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Enforced Disappearances in México: A Good Practice on Human Rights Governance through Systematization of Experiences in Search of Justice and Truth (abstract)

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The Social Practice of Human Rights: Charting the Frontiers of Research and Advocacy

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Research Panel: Justice and Judicial Systems

Presenter: Luis Eduardo Zavala de Alba, Yale University

Title: Enforced Disappearances in México: A Good Practice on Human Rights Governance through Systematization of Experiences in Search of Justice and Truth

Abstract: The right to the truth and the right to justice are intimately related, and they should complement each other, but without confusing to act of searching for the missing persons with the investigation to determine criminal responsibility. Criminal investigation can and generally does contribute to the clarification of the disappearance cases. An effective criminal investigation can allow the provision of incentives so that those who hold information that may be relevant render it to the authorities doing the search for missing persons (article 4.2 of the Declaration on the Protection of All Persons from Enforced Disappearance); and contemplates establishing mitigating circumstances for those who, having participated in enforced disappearances, contribute to bringing the victims forward alive or voluntary provide information that helps clarify cases of enforced disappearance. It should also be allowed for the victims to participate actively in the efforts in the matter of justice. All these procedures involves the idea of human rights governance through the implementation of public policies as it is the good practice carried out by civil society organization, the commitment, willingness to dialogue, and persistence from the victim's relatives and an Attorney General and his team in Monterrey, Mexico.

On this empirical evidence called good practice there is a story of hope, strength, courage, love. In each good practice there is a mother, a father, a brother, a wife, children, friends, colleagues, partners. The experience represented and accumulated is an essential starting point that must serve as a model in a country with 23,270 victims.

Keywords: Human Rights, Governance, Unforced Disappearances, Public Policy, Right to the Truth and the Right to Justice