workshops of youth from the universities and in the surrounding villages, and in the “rebeldía oaxaqueña” as evidenced in the new “music from the barricades” on sale in the Zócalo in 2007.

“The repression against the popular movement in Oaxaca,” writes Dr. Salomon Nahmad in the LASA Forum (2007:24), “provides evidence of state terrorism.” He continues, “a deep chasm in Mexican society is leading to great polarization.” Certainly
“polarization” was a key term heard by the delegation repeatedly in our visit to Oaxaca. We documented in our interviews and materials gathered attempts by the government and police of Oaxaca, and later by federal authorities and police, to intimidate, threaten, punish, and even murder with impunity those who expressed themselves in opposition to the governor and to the violent state repression.

Cognizant of the responsibility entrusted to us by the intellectuals associated with institutions of higher learning in Oaxaca whom we met in June 2007, and concerned that similar social conflict could again develop at any time in Oaxaca, this delegation therefore recommends to the Executive Committee and membership of LASA that this report should be broadly circulated in Oaxaca, Mexico, and the Americas. The delegation trusts such circulation of its report will make evident:

- That LASA calls on Oaxaca state and Mexican federal authorities to uphold Mexican laws and international accords that protect the right to life, due process and freedom of thought, assembly, and expression;
- That LASA calls Oaxaca state and Mexican federal authorities to bring to justice all public officials who have violated these laws and accords;
- That LASA supports the defense of university autonomy in Oaxaca;
- That LASA censures the threats, intimidation, and punishment by the state and federal authorities of academics who have sought to exercise their freedoms in inquiry and expression;
- That LASA will be vigilant regarding the personal safety of individual academics.
NOTES


2 http://www.unhchr.ch/pdf/report.pdf


4 In 2000, the average years of schooling in Oaxaca was 6.0 for males and 5.2 for females. The national averages that year were 7.6 and 7.1 respectively; only the state of Chiapas had lower figures (INEGI 2003: “Promedio de escolaridad de la población de 15 años y más por entidad federativa según sexo, 2000.”) Life expectancy in 2001 was 72.9 in Oaxaca; again, only Chiapas had a lower figure, and not by much (72.8). The national figure was 75.7 (INEGI 2003: “Esperanza de vida por entidad federativa según sexo, 2001.”) In 2001, the average hourly income in Oaxaca was 9.8 pesos, the lowest figure for any state in the country. By way of contrast, the state with the highest average hourly wage was Baja California, with 31 pesos/hour; the national average was 19.4 (INEGI 2003: “Ingreso mediano por hora trabajada de la población ocupada por entidad federativa y sexo, 2001.”)

5 Vigilantes identified as off-duty police or persons aligned with the government.

6 Bradley Will was videotaping a confrontation between protesters and men later identified as police out of uniform in the community of Santa Lucía when he was killed by a man with a pistol shooting at the protesters. Will’s final footage is part of the DVD produced by Mal de Ojo TV, “True to My Pledge: Impunity in Oaxaca,” 2007.

7 During our visit to Oaxaca in June 2007, Dr. Bertha Muñoz was in hiding, according to many sources we spoke with outside Mexico. An interview recorded with her early in 2007 was accessed on YouTube 28 June 2007: http://www.youtube.com/watch?v=ncGrEadw81Q&mode=related&search=.

8 The delegation made an attempt to talk with several artists, including Francisco Toledo, to gain their perspectives on the conflict and its impact on non-university affiliated intellectuals (i.e., those named in the mandate as “cultural workers”).
APPENDICES
APPENDIX 1

Partial list of individuals interviewed in Oaxaca:

Salvador Aquino: Professor, CIESAS (Centro de Investigaciones y Estudios Superiores en Antropología Social Pacífico Sur)
Anselmo Arellanes: Professor, ITO (Instituto Tecnológico de Oaxaca)
Sergio Beltrán: Professor, Universidad de la Tierra
Margarita Dalton: Professor, CIESAS
Gustavo Esteva: Professor and Director, Center for Intercultural Encounters and Dialogues, Universidad de la Tierra
Demian Flores: Oaxacan artist
Jorge Hernández: Professor, IIS (Institute of Sociological Research), UABJO (Universidad Autónoma “Benito Juárez” de Oaxaca)
Fernando Lorenzo: Member, Section 22 of the SNTE (National Education Workers Union)
Víctor Raúl Martínez: Professor, IIS-UABJO
Francisco Martínez Neri: Rector (President) of UABJO
Maru Mata: Member, 25th of November Liberation Committee
Sara Méndez: Member, RODH (Oaxacan Human Rights Network)
Guillermo Monteforte: Member, Alternative Media Sources “Ojo de Agua” and “Mal de Ojo” TV
Salomón Nahmad: Professor and Director, CIESAS
Raúl Ávila Ortiz: Former Chief of Advisors to the Governor of Oaxaca
Carlos Plascencia: Director, Radio Universidad
Héctor Pablo Ramírez-Leyva: Former State Chairman, PRI (Institutional Revolutionary Party) and former coordinator of Social Communication for State
José Rentería: Priest, San Bartolo Church in Coyotepec
Alberto Sánchez: Professor, ITO
Ýessica Sánchez Maya: President, Mexican League for the Defense of Human Rights in Oaxaca
Alma Soto: Member, 25th of November Liberation Committee
Perla Woolrich: PAN (National Action Party) Candidate
Miguel Angel Vázquez de la Rosa: EDUCA (Services for an Alternative Education)
Alba Vázquez Miranda: Professor, UPN (Universidad Pedagógica Nacional)
Gloria Zafra: Professor, IIS-UABJO
Luz Divina Zárate: Coordinator of Social Communication for the State
APPENDIX 2

SOLICITUD AL CONSEJO EJECUTIVO DE LASA

Ciudad de México, a 6 de diciembre del 2006.

Estimados colegas del Consejo Ejecutivo de LASA,

La situación tan dramática que se vive actualmente en Oaxaca debido a la violación de las garantías individuales y los derechos de libre expresión nos motiva como académicos a escribirles esta solicitud de apoyo urgente.

Dado que:
Durante los últimos seis meses se ha radicalizado el conflicto sociopolítico y la violencia social en el estado de Oaxaca, lo que se exacerbó con la entrada de la Policía Federal Preventiva (PFP), el día 29 de octubre de 2006. Desde entonces la represión abierta, las detenciones ilegales, las desapariciones, los asesinatos, y todo tipo de abuso a los derechos humanos han aumentado vertiginosamente. Por ejemplo, más de 200 personas fueron encarceladas, docenas han desaparecido, y hay reportes de que otras han sido severamente heridas y posiblemente asesinadas en el conflicto que tuvo lugar el sábado 25 de noviembre y el domingo 26 de noviembre del 2006. Dado el uso excesivo de la fuerza policíaca, la tortura y la violación sexual utilizada en otros desalojos y encarcelamientos de activistas sociales, como el caso de San Salvador Atenco que fue denunciado en un informe reciente de la Comisión Nacional de los Derechos Humanos (CNDH), tememos por la integridad física de los detenidos, algunos de ellos universitarios, e incluso de posibles acciones futuras contra miembros destacados de la comunidad académica e intelectual de Oaxaca.

El clima de represión ha ensombrecido la libertad de expresión académica e intelectual, y ha generado inseguridad en la población. Varios colegas nuestros han sido amenazados y algunos han tenido que salir de la ciudad por temor a su propia seguridad. De hecho, la libertad de reunión de varios de nosotros en Oaxaca ha sido bastante restringida por los cateos y amenazas frecuentes perpetrados ilegalmente por las fuerzas de seguridad. Por lo mismo ha sido necesario tomar una serie de precauciones para reunirnos con miembros de organizaciones afines de la sociedad civil con el fin de discutir propuestas y propiciar formas no-violentas de continuar los diálogos inter-sectoriales, tan necesarios para lograr la paz y la distensión en la entidad. Así mismo, el control y la manipulación tan extremos que hay sobre la prensa, la radio y la televisión estatal y nacional no nos permite expresar libremente nuestras opiniones y comunicar datos y hallazgos relevantes a los procesos de debate tan imprescindibles para la resolución del conflicto.

A pesar de que el intento por parte de la policía federal de incursionar en la Universidad Autónoma Benito Juárez de Oaxaca a principios de noviembre - amenazando con violar la autonomía universitaria consagrada en la Constitución
Mexicana – fue bloqueado por una resistencia masiva de la población oaxaqueña, persiste la amenaza de violar la autonomía universitaria para silenciar la resistencia al gobierno actual.

