

Human rights groups expose gross abuse of Mexican orphans and disabled

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Human rights organizations have accused the Mexican government of Felipe Calderon of violating anti-torture conventions in the treatment of mentally disabled adults and abandoned children who are institutionalized.

The report, issued on November 30 by the Washington-based Disability Rights International (DRI) and the Mexican Commission to Defend and Promote Human Rights (CMDPDH, Comisión Mexicana de Defensa y Promoción de los Derechos Humanos) exposed conditions at government institutions that are inhumane in the extreme.

The report was based on visits to 20 public and private institutions—shelters, orphanages and mental hospitals—in Mexico City and in the States of Mexico, Jalisco, Puebla, Veracruz and Oaxaca in 2009. It has been issued in advance of a United Nations conference scheduled for February 2011 in Geneva, Switzerland, at which Mexico is to report on the progress it has made on this issue.

An ABC News video visit to a two of these institutions illustrates what the report details. Once they enter these public institutions, patients lose all civil rights. The institutions are understaffed and lack basic items such as toilet paper, towels, blankets and clean water. Patients are left unattended most of the day, many of them tethered to walls and wheelchairs. Many are overmedicated and, in some cases, lobotomized without their consent. Children are routinely lost in the system—the DRI report suspects that many are trafficked into slavery and prostitution. Such is the degree of understaffing that in many cases patients themselves are recruited—but not paid—to work at these institutions.

For example, the DRI report mentions the Casa Hogar of Coapexpan, which houses 15 children and

two adults. According to the director of this facility, children are dropped off with no documents and no legal process is required for Casa Hogar to take custody of them. When two of the children became 18 years old, the orphanage chose to keep them as slave labor. “By making all the decisions for these women with no legal authority, this facility is effectively depriving these women of any practical opportunity to exercise their rights to make any choices about their lives,” declares the report.

In addition, the report charges government and institutional authorities with failing to protect children and the disabled from being physically and sexually abused, either in the facilities themselves or by their families, in the case of those that are returned to their families.

At a press conference in México City, DRI director Eric Rosenthal said that the DRI had conducted a similar inspection 10 years ago and found essentially the same conditions. Despite assurances by government authorities that conditions would change, they are as bad as or worse than they were then, even though the Mexican government sponsored the UN Convention on the Rights of Persons with Disabilities. “Mexico will have to answer to this report this February in Geneva,” declared Rosenthal. Mexico is a signatory to the 2006 UN Convention.

The report is dedicated to Ilse Michelle Curiel Martinez, an abused six-year-old, who was institutionalized in an orphanage three years ago, despite protestations from her grandmother, Ardelia Martinez Estrada, who volunteered to take Ilse into her home. Ardelia eventually won custody only to find that Ilse could not be found. According to the report: “After a long investigation, the authorities have not given the family any information about her whereabouts.

Officials at the Human Rights Commission of the Federal District believe she was trafficked.”

“The government of Mexico has no record as to how many people are detained in its psychiatric facilities, orphanages, shelters, and other institutions for people with disabilities,” adds the report. In many of the institutions, staff members have no record of the names of patients, or of the circumstances of their internment. Technically, the federal government is not charged with the running of any of these institutions; they are the responsibility of the states.

In fact, the 20 institutions visited by the two human rights groups operate with virtually no oversight from the Calderón administration. Federal authorities appear indifferent to the plight of this population of so-called abandoned individuals. “There is no reliable information as to the exact number of disabled persons interned in Mexican institutions, public or private,” said Rosenthal.

Fully 9 pages of the 63-page report provide detailed evidence of how the treatment of the patients including practices that have become routine in many of these facilities—binding, tethering, neglect, physical and even sexual abuse—meet the international legal definition of torture. This section carefully makes the case for torture by citing legal precedent and the content of various international conventions. To be considered torture, a treatment has to meet four specific criteria: it must inflict severe pain; it must be intentional; it must have the purpose of coercing the victim; and it must be the result of state action. The DRI report makes the case that the treatment of the disabled and children meet these four criteria.

None of the treatment catalogued by the DRI has any therapeutic use, including the use of medications and the physical restraining of people. Most alarming is the use of lobotomies and other forms of psychosurgeries, which are performed solely on the say-so of institutional authorities. These “treatments” involve cutting off portions of patients’ brains and reducing them to a vegetative state.

The DRI contends that by classifying the mistreatment and degrading treatment of the disabled and of children as torture, these will have a greater legal standing in Mexican and international courts. It hopes that the torture finding will pressure the Mexican government to reform orphanages and mental

institutions.

The report ends with 11 policy recommendations, including an end to placing children in orphanages, greater supervision of institutions, the creation of community-based outreach and support facilities, an end to life-threatening and torture methods, and the establishment of basic legal rights for disabled people.

At the root of this problem is that all 20 of these facilities are woefully underfunded. By one estimate, all 20 receive fewer funds than one average mental hospital in the United States. Often, personnel are untrained.

The deplorable conditions that exist in Mexican orphanages and institutions for the disabled are just one side of the social crisis facing Mexican children. Mexico City itself is home to some 25,000 homeless street children, ages 13 to 17, 7 percent of whom are believed to be HIV-positive. Drug use, mainly sniffing glue and gasoline as a way to fight hunger, is widespread.

Another 100,000 are homeless across Mexico. Official statistics list 3.6 million child laborers, 40 percent of whom never attend school. The impact of the current recession has worsened the situation. Just in the Mexican state of Guerrero, it is now estimated that 202,000 children labor to help their families.

The United Nations now lists Mexico as one of the main sources supplying children to North America. While families buy many of these as a shortcut to legal adoption, many others wind up exploited by the sex industry. Many of these children are kidnapped in the main cities; often they are drugged and raped.



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