
MEXICO

United Mexican States

Population: 107.0 million (39.7 million under 18)

Government armed forces: 237,800

Compulsory recruitment age: 18

Voluntary recruitment age: 16 (training or early enlistment – see text)

Voting age: 18

Optional Protocol: ratified 15 March 2002

Other treaties ratified (see glossary):

CRC, GC AP I, ICC, ILO 182

With parental consent, 16-year-olds could volunteer for early military service. No information was available on the use of under-18s in armed groups.

Government

National recruitment legislation and practice

All Mexican men had to do military service in the army or the navy. In case of international armed conflict, service was compulsory for nationals of allied countries in the armed conflict who were resident in Mexico. Young men had to register with the military authorities between July and December of the year they turned 18. The Ministry of National Defence determined the number of conscripts needed each year, and the navy selected the conscripts it required from those chosen by lottery to undertake active service. Recruits chosen by lottery started active service in January or July of the following year. One year of active service was followed by membership of the reserve until the age of 40 and of the National Guard until the age of 45. All men of military age received an identification card indicating whether they had fulfilled their military obligations.¹

Volunteers for military service had to be aged 18–30, but under-18s could volunteer with parental consent in signal units for training as technicians under contracts for no more than five years.² Sixteen-year-olds who would be abroad or studying when they would normally do their military service could enlist with parental consent.³

Military service could be carried out either when required by the Ministry of Defence or at a training centre every Saturday from February to December. From 2006 conscripts undertook military instruction only; previously they had also worked with disadvantaged people in educational, sporting, cultural and social activities. Women could volunteer to join the armed forces from the age of 18. They undertook

activities related to the promotion of health and education.⁴

There were over 1,660 federal, state and municipal police forces.⁵ Candidates for the Federal Preventive Police had to be 18 years of age and to have completed their secondary education.⁶ Many military officials in recent years were transferred as active members of the armed forces to this police force, raising concerns that their policing functions were not clearly subject to civilian oversight.⁷

Military training and military schools

Armed forces schools were divided into superior, technical superior, secondary high and technical schools. Diplomas and degrees obtained in military schools were equivalent to those obtained in civilian colleges.⁸ In times of armed conflict, students at military schools were subject to military jurisdiction (*fuero de guerra*). Foreign or national scholars studying at military institutions were not subject to military jurisdiction, but had to follow the appropriate regulations.⁹

Superior schools included the Military Health Graduates School, Naval Medical School, Military Dentistry School and Military Engineers School. Civilian defence personnel were trained at the Naval Studies Superior Centre and the National Defence College. Naval recruits and officers could obtain degrees in naval sciences, engineering, medicine and communications at naval superior schools.¹⁰ These admitted young men and women aged 17–21, with parental consent.¹¹

Generally, technical superior schools, which included the Heroico Colegio Militar (army) and the Heroica Escuela Naval Militar (navy), admitted candidates between 15 and 18 years of age, with parental consent certified by a lawyer. Graduates from the Heroico Colegio Militar were given the rank of second lieutenant on completing three years of studies.¹² After 18 months' training at the Air Force Specialist Troop Military School, cadets became second sergeants. Training at other technical superior schools was for only one year, in theory allowing a 16-year-old to become a non-commissioned officer just 12 months after being admitted to the school.¹³

Armed groups

Paramilitaries

Paramilitary groups, with strong links to politicians, the military and powerful economic sectors operated in Chiapas and other southern states, taking advantage of local conflicts based on ethnic, religious and political differences and disputes over the use of natural resources and access to land.¹⁴ Many of these groups were registered officially, such as Peace and Justice (Paz y Justicia), which according to non-governmental organizations (NGOs) had issued

threats against political opponents and carried out enforced disappearances. Armed forces commanders reportedly trained members of these forces.¹⁵ In June 2005 several families were forced to flee their homes in Sabanilla, Chiapas, after reported threats from members of Peace and Justice.¹⁶

The Rural Defence Corps consisted of armed units made up of volunteers who supported the armed forces when required, including in case of armed conflict. They were reported to have a strength of around 14,000.¹⁷

In October 2006 unidentified armed groups, believed to include officers of state and municipal police in plain clothes, made scores of arrests without identifying themselves. The arrests took place in the city of Oaxaca during violence that followed a demonstration by supporters of the Popular Assembly of the People of Oaxaca against the presence of the Federal Preventive Police in the city. The officers reportedly tortured and ill-treated detainees, who were held incommunicado over several days.¹⁸ In November 2006 an indigenous community in Chiapas was attacked by over 200 armed individuals, reportedly wearing clothes used by state police and armed with machetes and high-calibre firearms. Four people died and four were subjected to enforced disappearance.¹⁹

Little was known about the structure of paramilitary groups, and there was no information on whether their members included under-18s.