La represión por parte del gobierno local y federal ha hecho casi imposible comunicar objetivamente los hechos que están tomando lugar en Oaxaca, por lo que resulta urgente introducir voces imparciales y bien informadas sobre lo que sucede en la entidad.

Por lo anterior, como académicos mexicanos preocupados por lo que sucede en Oaxaca, varios de nosotros miembros regulares de LASA, les solicitamos de la manera más atenta que consideren la posibilidad de enviar una delegación internacional de observación lo antes posible para indagar sobre el clima actual de violación al estado de derecho en Oaxaca, y en particular para documentar la situación de los trabajadores académicos y culturales que han sido afectados directamente por el conflicto social. Asimismo, quisiéramos que dicha delegación valore el clima actual de la producción académica y cultural en la entidad y las condiciones para garantizar que ésta se desarrolle bajo criterios de libertad, los cuales necesariamente deben ser protegidos y preservados.

Consideramos que una delegación compuesta por distinguidos miembros de LASA - de alto renombre y neutralidad - podría alimentar de manera importante el debate público, aportando información actual recopilada de varios individuos, organizaciones, y agencias del gobierno involucrados en los hechos. El informe preparado por esta delegación contribuiría al conocimiento y comprensión de los acontecimientos recientes y podría ser un importante elemento para detener la represión y apoyar el reestablecimiento de las libertades que normalmente se gozan en la entidad.

Los abajo firmantes anexamos el nombre de nuestras instituciones con el fin de identificarnos, y con la plena confianza que esta lista quedará guardada para no perjudicarnos en forma adicional, especialmente a quienes vivimos en Oaxaca:

(signed by over 100 academics, many of whom are members of LASA)
APPENDIX 3

ORIGINAL PROPOSAL OF LASA EXECUTIVE COMMITTEE

Proposal for a

LASA Fact-finding Delegation to Oaxaca, Mexico

Approved by the LASA EC: 2/8/07

LASA has received an urgent request to convene a fact-finding delegation to investigate and report on recent developments in Oaxaca, Mexico that allegedly affect the exercise of freedoms of inquiry and expression on the part of researchers, teachers, cultural workers, and intellectuals associated with universities, schools, nongovernmental organizations, and similar institutions. This petition came in the form of letters signed by a very substantial number of LASA members and members of Mexico’s academic, cultural, and human rights communities.

LASA has periodically convened fact-finding delegations to investigate and report on developments in the Americas that are of significant interest to its members. LASA has, moreover, a long-standing commitment to the defense of freedoms of inquiry and expression in the Americas, a commitment that has most recently been reflected in the LASA Executive Council’s decision to create a permanent commission on academic freedom.

The LASA Executive Council has therefore voted to establish a nonpartisan fact-finding delegation to investigate and report on the situation in Oaxaca. Its mandate is to determine whether there is credible evidence of significant violations of the freedoms of intellectual inquiry and expression affecting researchers, teachers, cultural workers, or other such individuals or groups in the area. Such violations would include, but are not be limited to, politically motivated homicides, physical torture or intimidation, illegal judicial detention, the public targeting of individuals on the basis of their political beliefs or affiliations, involuntary separation from employment at educational or cultural institutions on the basis of an individual’s political beliefs or affiliations, and so forth.

If, upon investigation, the delegation determines that such violations have occurred, it should seek to ascertain the principal causes or sources of them. It should also make a reasonable effort to identify what actions should be taken by municipal, state, or federal governmental authorities; by national or international human rights organizations; or by other relevant actors to end such violations and to establish conditions for the effective exercise of the freedoms of inquiry and expression.

The delegation will consist of approximately five members, appointed by LASA’s president in consultation with the vice-president and the three Executive Council members designated as the working group on Oaxaca. The chair will be a senior member of LASA, and all the delegation members will be Latin Americanists of high professional
achievement and unimpeachable credibility. The precise composition of the delegation will be depend on the availability of qualified individuals to participate in the mission on relatively short notice. However, the delegation might possibly be comprised of two Mexican citizens, two U.S. citizens, and one citizen of a Latin American country other than Mexico.

The delegation’s plan of work will be defined through communications between LASA’s president and vice-president and the chair of the delegation. LASA envisions, however, that the delegation will spend approximately one week conducting interviews and reviewing relevant documents in Mexico (primarily in Oaxaca and Mexico City). To the extent possible, the delegation should communicate with national and/or international human rights organizations already conducting investigations into alleged rights abuses in Oaxaca.

