

May 29, 2008

Honorable David R. Obey, Chair
Appropriations Committee
House of Representatives of the United States of America
2314 Rayburn House Office Building
Washington, DC 20515

Honorable Nita M. Lowey, Chair
Subcommittee on Foreign Operations
Appropriations Committee
House of Representatives of the United States of America
2329 Rayburn House Office Building
Washington, DC 20515

Dear Representative Obey and Representative Lowey,

As members of Mexican civil society dedicated to the defense and promotion of human rights in Mexico, we would like to express our profound concern over the human rights violations that have occurred in the last several months by the Mexican military and police within the context of the federal government's fight against drug-trafficking and organized crime.

We are writing to you in regards to the recent approval in the House of Representatives and Senate of their respective versions of the Emergency Supplemental Appropriations Bill. With regards to your concerns on human rights in Mexico, we are in agreement with United States support for the office of the UN High Commissioner of Human Rights in our country. However, we would like to bring to your attention a few fundamental provisions that were approved in the Senate version of the bill but were omitted from the House of Representatives' version.

The human rights provisions that the Senate calls on the Mexican government to ensure are being met and that we think need to be added in the final version of the assistance package are the following:

- That the Mexican government establishes an independent mechanism with representation of civil society to monitor programs which combat drug trafficking, violence and organized crime, and activities related to judicial reform, anti-corruption, and rule of law.
- That the Mexican government ensures that the military judicial system is transferring all cases of human rights violation by military personnel to the civil jurisdiction.
- That the Mexican government ensures the prohibition of the use of testimonies elicited through torture or mistreatment in accordance with Mexican and international law.

As you know, human rights organizations in Mexico, civil society in general, and the Mexican Congress did not participate in the decision-making process of creating this aid package which could possibly result in the transfer of US\$ 1.4 billion, US\$950 million of which have been proposed by President Bush to go to Mexico.

We understand the seriousness of the levels of violence during the last few months that have been in part a result of the federal government's policies to fight drug-trafficking and organized crime; however, many

sectors of civil society have questioned the current policies being undertaken specifically based on the disturbing number of human rights violations.

The Non-Governmental Organizations that have signed below have documented numerous and varied human rights violations committed by the Mexican Army and police in our country. The police, military, and judicial systems have long histories of human rights abuses including arbitrary detention, torture, creation of false evidence, and violation of international standards of due process. The Mexican authorities have repeatedly failed to bring to justice those responsible for these acts. The lack of impartiality and independence of the military justice tribunals has ensured the almost total impunity for military officials accused of violating human rights.

Meanwhile, defenders of human rights, political activists, and people who participate in social demonstrations have fallen victim to excessive use of force at the hands of public security agents who intend to silence those who exercise their legitimate right to protest.

We consider US cooperation on security matters to be appropriate and timely; we especially wish to highlight the importance of establishing tighter arms control regulations. We also think that it is essential to include in the aid package the creation of a Mexican monitoring mechanism to allow for the observation of the fulfillment of specific goals related to public security and human rights. This system of monitoring should include the substantial presence of Mexican civil society as well as other pertinent elements that guarantee its independence.

The United States Congress now has the responsibility to clarify the expectations of this aid package. The strengthening of efficient mechanisms that guarantee full respect for human rights should be at its center if it truly intends on being an act of collaboration between countries with common concerns.

The below organizations therefore request that during the upcoming discussions on the “Merida Initiative”, that the House of Representatives include the aforementioned provisions.

Sincerely,

Alberto Herrera Aragón
Executive Director
Amnesty International Mexico
Insurgentes Sur 327-C
Col. Hipódorma Condesa, México DF
aherrera@amnistia.org.mx
+52 (55) 5574 7139

Luis Arriaga Valenzuela
Director
Miguel Agustín Pro Juárez Human Rights
Center (Center Prodh)
Serapio Rendón No. 57-b
Col. San Rafael, México DF
dirrecion@centroprodh.org.mx
+52 (55) 5546 8217

*Additional Signatories:*¹

Civil Society and Human Rights Organizations:

Human Rights Center of the Montaña "Tlachinollan" A.C
National Center for Social Communication (CENCOS)
DECA Team Pueblo

¹ Please find a list of the organizations, networks and individuals in Spanish on page 4.

