

# Between Insurrection and Government

## ICRC ACTION IN MEXICO

(January-August 1994)\*

by Béatrice Mégevand

### INTRODUCTION

On 1 January 1994, Mexico's awakening after New Year's Eve was rude to say the least, for that was the date chosen by a hitherto unknown guerrilla movement, the *Ejército Zapatista de Liberación Nacional* (Zapatista National Liberation Army)<sup>1</sup>, to launch a simultaneous attack on several municipalities in the south-eastern Mexican State of Chiapas, and particularly on its jewel, well known to tourists — San Cristóbal de Las Casas.

No analyst had foreseen this sudden outburst of indigenous fury, which for twelve days sent shock waves throughout the country. The toll taken by the brief conflict was heavy: according to official figures, over 150 people (mostly civilians) were killed, several dozen wounded and some 140 detained. Public opinion was traumatized, for despite its historical tradition of extreme violence, Mexico had lost the habit of war since the revolution of Pancho Villa and Emiliano Zapata.

In the space of a few days, reaction was organized against this new revolutionary outburst, inspired in its symbolism and content by that great Mexican revolutionary hero. Once the initial surprise had worn off, President Salinas de Gortari appointed a special representative — the *Comisionado para la Paz y la Reconciliación en Chiapas* (Commissioner for

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\* Original: French — September 1994.

<sup>1</sup> More commonly known as EZLN or just EZ, or as “*los zapatistas*”.



⊕ ICRC mission + ICRC presence

ICRC 1.95

Peace and Reconciliation in Chiapas), known as the *Comisionado* for short — to start talks with the guerrilleros as soon as possible; a mission to mediate between the government and the EZLN was organized under the aegis of Monsignor Samuel Ruiz García, Bishop of San Cristóbal; two heads fell in the government — that of the Governor of Chiapas State, Elmer Setzer, and that of the Minister of the Interior (and former Governor of Chiapas), Patrocinio González Garrido; and last but not least, a unilateral cease-fire was declared by the President himself on 12 January. The EZLN accepted the cease-fire and withdrew to “its own” territory, the dense jungle known as the Selva Lacandona.

That was also the date on which the ICRC, which had been present in Chiapas since 5 January, thanks to the support and cooperation of the Mexican Red Cross (MRC), offered its services in order to assist the victims of the conflict and ensure that the protection provided for by international humanitarian law was guaranteed by the parties.

## Humanitarian action and dialogue

It is interesting to note that in its very first communiqué, the *Declaración de la Selva Lacandona* issued to the national and international press, on 1 January, the EZLN had declared its intention to respect the “law of war” and its desire for the presence of the “International Red Cross” in Chiapas. In spite of some inaccuracies in the wording, the intentions were good and above all clearly expressed.

The offer of services was accepted one week later, on 17 January, and as from the 18th the ICRC was authorized to visit some 70 detainees held in the Cerro Hueco prison at Tuxtla Gutiérrez, the capital of Chiapas State (the other 73 had meanwhile been released). These visits, like all those which followed until the last three detainees were freed in mid-July, were coordinated with the National Commission of Human Rights (NCHR) and were all conducted under conditions conforming with ICRC practice, with the full cooperation of the detaining authorities. Two reports and a *note verbale* containing the findings of the ICRC were sent to the authorities in Mexico City via the Ministry of Foreign Affairs.

The ICRC delegation was also involved from the outset in the “pacification” process intended to bring about the dialogue that the government firmly intended to establish as soon as possible with the EZLN. In this context, both the mediators (the only channel of communication between the ICRC and the EZLN during the first few weeks) and the *Comisionado* called upon the ICRC to establish a permanent presence in the “free zones”

— a vague term used to designate the buffer zones that the EZLN wanted to have in order to avoid any direct contact with the Federal Army.

The presence that the ICRC was requested to establish in the “free zones” was essentially a medical one, in order to provide the civilian population in the conflict area with the assistance that had been cut off since 1 January. The government demanded however that the ICRC work with Mexican staff, from the Ministry of Health or from the Mexican Red Cross.