Financial resources to support the delegation’s work (travel expenses, any costs associated with publicizing the delegation’s findings, and so forth) will be raised primarily from external sources. However, LASA will commit up to $5,000 of its own funds to support the delegation’s activities.

Once the delegation’s fact-finding mission is complete, it will produce its final report in the shortest time possible. The delegation will establish its own internal procedures for drafting the report and resolving any differences of interpretation that might arise among its members. An advanced draft of the report will be circulated to members of LASA’s Executive Council for their comment. If Executive Council members identify points of concern, LASA’s president will communicate such matters to the delegation’s chair. The final report and any plan for its dissemination must be approved by a two-thirds vote (7 of 10) of the Executive Council.
APPENDIX 4

CHRONOLOGY OF EVENTS IN OAXACA 2006-07 –14 June 2007 version

The following is our best estimate of the chronology of events between May 2006 and April 2007. We have compiled this information from a variety of sources (listed at the end), but some of these details will, no doubt, have to be corrected following the site visit. Where we have found limited reference to an event, we have included the source in parenthesis.

May 21, 2006: Section 22 of the Sindicato Nacional de Trabajadores de Educación (SNTE) decides to strike, establishing the encampment (Plantón) in the Zócalo. Radio Plantón, the encampment radio, begins broadcasting.

June 2: A group of 50,000 to 80,000 teachers, university students, parents, social organizations, and unions march to the city of Oaxaca.

June 6: 150 students from the Universidad Autónoma Benito Juárez de Oaxaca (UABJO), grouped under the Bloque Democrático Universitario (BDU), occupy the vice-chancellor’s office (rectoría) in protest to show their support for the teacher’s strike and to protest against the university registration fee.

June 7: the second megamarch takes place. The newspaper El Universal estimates that approximately 100,000 people marched against Governor Ruiz.

June 14: About 3,000 police from the Unidad Ministerial de Intervención Táctica de la Procuraduría General de Justicia and agents of the Unidad de Operaciones Especiales del Estado enter the encampment of the teachers with tear gas at 4:50 a.m. The teachers regroup and take back the town center (zócalo) at about 9.30 a.m. Unidentified individuals used acid to destroy the transmission equipment of Radio Plantón. UABJO students begin transmitting from support for the protesters.

June 15: A mesa de diálogo is established between the state and Section 22 of the SNTE. Approximately 50,000 university students and concerned citizens march in solidarity with the SNTE.

June 16: the third megamarch takes place.

June 17: The Asamblea Popular de los Pueblos de Oaxaca (APPO) meets in the building of the Faculty of Law and Social Sciences in the UABJO to draw up its formal constitution.

June 20: APPO is constituted formally during a meeting in Faculty of Law and Social Sciences building of the UABJO.

June 23-24: Representatives of the Catholic Church and painter Francisco Toledo agree to serve as intermediaries (through a Comisión de Intermediación) between Section 22 of the SNTE and the Government of Ulises Ruiz Ortiz. The popular teachers’ movement, supported by university students, blocks the entry to various governmental buildings and the main banks of the city. They agree to maintain a permanent encampment and to intensify protest in the city.

June 28: The fourth megamarch takes place.
July 1: The Comisión de Intermediación withdraws for the time being from the Mesa de Diálogo.

July 2: Presidential and state elections held. The Partido Revolucionario Institucional (PRI) loses most district federal offices.

July 22: Gunshots are fired at Radio Universitario, located in the UABJO during the night.

August 1: Three thousand women from the APPO march through town and then take over the state television and radio station, CORTV, Canal 9.

August 3: APPO threatened attacks on the newspapers Tiempo and Extra, resulting in the closing of the offices of both (US Department of State Report).

August 9: Two unidentified armed individuals entered the offices of the newspaper Noticias de Oaxaca, injuring four people.

August 11: Radio Universidad stops transmitting after equipment is destroyed by sulfuric acid. (It is unclear when it resumes broadcasting.)

August 16-17: APPO Forum entitled “Building Democracy and Governability in Oaxaca” takes place in the Faculty of Law of the UABJO. APPO calls for a Constituent Assembly.

August 18: Approximately 80,000 workers, associated with 20 unions (including road and airport workers, health workers, Social Security workers, malaria prevention workers, and employees of UABJO) joined the teachers in a 24 hour strike.

August 21: In the middle of the night, transmission towers of Canal 9 were destroyed. In response, women and other APPO members take over 12 commercial radio stations and begin broadcasting throughout the state.

