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Public Statement

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Amnesty International urges U.S. and Mexican lawmakers to vigilantly consult on Anti-drug Aid Package: Human rights protections must be incorporated into the package

According to press reports the U.S. government is soon to announce a massive aid package to Mexico to fight the war on drugs. Initial reports indicate that the majority of the proposed funding would go to Mexican law enforcement agencies and could include funds for aircraft, training, and advanced technology for communications, eavesdropping and other forms of surveillance. No details about the assistance or human rights safeguards have been made public which should be of concern to U.S. tax payers and Members of Congress if the administration seeks to include it within a supplemental appropriations bill for Fiscal Year 2008.

U.S. aid should assist Mexico in addressing deep flaws in the criminal justice and public security system, which have allowed violent crime to flourish and human rights violations to go unpunished for many years. Without addressing these vital concerns, drug related violence will continue and human rights violations by members of the police, military and judicial officials could be exacerbated.

Such an important step in the U.S.-Mexico relationship should be taken carefully and should go through the normal appropriations hearing process. It would be a positive sign if members of the U.S. and Mexican Congresses met before any final decisions are made to vigilantly consult on a balanced approach to shared drug and security problems and ensure human rights safeguards are adequately reflected.

President Calderon has made public security and combating organized crime a priority and has sought to strengthen his government's ability to confront violence, in part by extending the role of the military in law enforcement operations. Since the military took on its new expanded role, there have been several reports of serious human rights violations implicating military personnel.

These reports illustrate the dangers of deploying military forces to carry out policing functions for which they are not trained, equipped or accountable. The impunity enjoyed by those implicated in human rights violations over several decades raises further concern that abuses will not be effectively investigated or punished.

State, Municipal and Federal police have also been implicated in serious human rights violations during civil disturbances in San Salvador Atenco, the state of Mexico, and in Oaxaca during 2006, including excessive use of force, arbitrary detentions, torture and other ill-treatment, and unfair trials. These abuses have gone virtually unpunished. In October 2006, U.S. journalist Bradley Roland Will was shot dead while covering the civil unrest. The investigation into his killing has been mired with irregularities and the killers remain at large.

The federal authorities have so far failed to either adequately investigate federal officials implicated in some of the human rights violations or to ensure state authorities hold their officials to account. Impunity in both San Salvador Atenco and Oaxaca demonstrates the continuing failure of the Mexican State to establish credible accountability mechanisms to prosecute police and judicial officials responsible for serious human rights offences and shows the challenges that reforms must address.

President Calderon has also committed his government to reforming the police and justice system. However, some elements of the legislative proposals presented to the Mexican Congress risk repeating the mistakes

of the past by limiting judicial scrutiny of police and prosecutors investigating serious crimes, while not establishing independent, effective and transparent mechanisms to investigate possible corruption or human rights violations. International human rights standards must be clearly incorporated into reform proposals.

Assisting Mexico in its efforts to address its critical public security situation should entail sufficient resources for judicial reform, strengthened accountability mechanisms for investigations into human rights violations, and training and regulation on the use of force by security agents. It is vital that both the U.S. congress and the Mexican Congress play an active role in ensuring that effective human rights protections are built into any aid package and periodically evaluate the impact of the assistance package on respect for and protection of human rights.”