After several postponements, partly due to misunderstandings between the government and the EZLN (communication with which soon proved difficult owing to the impossibility of direct contacts), on 4 February the ICRC unfurled its flag at San Miguel and Guadalupe Tepeyac, two “free zones” on which the parties had managed to agree. These zones were situated at the two main entrances to the Selva Lacandona.

Medical work began there immediately, with staff from the Epidemiology Department, dispatched by the Ministry of Health from Mexico City as a vanguard to deal with the emergency. From the outset, the main role played by the ICRC was that of a “guarantor of neutrality”, enabling the Mexican medical staff to operate in a hostile region.

Very soon after the opening of the “free zones”, proceedings to establish a dialogue between the government and the neo-Zapatistas were stepped up, resulting in an intensification of ICRC activities.

The ICRC was thus requested to place EZLN delegates, whom it was to transport from an unknown point in the Selva Lacandona to the meeting-place (both places to be kept secret until the day before the meeting), under the protection of the red cross emblem and to guarantee the neutrality of the area around the place where the dialogue was to be held. The actual meeting-place could not be demilitarized, since some of the EZLN delegates refused to lay down their arms. At that early stage there was no mention of negotiation, although the term was to be used freely by the media as soon as the meetings began.

Meanwhile, the ICRC representatives had at last managed to take up direct contacts with the EZLN, and particularly with its spokesman, the highly publicity-conscious and publicized “Sub-Commander Marcos”. At this first meeting, as at all the following ones, the ICRC representatives had the unaccustomed experience of conversing with masked men — a set-up that well reflected the “mystery” surrounding this armed insurrection movement, whose claims, pragmatic and at the same time simple and basic, are virtually all that is known about it with any certainty. There

is no ideology or dogmatism in the EZLN's many declarations and communiqués, and the movement seems to have a purely indigenous origin. "Marcos" is white, obviously from an urban bourgeois background, and one of the most successful media figures of the late twentieth century. He is the EZLN's military leader and spokesman, and represents both its collective image and the link between the indigenous world (which has hardly changed since the days of Emiliano Zapata or indeed of Hernán Cortés and Montezuma) and modern, industrialized Mexico. The two Mexicos do not speak the same language, in the literal or in the figurative sense, and "Marcos" thus provides an interface between the two cultures. Accordingly, the "neo-Zapatista revolution" would appear to be a phenomenon completely different from the Latin American guerrilla movements witnessed so far, but one of which, as we have already said, very little is known.

#### THE ROLE OF THE ICRC: GOOD OFFICES AND NEUTRAL INTERMEDIARY

### The "free zones"

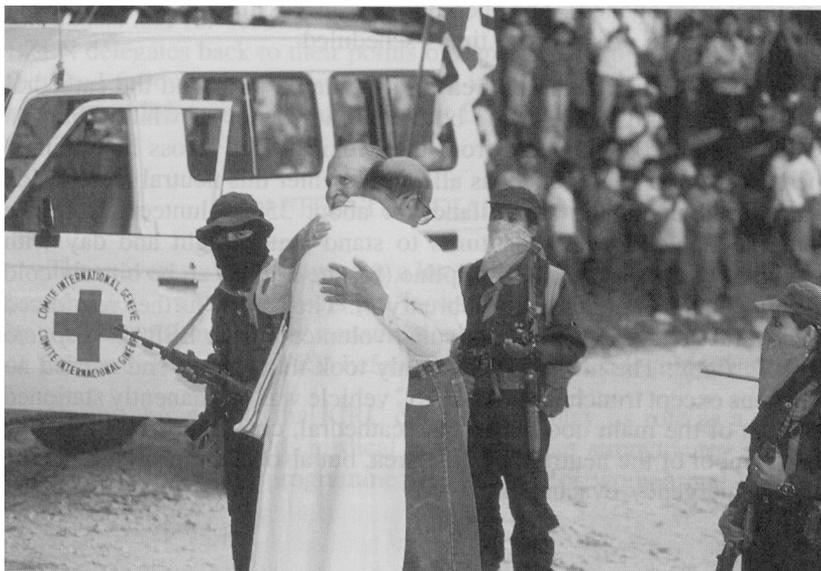
As soon as the "free zones" were established, the role of the ICRC began to be more clearly defined. Its presence in the two buffer zones was above all designed to **prevent** the resumption or escalation of open conflict such as that experienced by the country during the first twelve days of January. Since the practical work was being carried out by Mexican staff belonging to official Mexican health institutions, the ICRC's role was primarily to act as guarantor — from the point of view both of the EZLN and of the government — of the neutrality and impartiality of the work carried on by the teams.