August 22: 400 Ministerial State Police and Municipal Police of Oaxaca fire on APPO members guarding one of the newly-taken radio stations in a “clean-up operation.”

September 1: The fifth megamarch takes place.

September 21: The teachers union and the APPO initiate a march of over 4000 people to Mexico City where they will set up a protest camp outside of Congress. The teachers and APPO protesters will walk over 300 miles through four states before arriving in Mexico City in early October.

September 24: APPO members temporarily detain well-known Mexican journalist Ricardo Rocha (US Department of State report).

September 25: President Vicente Fox meets with eleven governors from the PRI to discuss the conflict in Oaxaca. Fox’s spokesperson, Ruben Aguilar, says that Fox will solve the problem in Oaxaca before November 30, the last day of his six-year term. URO attempts to open schools, demand that teachers return to classes, and threatens to fire all those who do not return and hire substitutes. His attempt fails.
September 26: The Minister of the Interior, Carlos Abascal, submits a draft proposal for the use of federal police in Oaxaca. President Fox will decide whether to authorize the use of force.

September 30: Marine helicopters fly over the city of Oaxaca confirming the decision of authorities to employ public force for the first time since the beginning of the conflict.

October 1: Unidentified group kidnaps C. Pedro García, a student from the Faculty of Law and Social Sciences of the UABJO, in the area around the Ciudad Universitaria. (CCIODH)

October 12: Citizens’ Initiative for Peace, Justice and Democracy meets.

October 21: Shots are fired at the house of artist Francisco Toledo.

October 26: Section 22 of the SNTE agrees to return to classes on October 30th if they are guaranteed safety, payment of salaries, release of political prisoners, and charges dropped against APPO leaders.

October 27: Ministerial and preventative police, backed by armed civilians, attacked the APPO barricades, resulting in the death of community members Esteban Ruiz, Esteban Lopez Zurita, and Eudasia Olivera Diaz, Mexican teacher Emilio Alonso Fabian, and indymedia journalist and U.S. citizen Brad Will. In addition, twenty-three people were injured, including Oswaldo Ramirez, photographer from Milenio. Radio Universidad is attacked by an unidentified group of individual, and the administrative building of the Faculty of Law of the UABJO is burned (unclear by whom) (CCIODH).

October 28: URO formerly asks President Vicente Fox Quesada to send in the Policía Federal Preventiva (PFP) to ensure the safety of the citizens and reestablish order.

October 29: After ignoring several previous requests by the Oaxaca governor for federal police intervention, President Fox sends in the PFP. Starting at about 2.00 p.m., approximately 4,500 police occupy the capital and the historic center. Chiapas Peace House states that a caravan of 6 buses of students from Mexico City headed for Oaxaca is detained by PRIistas in Nochixtlán. The students are beaten and at least 17 people are reported missing.

November 2: The PFP violently attacks the UABJO, occupied by university students and displaced protesters from the Zócalo. Radio Universitario is under siege the entire day, but continues to broadcast. Thousands of protesters arrive and the PFP is eventually forced to withdraw. The CNDH report states that 48 people are detained.

November 5: The sixth megamarch takes place.

November 8: After criticism by various political organizations and the press for his negative remarks towards the APPO, the rector of UABJO publicly demands respect for the rights of students and faculty and that a tentative operation by the Federal Police will not be a solution.

November 25: The seventh megamarch takes place in the city of Oaxaca. The Federal Preventive Police sent in by the Mexican government appear in full riot gear firing tear gas. More than 140 are injured and 141 are arrested that day (CNDH) and taken to the prison of Nayarit (approximately a twenty-hour drive from Oaxaca). Thirty-four are women and five are minors.
November 28-29: Forum of Indigenous Peoples of Oaxaca convened. Authorities and representatives of 14 different indigenous peoples were present (Amuzgo, Chatino, Chinanteco, Chontal, Chocholteco, Cuicateco, Huave, Mazateco, Mixe, Mixteco, Tacuate, Trique, Zapoteco, and Zoque).

November 29: The removal of the “Cinco Señores” barricade and the presence of police in the streets around the UABJO leads Radio Universidad to hand over the radio station to university authorities. The PFP proceeds to remove the last barricades found installed on Periférico, Ferrocarril, Universidad and La Noria Avenues, as well as impede access to the UABJO.

December 8: The eighth megamarch takes place.

