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Mexico: Merida funds must be frozen until human rights conditions are met

Amnesty International today urged the US Congress to honour its commitment to withhold 15% of funding of the Merida Initiative until the Mexican government fulfils its human rights obligations. The organization said the Mexican government has failed to make sufficient progress in the investigation and prosecution of human rights abuses by security forces.

“Giving money and equipment to the Mexican military without adequate controls on its use risks contributing to an escalation of human rights abuses,” said Susan Lee, Americas Director at Amnesty International. “Assistance should be focused on preventing abuses, improving investigations and the delivery of justice.”

The call comes as the US Department of State is due to submit a report to the US Congress on Mexico's compliance with the human rights requirements of the Merida Initiative for a final decision on the amount of funds that will be transferred.

Since 2006, over 2,220 complaints of human rights abuses -- including enforced disappearances, killings and torture -- allegedly committed by the Mexican military have been filed with the Mexican National Commission for Human Rights (CNDH). 1,230 cases were reported in 2008 alone -- representing an increase of over 600% since 2006. As victims and their relatives frequently do not file official complaints because of fear of reprisals, the true number of cases is believed to be even higher.

Cases include that of Saúl Becerra, whose body was found in March 2009. He had been missing since he was detained by four military officers on 21 October 2008 in Ciudad Juárez, Chihuahua State.

In another case, the whereabouts of Carlos Guzmán Zúñiga and José Luis Guzmán Zúñiga remain unknown since they were detained by a joint military and police operation in Ciudad Juárez in November 2008. The authorities deny they were ever detained and are not investigating the case.

According to the Mexican Ministry of National Defence, only 65 military personnel have faced disciplinary or criminal investigations in military courts in the last three years and no information is available on how many, if any, were convicted. These courts have systematically failed to bring to justice armed forces personnel responsible for serious human rights violations.

In another development, the US Congress requested information on the investigation of the killing of US videojournalist Brad Will in 27 October 2006. His case has still not been satisfactorily clarified.

The investigation by Mexico's Federal Attorney General's Office (PGR) led to the arrest of man in October 2008. However, the evidence on which the prosecution is based has been discredited by extensive forensic

studies carried out by the CNDH and the US based NGO Physicians for Human Rights.

“Mexico is clearly not meeting the conditions established by the US Congress for the transfer to proceed,” said Susan Lee. “Not only have those responsible for serious human rights violations not been brought to justice but the number of new reports of serious abuses is escalating alarmingly.”

Background Information

The Merida Initiative is security co-operation and assistance programme through which the USA provides Mexico and Central America with equipment, training and technical assistance to support law enforcement operations.

In June 2008, the US Congress stipulated that 15% of the funds to be provided by the US to Mexico in the context of the Merida Initiative must be subject to key human rights conditions, including:

- Human rights violations perpetrated by military and police personnel to be investigated, prosecuted and tried by civilian prosecutors and judges;
- Confessions obtained under torture or ill treatment not to be used in the justice system;
- Civil society to be regularly consulted to make recommendations regarding the fulfilment of the Merida Initiative;
- Improvement of transparency and accountability of the police force, and establishment of an independent mechanism to denounce abuses.