



International Convention for the Protection of All Persons from Enforced Disappearance

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Committee on Enforced Disappearances

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Item 14 of the provisional agenda

Procedure under article 34 of the Convention

Request for information submitted to Mexico under article 34 of the Convention

Note by the Committee

A. Legal framework and background

1. The preamble to the Convention states that its purpose is to prevent enforced disappearances and to combat impunity for them. It is also aimed at guaranteeing the right of every person not to be subjected to enforced disappearance and the right of victims to justice and to reparation, as well as the right to know the truth about the circumstances of an enforced disappearance and the fate of the disappeared person, and the right to freedom to seek, receive and impart information to this end.
2. Under article 34 of the Convention, if the Committee receives information which appears to it to contain well-founded indications that enforced disappearance is being practised on a widespread or systematic basis in the territory under the jurisdiction of a State Party, it may, after seeking from the State Party concerned all relevant information on the situation, urgently bring the matter to the attention of the General Assembly of the United Nations, through the Secretary-General of the United Nations.
3. Article 103 (2) of the Committee's rules of procedure¹ states that "the Committee shall seek from the State Party all relevant information on the situation in order to urgently address incidents of enforced disappearance which it deems is being practised on a widespread and systematic basis in the territory under the jurisdiction of a State Party."
4. The Committee notes the cooperation of Mexico with the procedures set out in the Convention since it initiated its interactions in 2012, and recalls the observations and recommendations that it has transmitted to the State Party in this connection (see table). All the concerns, decisions, recommendations and documents referred to in this document are public, in accordance with articles 47, 55, 63, 83 and 100 of the Committee's rules of procedure.

¹ CED/C/1/Rev.3.



Table

Chronology of cooperation between the Committee and the State Party and the action taken by the Committee in connection with the different procedures of its mandate

<i>Date</i>	<i>Action</i>	<i>Legal framework</i>	<i>Documents/final decisions</i>
February 2007	Ratification of the Convention by the State Party		
1. Review of the initial report and additional information submitted by the State Party and adoption of the Committee's concluding observations		Article 29 (1), (3) and (4) of the Convention	
March 2014	Submission of initial report by the State Party		CED/C/MEX/1 and CED/C/MEX/1/Corr.1
February 2015	Constructive dialogue on the initial report Adoption by the Committee of the concluding observations on the report submitted by the State Party		CED/C/MEX/CO/1
February 2016	Submission by the State Party of information on follow-up to the concluding observations		CED/C/MEX/CO/1/Add.1
October 2016	Adoption of the report on follow-up to the Committee's concluding observations		CED/C/11/2
February 2018	Submission of information by the State Party on follow-up to the concluding observations		CED/C/MEX/CO/1/Add.2
September 2019	Constructive dialogue on additional information Adoption of the Committee's concluding observations		CED/C/MEX/OAI/1
January 2022	Submission of additional information by the State Party		CED/C/MEX/AI/2
September 2023	Constructive dialogue on the additional information submitted by the State Party and the report on the Committee's visit (CED/C/MEX/VR/1 (Findings) and CED/C/MEX/VR/1 (Recommendations))		CED/C/MEX/OAI/2

<i>Date</i>	<i>Action</i>	<i>Legal framework</i>	<i>Documents/final decisions</i>
	Adoption of the Committee's concluding observations on the additional information submitted by the State Party		
September 2026	Deadline for the submission of additional information by the State Party		
2.	Requests for urgent action	Article 30 of the Convention	
2012	Registration by the Committee of the first request for urgent action related to events in Mexico		
June 2025	Total number of registered requests for urgent action related to Mexico as of 18 June 2025: 757 (out of 2,064 registered cases), of which 78 were closed after the disappeared person was located and 679 are still active		
3.	Individual communications	Article 31 of the Convention	
October 2020	Acceptance of the procedure by the State Party		
July 2021	Registration of the first individual communication concerning Mexico		
October 2021	Registration of the second individual communication concerning Mexico		
March 2023	Adoption by the Committee of Views on the first communication		CED/C/24/D/4/2021
July 2024	Registration of the third individual communication concerning Mexico		
March 2025	Public hearing and adoption by the Committee of Views on the second communication		CED/C/28/D/5/2021