Armed opposition groups

In November 2006 there were estimated to be more than 30 armed opposition groups in Mexico.²⁰ One of the largest, the Popular Revolutionary Army (Ejército Popular Revolucionario, EPR), which emerged in the state of Guerrero in 1996, had a presence in nearly 20 states including Chiapas. The Zapatista National Liberation Army (Ejército Zapatista de Liberación Nacional, EZLN), present in Chiapas since 1994, had spread to several other Mexican states, although not Guerrero.²¹ No information was available on the number of members of each organization.

In July 2005 the EZLN announced plans to initiate alternative political activism in Chiapas.²² The leader of the EZLN, Subcomandante Marcos, denied links between the EZLN and other armed opposition groups, saying that the group was seeking a peaceful solution and peace negotiations.²³

Smaller groups such as the Democratic Revolutionary Trend–People’s Army (Tendencia Democrática Revolucionaria–Ejército del Pueblo, TDR–EP) continued to be active and claimed responsibility for attacks with explosives in Morelos and Mexico state in 2004 and 2005 and in Mexico City in November 2006.²⁴

There was no information on the presence of under-18s in any of these groups.

Developments

In March 2006 a constitutional amendment created a separate juvenile justice system for children aged 12–18, where judges had to apply the principles of the best interests of the child.²⁵ The UN Committee on the Rights of the Child noted that the implementation of the system would require laws in each state to be drafted and implemented, as well as additional financial and human resources, and urged Mexico to take steps to ensure that states implement the revision as a matter of priority.²⁶

- 1 1942 Ley del Servicio Militar Nacional, amended 1998.
- 2 1942 Ley del Servicio Militar Nacional.
- 3 1942 Reglamento de la Ley del Servicio Militar.
- 4 Facultad Latinoamericana de Ciencias Sociales (FLACSO), Programa Seguridad y Ciudadanía, *Reporte del Sector Seguridad en América Latina y el Caribe, Informe Nacional: Mexico*, November 2006, www.flacso.cl.
- 5 Ibid.
- 6 Secretaría de Seguridad Pública del Distrito Federal, Instituto Técnico de Formación Policial, <http://portal.ssp.df.gob.mx>.
- 7 Amnesty International (AI), *Mexico: Laws without justice – Human rights violations and impunity in the public security and criminal justice system* (AMR 41/002/2007), 7 February 2007.
- 8 2005 Ley de Educación Militar del Ejército y Fuerza Aérea Mexicanos.
- 9 1986 Ley Orgánica del Ejército y Fuerza Aérea Mexicanos, amended 1998.
- 10 FLACSO, above note 4.
- 11 See, for example, Escuela Médico Naval, Requisitos de Ingreso, at <http://ec.digaden.edu.mx>.
- 12 Heroico Colegio Militar, www.sedena.gob.mx; Heroica Escuela Naval de México, <http://ec.digaden.edu.mx>.
- 13 Secretaría de la Defensa Nacional (SEDENA), Admisión 2007, Personal Civil y Militar con secundaria.
- 14 Observatorio Ciudadano de Políticas de Niñez, Adolescencia y Familia, *Unfulfilled Rights, Limited Futures: Public Policies and the Rights of Children and Adolescents in Mexico*, 1 January 2006, www.crin.org.
- 15 “La PGR debe investigar a los grupos armados y sus nexos con militares”, *La Jornada*, 10 February 2005, www.jornada.unam.mx.
- 16 *Amnesty International Report 2006*.
- 17 Marcos Pablo Moloeznik, “La naturaleza de un instrumento militar atípico: las fuerzas armadas mexicanas”, *Revista Fuerzas Armadas y Sociedad*, Year 19, No. 1, 2005, www.fasoc.cl.

- 18 AI, "Mexico: Fear of torture or ill-treatment/ incommunicado detention" (AMR 41/055/2006), 28 November 2006.
- 19 AI, "Mexico: Further information on fear for safety/fear of ill-treatment/arbitrary detention" (AMR 41/008/2007), 20 February 2007.
- 20 "Estiman que hay más de 30 grupos armadas", *El Universal*, 10 November 2006, www.eluniversal.com.mx.
- 21 Patricia de los Santos, "Grupos Armados en Mexico", *Rebelión*, 3 April 2005, www.rebelion.org.
- 22 *Amnesty International Report 2006*.
- 23 "El EZLN no tiene nexos con grupos armados: 'Marcos' ", *El Sol de Cuautla*, 13 December 2006, www.oem.com.mx.
- 24 "Estiman que hay más de 30 grupos armadas", *El Universal*, 10 November 2006.
- 25 Intervención del Secretario Técnico del Consejo de Menores, Lic. José Antonio Aguilar, Consideration of third periodic report of Mexico to the UN Committee on the Rights of the Child, 23 May 2006.
- 26 Committee on the Rights of the Child, Consideration of third periodic report submitted by Mexico, Concluding observations, UN Doc. CRC/C/MEX/CO/3, 2 June 2006.