### The release of General Castellanos

Once the "free zones" had been created, the next step towards setting up a dialogue between the parties was the release of the only prisoner taken by the EZLN during its January offensive, retired General Absalón Castellanos Domínguez. A former Governor of Chiapas State and a major landowner, he possessed several large estates and thus personified the

power and the political and economic system that the EZLN challenged and sought to dismantle. The ICRC had had access to General Castellanos, having visited him twice while he was held in the heart of the Selva Lacandona.

When arrangements were made for his release on 16 February, at the edge of the “free zone” of Guadalupe Tepeyac, it was naturally the ICRC that the mediation team, on behalf of the EZLN, requested to witness the event. This was accompanied by a long ceremony, organized to the last detail by the EZLN, which often showed a marked inclination for staging media events. The release of General Castellanos, with its complicated procedure (the EZLN handed him over to the ICRC, which handed him over to the mediator, who handed him over to the *Comisionado*, who handed him over to his family ...), also marked the first meeting between a representative of the government and members of the guerrilla movement, although no direct contact was established on this occasion.



Release of General Absalón Castellanos, on 16 February 1994.  
Photograph ICRC/E. Thibaut.

## Preparations for dialogue

Five days later began the “conversations in the cathedral”, to paraphrase the Peruvian writer Vargas Llosa. It was indeed in the superb and impressive baroque cathedral of San Cristóbal de Las Casas — a small drowsy colonial town at an altitude of 2,300 metres in the heart of the Altos de Chiapas mountains — that the dialogue between the government and the EZLN was initiated on 21 February. The day before, the ICRC had once again been asked to lend its good offices. After long and meticulous preparations with the *Comisionado* and mediation teams, on the morning of 20 February three ICRC teams went to three different places to collect the 19 EZLN delegates supposed to come to San Cristóbal to take part in the meeting. Each convoy contained one white vehicle provided by the mediation team to carry those EZLN representatives (such as “Sub-Commander Marcos” and some others) who wished to retain their weapons.

The journeys took between one and a half and five hours, the routes and other arrangements having been settled in the minutest detail (for example, responsibility for security was assumed by the *Policía Federal de Caminos* — Federal Road Police — where the convoys joined paved roads and all the Federal Army checkpoints on the roads leading to San Cristóbal were opened). The operation was successful and was carried out within a minute or so of the times scheduled.

A “neutral humanitarian area” was declared all round the cathedral — a strip several metres wide bordered with bands of white fabric on which some 200 volunteers from the Mexican Red Cross had painted the ICRC emblem. No one was allowed to enter this neutral area, which was placed under the surveillance of about 350 volunteers from the National Society, who took turns to stand watch night and day with exemplary selflessness and discipline (for the nights can be bitterly cold in the Chiapas mountains in February...). They were further reinforced by several hundred equally motivated volunteers from ESPAZ (*Espacio para la Paz*)<sup>2</sup>. The military police only took third place, and carried no weapons except truncheons. An ICRC vehicle was permanently stationed in front of the main doorway of the cathedral, constantly flying its flag as a symbol of the neutrality of the area, but also as a precaution in case of an emergency evacuation.

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<sup>2</sup> A body coordinating the work of Mexican NGOs.

## The dialogue

For several days the cathedral was transformed into a kind of vast television set: on one platform stood a long table surrounded by some thirty chairs (for the EZLN delegates, the *Comisionado* and the mediator) and covered with microphones, against the backdrop of an enormous Mexican flag draped over the altar; another platform in the main nave accommodated some 300 photographers and cameramen, and serried rows of benches enabled dozens more journalists to sit down during the long periods of waiting for press conferences and daily press releases. The many statues of the Virgin, Jesus Christ and various saints looked down resignedly on the scene and bore on their pedestals notices asking the occupants to refrain from smoking ... This house of prayer dating back to the sixteenth century had thus become the hub of political and media activity in Mexico in 1994. The actual meetings between the “negotiators” took place in closed session in the many diocesan side buildings. The ICRC did not take part in them (having no reason to do so), and confined itself to having separate talks with each party at the end of this first meeting, on 2 March, in order to find out the conclusions they had reached concerning the ICRC's presence in Chiapas. That presence was maintained, within the limits of the activities conducted hitherto.