The Mexican Commission for the Defense and Promotion on Human Rights (CMDPDH)
Services for Alternative Education (EDUCA)
Regional Center for Human Rights “BARTOLOME CARRASCO BRISEÑO”
Friends of the 25th of November Committee
Human Rights Observatory, Iberoamerican University, Puebla
Justice Center for Peace and Development (CEPAD)
Committee for Human Rights Ajusco
Center for Human Rights "Fray Francisco de Vitoria O.P."
Diocese Center for Human Rights "Fray Julián de Larios"
Citizens in Support of Human Rights
Committee for Human Rights of the Northern Sierra of Veracruz
University Program for Human Rights UIA, León
University Program for Human Rights UIA, Puebla
Mexican Institute for Human Rights and Democracy
Center for Human Rights Tepeyac of the Istmo of Tehuantepec
Lagunera Citizens for Human Rights
Inter-congregational Comision for Justice, Peace, and Life
University Workshop for Human Rights
Catholics for the Rights to Decide
Center for Human Rights Fray Bartolomé de Las Casas
Fundar, Center for Analysis and Investigation

Networks of Human Rights Organizations:

Oaxacan Network for Human Rights
Collective for Economic Social and Cultural Rights (Espacio DESC)

Academics and Individuals:

Lydia Cacho, Journalist, Author, Human Rights Defender
General Dr. José Francisco Gallardo Rodríguez, General (retired) of the Mexican Army
Dr. Margarita Dalton Palomo, Researcher at CIESAS, Oaxaca.
Dr. Anselmo Arellanes Meixueiro, Professor and Researcher in Technology in Oaxaca.
Ana Paula Hernández, Human Rights Defender

Cc:

The Honorable Jerry Lewis
The Honorable Steny Hoyer
The Honorable Howard Berman
The Honorable Ileana Ros-Lehtinen
The Honorable Eliot Engel
The Honorable Dan Burton
The Honorable Frank Wolf
The Honorable Harry Reid
The Honorable Patrick Leahy
The Honorable Judd Gregg

Signatories in Spanish for Reference:

Civil Society and Human Rights Organizations:

Amnistía Internacional, Sección Mexicana A.C.
Centro Derechos Humanos Miguel Agustín Pro Juárez A.C. (Centro Prodh)
Centro de derechos humanos de la Montaña "Tlachinollan" A.C
Centro Nacional de Comunicación Social A.C. (CENCOS)
DECA Equipo Pueblo A.C.
Comisión Mexicana de Defensa y Promoción de los Derechos Humanos, A.C. (CMDPDH)
Servicios para una Educación Alternativa A.C. (EDUCA)
Centro Regional de Derechos Humanos "BARTOLOME CARRASCO BRISEÑO" A.C.
Amigos del Comité 25 de Noviembre A.C.
Observatorio de Derechos Humanos, Universidad Iberoamericana, Puebla
Centro de Justicia para la Paz y el Desarrollo A.C. (CEPAD)
Comité de Derechos Humanos Ajusco
Centro de Derechos Humanos "Fray Francisco de Vitoria O.P."
Centro Diocesano para los Derechos Humanos "Fray Julián de Larios"
Ciudadanos en Apoyo a los Derechos Humanos
Comité de Derechos Humanos "Sierra Norte de Veracruz"
Programa Universitario de Derechos Humanos UIA León
Programa Universitario de Derechos Humanos UIA Puebla
Instituto Mexicano de Derechos Humanos y Democracia
Centro de Derechos Humanos Tepeyac del Istmo de Tehuantepec A.C.
Ciudadanía Lagunera por los Derechos Humanos
Comisión Intercongregacional de Justicia, Paz y Vida
Taller Universitario de Derechos Humanos
Católicas por el Derecho a Decidir
Centro de Derechos Humanos Fray Bartolomé de Las Casas, AC
Fundar, Centro de Análisis e Investigación, A.C.

Networks of Human Rights Organizations:

Red Oaxaqueña de Derechos Humanos A.C.
Espacio DESC

Academics and Individuals:

Lydia Cacho, Periodista, Autora y Defensora de Derechos Humanos
General Dr. José Francisco Gallardo Rodríguez, General del Ejercito Mexicano
Dra. Margarita Dalton Palomo, investigadora del CIESAS, Oaxaca.
Dr. Anselmo Arellanes Meixueiro, Profesor Investigador del Tecnológico de Oaxaca.
Ana Paula Hernández, Defensora de Derechos Humanos