December 16: At dawn on the 16th, the PFP begins to vacate the city of Oaxaca (CNDH).

December 18: The National Commission for Human Rights (CNDH) issues its preliminary report, concluding that 20 people had been killed, 370 injured and 349 imprisoned since June 2.

January 21, 2007: The Comisión Civil Internacional de Observación de Derechos Humanos (CCIODH) publishes its report on human rights abuses in Oaxaca. Their report states that 23 people have been killed in the conflict.

February 3: The ninth megamarch takes place.

March 8: The tenth megamarch takes place.

March 15-16: The Comisión Nacional de Derechos Humanos (CNDH) releases its final report, which is significantly less detailed than the CCIODH report. La Jornada reports that representatives from the PRD and Convergencia parties, as well as the president of the Human Rights Commission of the Senate (Rosario Ibarra de Piedra) consider that the CNDH is protecting URO. The Liga Mexicana de Defensa de los Derechos Humanos (Limeddh) produces a document of 181 pages outlining the omissions of the CNDH report.

March 23: The CCIODH issues a correction to their report, stating that 26 people have been killed in the conflict.

March 29: The Cámara de Diputados unanimously votes to request that the Suprema Corte de Justicia de la Nación (SCJN) name a special comisión to investigate the violation of individual rights in Oaxaca.

April 10: The SCJN announces that it will investigate possible violations of individual rights during the conflict in Oaxaca.

APPENDIX 5

UNIVERSITIES AND INSTITUTIONS OF HIGHER LEARNING IN OAXACA
(PARTIAL LIST)

Public universities
Universidad Autónoma Benito Juárez (UABJO)
Universidad Pedagógica Nacional (UPN)
Instituto Tecnológico de Oaxaca (ITO)
Instituto Tecnológico del Istmo
Instituto Tecnológico de Tuxtepec

Private Universities
Centro de Desarrollo y Psicoterapia Gestalt
Centro de Formación Humanística y Psicoterapia Gestalt
Colegio Antonio León
Colegio Superior de México
Instituto de Estudios Superiores de Oaxaca
Instituto de Estudios Superiores del Golfo de México
Instituto de Estudios Universitarios AC
Instituto Multidisciplinario de Especialización de Puebla
Universidad del Golfo de México Campus Oaxaca
Universidad José Vasconcelos de Oaxaca
Universidad Mesoamericana
Universidad Regional del Sureste
Centro de Estudios Superiores de Tuxtepec
Centro Universitario del Papaloapan
Centro Universitario Luis Donaldo Colosio Murrieta
Centro Universitario Salina Cruz

Regional universities
Universidad Tecnológica de la Mixteca
Universidad del Mar
Universidad del Istmo
Universidad de la Sierra Sur
Universidad del Papaloapan
Universidad de la Sierra Juárez
Universidad de la Cañada
Universidad de la Costa

Other academic centers
Centro de Investigaciones y Estudios Superiores en Antropología Social Pacífico Sur (CIESAS)
Instituto Nacional de Antropología e Historia Oaxaca (INAH)
Universidad de la Tierra
Miembros de la Asociación de Estudios Latinoamericanos (LASA) realizaron investigaciones sobre el impacto del conflicto social en Oaxaca.

OAXACA, México - Miembros de la Delegación Académica Investigadora de la Asociación de Estudios Latinoamericanos (LASA) sobre el Impacto del Conflicto Social en Oaxaca, con sede en Estados Unidos, manifestaron la “gran preocupación que existe en la comunidad académica de las Américas sobre los hechos acaecidos en esta ciudad (2006) y sus consecuencias”.

Matthew Gutmann, coordinador de la delegación y Marysa Navarro, ex presidenta de LASA, dieron a conocer que durante los últimos días estuvieron en la ciudad de Oaxaca un grupo de académicos enviados por la Asociación de Estudios Latinoamericanos (LASA) para estudiar el impacto del conflicto social en Oaxaca, desarrollado el año pasado.

Expusieron que el objetivo de su investigación consiste en conocer el impacto que estos acontecimientos tuvieron sobre los derechos de los académicos, intelectuales y trabajadores de la cultura.

Al concluir su estadía en Oaxaca, indicaron que esta delegación se origina en la solicitud expresa de un número importante de académicas y académicos miembros de LASA y de miembros de las comunidades académicas, cultural y de derechos humanos de México.