<i>Date</i>	<i>Action</i>	<i>Legal framework</i>	<i>Documents/final decisions</i>
4.	Country visit	Article 33 of the Convention	
2012–2013	Receipt of the request for the activation of the procedure under article 33 of the Convention		
May 2013	Request for information from the State Party on the request received		
September 2013	Meeting with the State Party at which it stated that it would extend an invitation to the Committee		
January 2014	Reiteration of the Committee's decision to request a visit		
February 2014 to March 2020	Exchanges in which Mexico did not agree to the visit or postponed it		
30 August 2021	Acceptance by the State Party of the Committee's visit to Mexico		
15–26 November 2021	Committee's visit to Mexico		
March 2022	Report of the Committee on its visit to Mexico		CED/C/MEX/VR/1 (Findings) CED/C/MEX/VR/1 (Recommendations)
August 2022	State Party's response to the visit report		CED/C/MEX/OVR/1 and annexes
September 2023	Constructive dialogue on the additional information submitted by the State Party (CED/C/MEX/AI/2) and the Committee's report on its visit to Mexico Adoption of the Committee's concluding observations on the additional information submitted by the State Party		CED/C/MEX/OAI/2
5.	Action based on indications that enforced disappearance is being practised on a widespread or systematic basis	Article 34 of the Convention	
2019	Initial request to activate the procedure; the Committee takes no action		

<i>Date</i>	<i>Action</i>	<i>Legal framework</i>	<i>Documents/final decisions</i>
2021	Four requests to activate the procedure The Committee decided not to activate the procedure in order to avoid any overlap with the visit procedure		
March and April 2025	Receipt of well-founded indications that enforced disappearance is being practised on a widespread or systematic basis in the State Party (International Federation for Human Rights)		
March 2025	Receipt of a letter supporting the activation of the procedure (submitted on behalf of 20,495 individuals and groups)		
17 March–4 April 2025	Twenty-eighth session of the Committee: adoption of the decision to request all relevant information on the situation from the State Party		

5. The scope and frequency of the interactions between the Committee and Mexico reflect a particular concern about disappearances, including enforced disappearances, in the territory under the State Party's jurisdiction. The Committee recalls its concluding observations of 2015, in which it noted that the information received by the Committee reveals a situation of widespread disappearances in much of the State Party's territory, many of which may be classified as enforced disappearances and some of which occurred after the Convention's entry into force.² In its visit report of 2022³ and in its concluding observations,⁴ the Committee reiterated its deep concern that disappearances continue to be widespread over much of the State Party's territory and that almost absolute impunity prevails in this regard, which is a factor that contributes to revictimization.

6. In this regard, the Committee recalls the observations and recommendations transmitted to the State Party following its visit in which the State Party was urged to establish and implement a public policy to prevent and eradicate enforced disappearances that: (a) recognizes and takes into consideration the criteria for determining the responsibility of public officials; b) eradicates the structural causes of impunity; (c) abandons the militarized approach to public security; d) guarantees access to truth, justice and reparation for all victims; (e) duly implements the framework of regulations, case law and institutions throughout the country; and (f) spotlights, disseminates information on and raises awareness of disappearances in Mexico.⁵

² CED/C/MEX/CO/1, para. 10.

³ CED/C/MEX/VR/1 (Findings), para. 24.

⁴ CED/C/MEX/OAI/1, para. 3; and CED/C/MEX/OAI/2.

⁵ CED/C/MEX/VR/1 (Findings), paras. 30–37.

7. In the same report, the Committee highlighted the forensics crisis in the country and requested the State Party to urgently strengthen the capacity of forensic services for the identification and custody of located bodies and human remains, including the capacity of the National Centre for Human Identification.⁶

8. In addition, the Committee referred to the need to:

(a) Ensure systematic and effective coordination of the authorities of all the competent powers in the search for disappeared persons and the investigation of their alleged disappearance;

(b) Remove obstacles preventing cases of enforced disappearance from being brought before the courts;

(c) Duly address disappearances occurring in the context of migration;

(d) Facilitate search, investigation, reparation and memory efforts related to long-standing cases;