On the following day, in the small hours of the morning (to evade the journalists and for security reasons), the convoys scheduled to take the EZLN delegates back to their points of departure set off along the routes they had followed on the way out, and with the same arrangements — and everything went as smoothly as it had before.

### AFTER THE DIALOGUE

These events were followed by a long period of consultations at EZLN headquarters on the proposals put forward by the government, and then by the suspension of these consultations as a result of the assassination of the candidate of the PRI<sup>3</sup> before the August presidential elections.

During this period, the ICRC continued to play its role as a neutral intermediary in the field: medical activities were strengthened and expanded, a vaccination programme was started for women and children

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<sup>3</sup> The Institutional Revolutionary Party, which had held power uninterruptedly for over 65 years.

living in the EZLN enclave and lacking any other form of medical assistance, and dental care was provided from time to time. All these activities were developed by agreement and in cooperation with the federal health services and those of the State of Chiapas. The condition set by the EZLN for allowing State employees to travel and work in the territory under its control was that they should be accompanied by ICRC representatives.

Similarly, a food aid operation was begun in May, after surveys conducted by the ICRC and the Mexican Red Cross in remote areas of the Selva Lacandona, which had been most severely affected by the severance of all trade and transport links with the main towns of that part of Chiapas, had shown that the nutritional status of the local civilian population was deteriorating sharply. The situation had been further aggravated by the fact that the fighting in January had prevented most of the indigenous peasants from harvesting their coffee and laying in stocks of food against the long and difficult rainy season. The ICRC and the Mexican Red Cross therefore initiated a joint food aid programme for three months (to cover the period until the August harvest) for 20,000 inhabitants of the "conflict area" and for 5,000 displaced people. The programme was run by the Mexican Red Cross and financed by the ICRC, which was also responsible for maintaining contact with the EZLN at various levels in the field, in order to obtain the safety guarantees essential for the success of the operation. This was also the background of the meeting between "Sub-Commander Marcos" and the President of the Mexican Red Cross, Dr Fernando Uribe Calderón — which was made possible by the good offices of the ICRC — to enable the National Society to inform the military head of the EZLN personally about the assistance programme.

On 4 May, the semblance of a dialogue was renewed between the *Comisionado* and the EZLN, this time in "Zapatista territory", on the edge of the "free zone" of Guadalupe Tepeyac. The good offices of the ICRC were once again solicited by the parties and the mediation team, with the request for delegates to escort the convoy carrying the mediator, the *Comisionado* and their respective teams from the last Federal Army checkpoint to the meeting-place. The surroundings were bucolic: oppressed by the torrid heat, the protagonists met in a wooden hut in the middle of a small clearing in the depths of the dense and humid jungle. On this occasion too, the ICRC delimited the area round the meeting-place, while security was ensured by about 500 guerrilla fighters discreetly concealed in the jungle.

The meeting, though brief and without tangible results, nevertheless marked the resumption of consultations from EZLN headquarters. The results were made public on 11 June, through a series of press releases: the neo-Zapatistas announced their decision to reject the government's proposals, thus putting an end to the "San Cristóbal dialogue". This came as a great shock to a country already in pre-electoral turmoil, since most Mexicans, optimistic by nature, believed or wanted to believe that peace was within arm's reach. Yet despite the failure implied by the EZLN communiqués, there remained the comforting reality of the continued cease-fire between the parties, and hence the maintenance of the "free zones" established in February.

### THE ICRC AND THE ELECTIONS

From that time on, all political attention and tension in Mexico was concentrated on the forthcoming elections. In one of its communiqués of 11 June, the EZLN mentioned a possible role for the ICRC as a "watch-dog" over the electoral procedure in the areas under its control. The delegation immediately contacted the Zapatista leaders, pointing out that the ICRC's mandate precluded it from supervising elections, an activity totally foreign to the humanitarian context in which all its work had to be conducted.