Esta delegación es presidida por el doctor Matthew Gutmann, antropólogo Profesor Asociado de Antropología de la Universidad de Brown, Estados Unidos, y cuenta con la participación de la Doctora Marysa Navarro, historiadora, profesora de Dartmouth College, Estados Unidos y ex presidenta de LASA (2003-04).

En un documento elaborado al final de este recorrido por Oaxaca, sostienen que LASA es un organismo que cuenta con más de seis mil académicos afiliados en todo el mundo “y ha convocado en ocasiones especiales a delegaciones de investigadores para estudiar situaciones de conflicto en las Américas y presentar informes que son de interés significativo para sus miembros”.

Además, LASA “ha contraído un compromiso desde hace mucho tiempo con la defensa de las libertades de investigación y expresión en las Américas, un compromiso que se ha reflejado últimamente en la decisión del Consejo Ejecutivo de LASA de crear una comisión permanente sobre la libertad académica”.
Explicaron que su mandato como delegación “ha sido investigar las consecuencias de los eventos que se están desarrollando en Oaxaca desde el año 2006, cuando se instaló el plantón magisterial en el Zócalo, y en qué medida han afectado el ejercicio de libertades de investigación y expresión por parte de los investigadores, profesores, trabajadores culturales e intelectuales asociados con universidades, organizaciones no gubernamentales e instituciones similares”.

Aclararon que son académicos, “políticamente independientes, y nuestra tarea ha consistido en entrevistar a un amplio abanico de actores gubernamentales y no gubernamentales, dirigentes políticos y sociales, académicos –indígenas y no indígenas-, trabajadores de derechos humanos y de la cultura, de modo de presentar al Comité Ejecutivo y a la comunidad de LASA un informe documentado sobre la situación vivida en Oaxaca y sus perspectivas de desarrollo. También hemos examinado documentos de numerosas organizaciones, material de registro audiovisual, expresiones artísticas, así como libros recientemente publicados sobre la crisis y el movimiento social”.

Uno de los encargos de esta delegación es “determinar si existe evidencia empírica válida de violaciones significativas de las libertades de investigación y expresión intelectual que afecten a investigadores, profesores, trabajadores culturales u otros individuos o grupos en el área. También la existencia de violaciones del derecho a la vida, a la integridad física, la existencia de detenciones injustificadas, casos de persecución, intimidación y amenaza a académicos y estudiantes”.

Durante sus labores de investigación, la delegación de LASA puso especial cuidado “en la situación de las instituciones académicas, en el respeto a la autonomía universitaria en el caso de la Universidad Autónoma “Benito Juárez” de Oaxaca y a la condición de las y los académicos que han asumido un compromiso con el movimiento social -incluidos pueblos indígenas- y la Asamblea Popular de los Pueblos de Oaxaca (APPO) y aquéllos y aquéllas que no lo han hecho”.

Estos académicos se comprometieron a enviar el informe de sus actividades en Oaxaca, a la sociedad oaxaqueña, una vez entregado al Comité Ejecutivo de LASA. Señalaron que mantendrán una actitud alerta ante el desarrollo de los acontecimientos en el futuro próximo.
APPENDIX 7