(e) Facilitate access to searches, truth, justice and reparation using a differential approach;

(f) Recognize the role of victims and adequately address their support and protection needs;

(g) Protect public officials that participate in searches and investigations;

(h) Address shortcomings in registers as a strategy for preventing and eradicating disappearances.⁷

9. The Committee acknowledges the measures recently taken by the State Party to address disappearances, including enforced disappearances, such as the issuance of the Presidential Decree of 18 March 2025, which strengthens procedures for searching for missing and disappeared persons; the bill to amend the General Act on Enforced Disappearance and the National Missing Persons System currently under discussion; and the plans to improve forensic records. However, the Committee notes with concern that, according to the available information:

(a) The number of disappeared persons in Mexico continues to rise, increasing from 95,121 officially registered disappearances as at the date of adoption of the Committee's visit report in March 2022 to 129,341 as of 17 June 2025;

(b) No concrete and effective progress has reportedly been made in adopting the national policy to prevent and eradicate disappearances, including enforced disappearances, including with regard to the structural changes identified as a priority by the Committee in its visit report;

(c) Reports of disappearances received by the Committee in connection with all its procedures collectively provide reliable information on the possible involvement of State actors in acts committed by non-State actors, either directly or with the authorization, support or acquiescence of State actors;

(d) Information provided by the State Party during the constructive dialogue with the Committee in September 2023 suggests that levels of impunity remain high in cases of disappearance and enforced disappearance at both the state and federal levels.⁸

B. Situation reported to the Committee

10. In this connection, the Committee has received credible information from various sources indicating that, *prima facie*, enforced disappearances appear to be committed on a

⁶ Ibid., paras. 28 and 29; CED/C/MEX/VR/1 (Recommendations), paras. 57–71; and CED/C/MEX/OAI/2, paras. 47 and 48.

⁷ CED/C/MEX/VR/1 (Recommendations).

⁸ CED/C/MEX/OAI/2, paras. 11 and 12.

widespread or systematic basis in Mexico. The most recent information received from the International Federation for Human Rights in February and April 2025⁹ suggests that the problem of disappearances, including enforced disappearances, is sufficiently serious in the State Party to merit action by the Committee under article 34 of the Convention.

11. During its twenty-eighth session, acting pursuant to article 34 of the Convention, the Committee carefully examined the information received, in the light of all the information made available under the different mandated procedures established in the Convention.

12. In this regard, the Committee considers that the notion of “well-founded indications”, referred to in article 34 of the Convention, means that the Committee must be satisfied, *prima facie*, that it has received detailed and accurate information, from a reliable source, indicating that acts falling within its competence have occurred. However, under article 34, the Committee does not act as a commission of inquiry and is not required to make a finding of fact. Therefore, it is not required to apply the standard of proof to determine that events constitute the “reasonable grounds” or “substantial reasons to believe” used by commissions of inquiry¹⁰ or by the Prosecutor of the International Criminal Court in deciding whether to open an investigation (Rome Statute, art. 53). Under the “well-founded indications” rule, the Committee must determine whether it is satisfied that the information before it gives rise to sufficient concern to bring the matter to the attention of the General Assembly, which could then decide to take further steps to establish the relevant facts and take action within its competence.

Information submitted to the Committee under article 34 of the Convention

13. The information submitted to the Committee includes specific information provided by the International Federation for Human Rights on documented cases that appear to indicate that enforced disappearances have been, and are being, committed in a systematic and widespread manner in the past and in the present. In particular, it refers to the situations in Coahuila between 2009 and 2016, in Nayarit between September 2011 and September 2017 and in Veracruz between 2010 and 2017.

14. With regard to more recent cases, it should be noted that:

(a) A total of 28,880 disappearances were registered in the National Register of Missing and Disappeared Persons between 1 January 2023 and 22 April 2025;

(b) The situations in Coahuila, Jalisco, Nayarit and Veracruz appear to indicate that disappearances have been committed systematically, with specific patterns of acts that directly involve some State officials, or that are carried out with their authorization, support or acquiescence.