The EZLN then sent a letter to the ICRC specifying the role that it was asked to play, namely that of escorting staff bringing balloting equipment into "its" territory, in order to bear neutral witness to the fact that nothing untoward had happened to them. In the end, and once again thanks to the mediation of the Bishop of San Cristóbal, the parties agreed to request the ICRC to escort the equipment and staff from the last army checkpoint to the two "free zones", which were to serve as a "logistical base" for the orderly conduct of elections in "Zapatista territory".

Once again, therefore, the ICRC placed its good offices at the service of the parties, in order to facilitate a meeting between them in the course of an extremely delicate electoral procedure, in which the least slip might lead to the resumption of hostilities and seriously jeopardize the fragile peace that had reigned in Chiapas since 13 January.

In addition, this operation raised a question of principle: the ICRC's decision to accede to the parties' request prompted a very interesting debate within the institution as to the threshold beyond which the ICRC should in no case use its good offices or engage in mediation.

As a humanitarian institution mindful of the continuity of its activities, the ICRC has formulated guidelines designed to ensure the consistency of its work despite the passage of time, as well as its conformity with the Fundamental Principles of the Red Cross and Red Crescent.

Were the initiatives taken in the field by the ICRC delegation in Mexico, at the request of the parties to the conflict and with the agreement of senior operational officers at ICRC headquarters, in conformity with the guidelines adopted in peacetime? Or had that delegation exceeded its competence by engaging in political matters? Those were the main questions raised in the debate.

Generally speaking, with regard to problems relating to the causes of the dispute (and the Mexican elections were certainly such a cause, since the holding of transparent and honest elections was one of the most important of the EZLN's claims), "all the cases had an obvious humanitarian aspect, since they were by definition linked to situations of conflict or threat of conflict. Any distinction based only on their more or less humanitarian character would therefore be inconclusive". Moreover, the ICRC guidelines provided a doctrinal basis for the decision taken by the delegation in Chiapas, with the agreement of the desk officer at ICRC headquarters, to consent to the request put forward by the parties: "There is nothing to prevent it *a priori* from responding favourably to a request for good offices which might lie in (...) helping to ensure the implementation of an agreement concluded without its intermediary action".

The agreement that elections should also be held in "Zapatista territory" had been secured by the mediator after several bilateral consultations with the EZLN leadership and with the government's *Comisionado*, and under this agreement the parties had sought the good offices of the ICRC as a neutral organization trusted by them. On the basis of that request, the ICRC had agreed to escort the staff and the balloting equipment without thereby assuming any responsibility in the election procedure itself.

Without the cooperation of the ICRC, the elections in the EZLN fiefdom could probably never have been held. That would undoubtedly have exacerbated tension in an already sorely tried region, with readily imaginable consequences of humanitarian concern — for example, a mass exodus of civilians unable to express themselves by democratic means when they wished to do so, or even a resumption of hostilities.

## CONCLUSIONS

The ICRC's "Mexican story" goes on, since no solution has yet been found for the crisis that erupted in the south-eastern part of the country on that freezing night of 1 January — a crisis that has provided us with a wealth of experience and lessons.

### **Cooperation with the Mexican Red Cross**

Mention must be made of the excellent example of cooperation shown by the teamwork with the MRC, and particularly with its Chiapas branch.

In the very first days of January, the Mexican Red Cross issued a communiqué drawing attention to the principles of international humanitarian law and in that context suggesting the possibility of ICRC action. Moreover, its Chiapas branch had been at work since 1 January, evacuating the wounded and the civilian population from danger areas; those activities were later somewhat restricted because of an incident on 5 January, in which three first-aid workers engaged in MRC operations were wounded.

In subsequent weeks, the Mexican Red Cross undertook to assist people displaced as a result of the conflict. Their numbers varied during the ensuing months, reaching a peak of about 25,000 in February, declining to 5,000 in May and increasing again to about 15,000 in June/July, following the EZLN's announcement of its rejection of the government's proposals. Throughout its operation in aid of displaced people, the MRC, which was entirely responsible for the operation, was supported by the ICRC.