LIST OF THOSE KILLED IN THE CONFLICT

<table>
<thead>
<tr>
<th>Name</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Marcos García Tapia</td>
<td>07 August 2006</td>
</tr>
<tr>
<td>2. Andrés Santiago Cruz</td>
<td>09 August</td>
</tr>
<tr>
<td>3. Pedro Martínez Martínez</td>
<td>09 August</td>
</tr>
<tr>
<td>4. Pablo Octavio Martínez Martínez</td>
<td>09 August</td>
</tr>
<tr>
<td>5. José Jimenez Colmenares</td>
<td>10 August</td>
</tr>
<tr>
<td>6. Gonzalo Cisneros Gautier</td>
<td>16 August</td>
</tr>
<tr>
<td>7. Lorenzo San Pablo Cervantes</td>
<td>22 August</td>
</tr>
<tr>
<td>8. Daniel Nieto Ovando</td>
<td>01 October</td>
</tr>
<tr>
<td>9. Arcadio Fabián Hernández Santiago</td>
<td>02 October</td>
</tr>
<tr>
<td>10. José Manuel Castro Patiño</td>
<td>03 October</td>
</tr>
<tr>
<td>11. Jaime Rene Calvo Aragón</td>
<td>05 October</td>
</tr>
<tr>
<td>12. Jesús Montalvo Velasco</td>
<td>08 October</td>
</tr>
<tr>
<td>13. Alejandro García Hernández</td>
<td>14 October</td>
</tr>
<tr>
<td>14. Pánfilo Hernández</td>
<td>18 October</td>
</tr>
<tr>
<td>15. Alejandro López López</td>
<td>20 October</td>
</tr>
<tr>
<td>16. Bradley Roland Will</td>
<td>27 October</td>
</tr>
<tr>
<td>17. Emilio Alonso Fabián</td>
<td>27 October</td>
</tr>
<tr>
<td>18. Esteba Ruiz</td>
<td>27 October</td>
</tr>
<tr>
<td>19. Esteban López Zurita</td>
<td>27 October</td>
</tr>
<tr>
<td>20. Eudacia Olivera Diaz</td>
<td>27 October</td>
</tr>
<tr>
<td>21. Jorge Alberto López Bernal</td>
<td>29 October</td>
</tr>
<tr>
<td>22. Fidel Sánchez García</td>
<td>29 October</td>
</tr>
<tr>
<td>23. Roberto López Hernández</td>
<td>29 October</td>
</tr>
</tbody>
</table>

(Sources: CCIODH, CNDH)
APPENDIX 8

http://www.oaxacaenpaz.org.mx/

Oaxaca en paz

Esta es la APPO

Historia de la APPO

Estos son los delincuentes que te tienen secuestrado en tu ciudad

¡Detenlos dónde los veas o búscalos en su casa!

<table>
<thead>
<tr>
<th>Notas y artículos</th>
<th>Al maestro con cariño (humor)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Los enemigos de Oaxaca</td>
<td></td>
</tr>
<tr>
<td>&quot;la gran cojura&quot;</td>
<td></td>
</tr>
<tr>
<td>Adela Micha pone al descubierto</td>
<td></td>
</tr>
<tr>
<td>Padres de familia recuperan escuela de</td>
<td></td>
</tr>
</tbody>
</table>

| Felipe Martínez Soriano / Jazmines No. 24 Col. Reforma |
| Rosendo Ramírez Serrano (a) Jueves / Conocido, El Rosario Oax. |
| Flavio Sosa Villavicencio / Zaragoza No. 6, Sn. Bartolo Coyotepec |
| Rogelio Pensamiento Mesinas / Ignacio Mariscal No. 88, Un. Hab. del ISSSTE |
| Esmeralda Martínez Martínez / Jazmines No. 24 Col. |
| Miguel Ángel Schulz Dávila / Av. Oriente Mz.91 C-2 INF. R. flores Magón |
| Ulises Hernández López / Calle 26, Mz. 22 # 7, Fracc. El |
| Hugo Eloy Sánchez Dávila / Privada 2a. de Reforma Agraria 108 Col. Cinco |

Acciones ciudadanas:

¡NO SERÍA MALA IDEA! (ALIMENTOS Y BEBIDAS)

¡RESPETO A NOSOTROS QUE SOMOS PERSONAS DE TRABAJO!
<table>
<thead>
<tr>
<th>La APPO</th>
<th>Reforma</th>
<th>Rosario</th>
<th>Señores</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maribel Martínez Martínez / Jasmines No. 24 Col. Reforma</td>
<td>Mario Gerardo Hernández Mtz. / Ignacio Mariscal no. 88</td>
<td>Víctor Raúl Martínez Vásquez / Emiliano Zapata No. 117 Col. Reforma</td>
<td>Rosendo Pineda Celis (a) El Loco / Calle Norte &quot;, No. 305 Col. V. Bravo Ahuja</td>
</tr>
<tr>
<td>Abraham Martínez Alavés / Privada Los Mangos No. 209 Fracc, Trinidad de las Huertas</td>
<td>Catarino Torres Pereda</td>
<td>Demetrio Saavedra López / Dom. Conocido, Lachigolo. Oax.</td>
<td>Enrique Caseco Ruiz (a) La Escoba</td>
</tr>
<tr>
<td>Germán Mendoza Nube</td>
<td>Roberto Salomé García Lucero</td>
<td>Alejandro Cruz López</td>
<td>José Jiménez Colmenares</td>
</tr>
</tbody>
</table>
¡Detenlos dónde los veas o búscalos en su casa!
APPENDIX 9

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U.S. Department of State

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Zafra, Gloria
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