15. The information indicates that enforced disappearances appear to be organized in nature, as demonstrated by the recent findings of mass graves; the systematic practice of disappearances occurring as part of the struggle for territorial control by drug cartels with a similar *modus operandi* and with some degree of involvement, tolerance and lack of intervention by the authorities of the State Party; and the persistence of impunity and efforts to cover up the situation.

16. The information submitted also indicates that, despite the Committee’s visit to Mexico and its recommendations to the State Party, the number of disappeared persons continues to rise and the forensics crisis and the climate of impunity are ongoing. Although Mexico has enacted laws and policies to address enforced disappearance and to enable these offences to be investigated, high-level perpetrators are considered not to have been held accountable.

⁹ Information available at tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2FCED%2FRI%2FMEX%2F29%2F40310&Lang=en and tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2FCED%2FRI%2FMEX%2F29%2F40311&Lang=en.

¹⁰ Office of the United Nations High Commissioner for Human Rights, *Commissions of Inquiry and Fact-Finding Missions on International Human Rights and Humanitarian Law: Guidance and Practice* (2015), p. 62.

The information includes allegations that impunity is linked to evidence of widespread corruption, particularly on the part of the local judiciary and state governments, which prevents genuine investigations.

17. The Committee recalls that:

Throughout its visit to Mexico, interlocutors put forward various hypotheses concerning the possibility that public officials were responsible for disappearances. Although the prevailing discourse in official circles tends to deny or dilute the responsibility of the State Party by claiming that most disappearances are perpetrated by private individuals mainly linked to organized crime, the Committee has received many other allegations that insist on the direct or indirect responsibility of the State, taking into account the patterns of the disappearances occurring in the country. In some cases, it is alleged that public officials are directly involved based on strong evidence such as photographs, testimonies and videos. In others, that the authorities and officials fail to act in the face of known risks.¹¹

18. Specific allegations relating to such practices have also been identified in connection with the 757 requests for urgent action registered by the Committee in relation to the State Party under article 30 between 30 March 2012 and 18 June 2025. In particular, the Committee notes with concern that:

(a) Disappearances affect persons of a wide range of ages, characteristics and social backgrounds.¹²

(b) In the majority of the cases recorded, there is information indicating that disappearances, including enforced disappearances, are a widespread practice in the states concerned. In this regard, the allegations relate to links between state agents and criminal groups, including in connection with disappearances, in which they participate either directly or indirectly through their authorization, support or acquiescence.¹³

19. As the cases have unfolded, the Committee has also noted with concern that the information submitted appears to reveal failures in search and investigation procedures and that the responses provided by the State Party usually fail to demonstrate that effective action has been taken to address them. In particular, the Committee has noted the following trends, which it has highlighted in its registration and follow-up notes to the State Party and in its periodic public reports on requests for urgent action:¹⁴

(a) In most cases, searches appear to be conducted primarily by the family members of disappeared persons. When the competent authorities do intervene, the available information appears to show that they tend to do so almost exclusively by issuing requests for documentation and making routine requests for cooperation between federal and state institutions, in the absence of a pre-established search and investigation plan or strategy;¹⁵

(b) Well-founded allegations are frequently made that the competent national authorities appear to have failed to take timely action to search for disappeared persons and to locate, analyse and protect evidence related to the case. For example, the Committee notes that the majority of requests for urgent action concern delays or failures relating to the following investigation and search activities:

- Visiting the alleged place of occurrence of the events or the possible location of the disappeared person;¹⁶

¹¹ CED/C/MEX/VR/1 (Findings), para. 39.

¹² See CED/C/28/3, para. 69.

¹³ CED/C/27/2, para. 48; and CED/C/28/3, para. 70.

¹⁴ See the Committee's reports on requests for urgent action between the eleventh (CED/C/11/3) and the twenty-eighth sessions (CED/C/28/3).

¹⁵ CED/C/28/3, paras. 72, 93 and 94.

¹⁶ CED/C/27/2, para. 84.

