

**Joint Statement
by civil society in Mexico and Europe on
Human Rights Dialogue between the EU and Mexico**

Mexican and European civil society representatives from different sectors, express their serious concern regarding the lack of transparency in which bilateral political dialogue meetings are held between the Mexican government and the European Union, as well as the lack of interest in ensuring that civil society organisations are involved, participate in and provide inputs that are taken into account.

The second round of the EU – Mexico human rights dialogue is to be held in Brussels on March 2, 2011. This is an event of considerable importance due to the current human rights situation in Mexico. Repression, lack of dialogue and criminalization of social movements and expressions - including of human rights defenders- has become a common response of the Mexican authorities at the federal, state and local level, due to their inability to meet the demands of the population and ensure their rights. So-doing, the Government of Mexico has demonstrated a lack of political will to resolve the existing conflicts in compliance with international human rights standards.

The undersigned civil society organisations and networks recognize that Mexico has taken some positive steps in the implementation of mechanisms to guarantee human rights, including the signing and ratification of international instruments. However, the current situation demonstrates that the efforts made have neither been sufficient, nor have their implementation been effective, and that there is a severe backlog with regards to the human rights situation. The occurrence of torture and the excessive use of force, abduction, extortion of victims are examples of this; as are the critical conditions in prisons and detention centres, the use of arbitrary justice, the denial of the fair trial principles and a judicial system with severe limitations and permeated by corruption and impunity.

We would therefore like to draw your attention to the following areas of particular concern:

- The **lack of freedom of expression and security guarantees** for human rights defenders and journalists in Mexico. The Committee to Protect Journalists (CPJ) places Mexico in ninth place worldwide in their impunity index for 2010 for crimes against journalists¹. Journalist suffer from constant threats and attacks, in particular those who cover issues related to the fight against organized crime.
- 30 000 people have died in **military operations** in the last six years of the government of Felipe Calderón as a consequence of the implementation of public security policies and measures aimed at combating drug trafficking in the country. However, despite claims by the government that they fully respect international human rights standards, abuse of the public force prevails and has exceeded the performance of its military duties. Adding to this an important number of civilians and innocent persons are affected by

¹ Special Report by the CPJ, “Getting away with murder“, 2010, <http://cpj.org/reports/2010/04/cpj-2010-impunity-index-getting-away-with-murder.php#more>

these military operations, also referred to as “collateral victims”. The number of minors who are left orphans by this “war” is still unknown.

- **Social discrimination, abuse and violence against women**, and in particular the phenomenon of **femicide**, is an ongoing problem of national dimension that shows the lack of political will by the local, national and federal authorities to eradicate it. This is also evidenced by the inadequate response of the Mexican State in complying with the sentence of the Inter-American Court of Human Rights (IACHR) in "the Cotton Field case" (campo algodenero). In this case, the Court established the Mexican State as responsible for the violation of the right to life, integrity, freedom and personal dignity and the right to access to justice and judicial protection in the cases of kidnappings and crimes against women in Ciudad Juárez, as well as in breach of its duty to investigate and thus ensuring the above mentioned rights.
- In this respect, we would like to recall **the Declaration by the High Representative, Catherine Ashton, on behalf of the European Union**, issued in June 2010, in which "The EU strongly condemns all kind of gender based violence and the aberrant crime of femicide and the prevailing culture of impunity for these crimes" and "praises the tireless and forward-looking work carried out by the Inter-American Court of Human Rights in this issue"².
- This situation is exacerbated by the absence of a social policy ensuring full compliance with economic, social, cultural and environmental rights, and measures to tackle the levels of inequality and injustice gaps between men and women.
- Along with the delicate human rights situation that prevails in Mexico, we would also like to express our concern regarding the deteriorating living conditions and economic and labour rights as well as the right to education of European citizens. Finally, we express our severe concern with regards to the implementation of the EU migration directives and regulations that violate the rights of migrants.

Genuine political will and stronger efforts in political dialogue and cooperation are needed in order to ensure that human rights in Mexico and the European Union are respected, protected and fulfilled. The participation in this process of all stakeholders concerned is crucial.

Referring to the European Parliament (EP) resolution on the functioning of human rights dialogues and consultations with third countries of September 2007, stating that “human rights dialogue and consultations should be conducted in a more transparent and coordinated way” (art. 25) and further requests the Council and the Commission “to publish dialogue and consultation agendas sufficiently in advance for the benefit of all interested stakeholders,

² Declaration by the High Representative Catherine Ashton on behalf of the European Union on Femicide, Brussels, 30 June 2010, <http://www.eutrio.be/files/bveu/media/source1854/Declaration_by_the_High_Representative_on_Femicide.pdf>

especially for Parliament and NGOs, so as to ensure that they are able to make a contribution "(art. 33)³:

The undersigned civil society organisations request that the EU –Mexico human rights dialogue opens a space of participation for the Mexican and European civil society, and in particular human rights organizations and defenders. Furthermore, we demand transparency and broad dissemination of all information relevant to the dialogues, their discussions and results.

In particular, we would like to underline the importance of:

- The publication and dissemination, in a timely manner, of the dates and details of the human rights dialogue and other relevant meetings, including their agendas.
- A formal briefing of the dialogue, organized in advance and with adequate information regarding the agenda and the list of participants.
- Participation of civil society representatives in the dialogue meetings, in order to intervene on specific human rights issues.
- A formal debriefing of the dialogue by the EU and the government of Mexico, presenting the discussions, main outcomes and follow-up steps, in order to gather inputs from civil society.
- Follow-up mechanisms on the discussions and results of the human rights dialogue, allowing for the consistent engagement of civil society representatives, as relevant partners in the promotion and protection of human rights.

Mexico City and Brussels, 24 February 2011

ALOP - Latin American Association of Development Organizations, AC
DECA, Equipo Pueblo, A.C.
RMALC - Mexican Action Network on Free Trade
CIFCA - Copenhagen Initiative for Central America and Mexico

³ Resolution of the European Parliament on the functioning of human rights dialogues and consultations with third countries, P6_TA-PROV(2007)0381 A6-0302/2007 , 6 th of September 2007 – Strasbourg , <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//NONSGML+TA+P6-TA-2007-0381+0+DOC+WORD+V0//EN&language=EN>