Apart from some initial misunderstandings and misapprehensions (inevitable when an institution such as the ICRC worked for the first time with a National Society which itself was for the first time confronted with a conflict situation), relations were excellent, being based on mutual recognition: the MRC came to know the ICRC and to trust it (or at least so we hope), having realized the complementarity of their roles and responsibilities, while the ICRC went through the same process, adding to it the humility which is an essential factor in a country and society jealous of their prerogatives and anxious to retain them.

The MRC is a strong and powerful National Society which holds an important position in Mexican life. Without its support, the ICRC would never have been able to make its way rapidly to Chiapas at the very beginning of the conflict and to establish its presence there.

On the other hand, the MRC has to deal with financial problems due to its size, the expanse of the country and the many difficulties it is faced with in coordinating its many branches and activities scattered over a vast territory with considerable cultural, social and economic differences. Cooperation with the ICRC has had the important advantage of enabling the MRC to take action in circumstances calling for resources and know-how (experience of conflict situations) which it lacked. The National Society has fully recognized those shortcomings, and it gave me great pleasure to note, in the course of an impromptu statement made at a seminar organized by the MRC delegation in the south-eastern part of the country, the interest that the Chiapas experience had aroused among other branches, especially those which might be faced with a situation similar to that known by Chiapas since January 1994.

## **ICRC action to avert conflict**

Without claiming that a resumption of hostilities in Chiapas was avoided thanks to ICRC action, it can justifiably be asserted that its presence on several occasions at least facilitated dialogue and meetings between the parties, at the political as well as the humanitarian level.

Although the dialogues of San Cristóbal and Guadalupe Tepeyac were above all important political landmarks, the role played in them by the ICRC was in full conformity with its mandate and the guidelines laid down in its principles and established policy. It was therefore also thanks to its good offices and its role as a neutral intermediary that the necessary conditions for this dialogue were created.

It was again thanks to its good offices and its permanent presence in San Miguel and Guadalupe Tepeyac that agreement could be reached at a more strictly humanitarian level, as in the case of medical activities.

Finally, its good offices made it possible for such a purely political procedure as that of the elections of 21 August to be conducted with all the necessary guarantees in a conflict area where the armed insurgents agreed to facilitate such a thoroughly democratic expression of will, provided that an institution such as the ICRC played its part and thus minimized the danger of a serious deterioration of the politico-military situation.

## **Sole organization present**

For reasons independent of the realities prevailing in the region and more closely related to political will, especially on the part of the Mexican government, the ICRC was and continues to be the only international humanitarian body operating in Chiapas in communication with the neo-Zapatista insurrection. Apart from the Mexican Red Cross and several local NGOs, it is indeed the only humanitarian agency present in the region.

Although these NGOs and the MRC are able to cover assistance needs, despite certain financial difficulties, the ICRC's role as a neutral intermediary and its good offices have proved to be irreplaceable, as many of its Mexican partners in discussion recognize.

This goes hand in hand with the full understanding of the role and specific nature of the ICRC shown by most of these people. Seldom has it found such fertile ground — it did so particularly among the mediation team and the EZLN — for explaining its mandate and making sure that it is understood.

## **Constraints on ICRC action in Mexico**

To be quite honest, it must also be acknowledged that ICRC action in Chiapas has been, and to a certain extent continues to be, subjected to considerable restrictions.

Although relations with the parties have improved over recent months, so much so that they now show more confidence in the ICRC and a greater understanding of its role and its specific mandate, it is also true that for a long time the government imposed major constraints on the ICRC, in particular as regards the delegates' presence and freedom of movement in the field, other than in the two "free zones", and their work to promote knowledge of international humanitarian law.

Though delegates are now much freer to work and move from place to place in the field, the extreme "discretion" that the ICRC has had to show in order to maintain a presence that will give offence to no one has prevented it from making itself known to the general public, and even to groups directly concerned by its activities.

Nevertheless, in the interest of actual or potential victims, it is important for the ICRC to be able to maintain the essential role that it has played thus far, sparing no effort to carry out its mandate as fully and successfully as possible.

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