- Conducting forensic analyses of the available genetic samples and taking the relevant samples with a view to identifying disappeared persons;¹⁷
- Compiling and analysing telephone networks, call sheets, data generated from mobile phones,¹⁸ and videos from security cameras at places where the acts allegedly occurred.¹⁹

(c) The Committee also notes with concern that, according to the allegations received, the authorities usually inform victims that a lack of human and financial resources is hindering the investigation and search activities;²⁰

(d) The information provided by the State Party on search and investigation strategies, contextual analysis and the outcomes of these activities appears to indicate that the alleged links between state agents and criminal groups are not usually considered in the course of the related procedures. A number of authors of requests for urgent action have presented detailed data on the alleged involvement of public agents in acts that appear to have hindered searches and investigations.²¹ Although the Committee has provided the available information to the State Party and reminded it of its obligation under article 12 of the Convention to investigate such allegations, it has not received any response indicating that systematic and effective measures to this end have been taken;²²

(e) Lastly, the Committee has expressed its concern about the fact that some of the disappearances reported to it under the urgent action procedure are not being investigated as possible enforced disappearances as the authorities opt to apply another type of criminal offence, even when the family members of the disappeared person have specifically requested that the offence be prosecuted as an enforced disappearance.²³

20. The Committee also wishes to point out that similar trends were observed in the two individual communications relating to Mexico that it examined under article 31 of the Convention.²⁴

Preliminary assessment of the Committee in the light of the available information

21. In accordance with article 34 of the Convention, the Committee has analysed the situation in question to determine whether it appears to reflect a widespread or systematic practice of enforced disappearance in the light of article 5 of the Convention, according to which “the widespread or systematic practice of enforced disappearance constitutes a crime against humanity as defined in applicable international law and shall attract the consequences provided for under such applicable international law”.

22. The Committee considers that applicable international law refers both to general international law – customary international law and the general principles of international law – and to the treaties that the State in question has ratified, acceded to, or otherwise accepted, which, in the case of Mexico, includes the Rome Statute of the International Criminal Court, which it ratified on 28 October 2005.

23. Therefore, in applying article 34 of the Convention, the Committee must determine whether, *prima facie*, the available information appears to reveal well-founded indications that enforced disappearances have been committed as part of a widespread or systematic attack against a civilian population, with knowledge of the attack. Such notions must be interpreted in accordance with the relevant case law of the International Criminal Court and

¹⁷ CED/C/MEX/VR/1 (Findings), paras. 28 and 29; CED/C/MEX/VR/1 (Recommendations), paras. 57–71; and CED/C/MEX/OAI/2, paras. 47 and 48.

¹⁸ CED/C/27/2, para. 84.

¹⁹ CED/C/28/3, para. 70.

²⁰ CED/C/27/2, para. 84.

²¹ *Ibid.*, para. 87.

²² *Ibid.*, para. 88.

²³ *Ibid.*, paras. 34 and 35; and CED/C/28/3, para. 75.

²⁴ *Berrospe Medina v. Mexico* (CED/C/24/D/4/2021) and *Ramírez Barrios and Ramírez Barrios v. Mexico* (CED/C/28/D/5/2021).

other international or hybrid tribunals, which describe in detail the conditions that must be met to establish the existence of crimes against humanity.²⁵

C. Decision of the Committee

24. In view of the above, the Committee decides to request the State Party to provide all relevant information on the situation referred to in this document. The Committee therefore invites the State Party to respond to the information transmitted by 18 September 2025.

25. The Committee further decides that it will consider the information submitted by the State Party at its twenty-ninth session with a view to determining whether to urgently bring the matter to the attention of the General Assembly of the United Nations, or to take other action under rule 106 (1) of the Committee's rules of procedure.

²⁵ See article 7 (1) of the Rome Statute. See also International Criminal Court, Trial Chamber II, Situation in the Democratic Republic of the Congo, *The Prosecutor v. Germain Katanga*, judgment pursuant to article 74 of the Statute, 7 March 2014 (ICC-01/04-01/07), paras 1104–1106, 1108, 1119 and 1123; and Appeals Chamber, Situation in the Democratic Republic of the Congo, in the case of *The Prosecutor v. Bosco Ntaganda*, judgment on the appeals, 30 March 2021, paras. 381 and 424. See also International Tribunal for the Former Yugoslavia, Appeals Chamber, *The Prosecutor v. Milan Martić*, judgment, case No. IT-95–11, 8 October 2008, para. 297.