

Congress of the United States
Washington, DC 20515

April 23, 2013

The Honorable John Kerry
Secretary of State
2201 C Street, NW
Washington, DC 20520

Dear Mr. Secretary:

With deep appreciation for your many years of service to the goal of strengthening U.S. foreign policy around the world, we congratulate you on your confirmation as Secretary of State. We write today to express our serious concern about the persistence of grave human rights violations in Mexico, and to urge you to make the defense of human rights a central part of the bilateral agenda with our neighbor.

Now is an opportune moment to work with the Mexican government to improve the situation in that country. Since assuming office on December 1, 2012, President Enrique Peña Nieto affirmed that Mexico's biggest challenge is to make sure that "rights established on paper become reality." President Nieto's expressed commitment to human rights comes at a critical time in Mexico. During the administration of former President Felipe Calderon, Mexico's National Human Rights Commission (CNDH) saw a five-fold increase in complaints – from 534 in 2007 to 2,723 in 2012 – of human rights violations by Mexican soldiers and federal police, including torture, rape, extrajudicial executions, arbitrary detention, enforced disappearances, as well as other abuses. Unfortunately, a majority of these abuses go uninvestigated, and as a consequence, unpunished.

A principle obstacle to the effective investigation and prosecution of human rights violations committed by Mexican soldiers has been the failure to reform Mexico's Military Code of Justice so that human rights abuses committed by the military against civilians are heard in civilian, not military, court. This has been mandated by four rulings of the Inter-American Court of Human Rights and rulings by Mexico's own Supreme Court; U.S. support to Mexico through the Merida Initiative also conditions select funds on the prosecution of abuses in civilian courts.

Additionally, the widespread use of torture in Mexico to obtain confessions is also concerning. The CNDH reported a 400% increase in complaints of torture and cruel treatment in the past six years. As with other human rights violations, only a handful of those responsible for torture are ever investigated or sanctioned. For instance, data from Mexico's Federal Attorney General's Office (Procuraduría General de la República, PGR) shows that between January 1994 and June 2010 only two federal agents were convicted for torture.

In recent years, human rights defenders have also experienced an increase in threats and attacks, including targeted killings and disappearances by state and non-state actors. In 2012 alone, the CNDH registered 51 complaints of attacks against human rights defenders. Between 2005 and 2011, the Commission affirmed that 27 defenders lost their lives.

To arrest these attacks, Mexican human rights organizations successfully encouraged former President Calderon to sign the Law for the Protection of Human Rights Defenders and Journalists, landmark legislation in June 2012 creating a national mechanism for the protection of human rights defenders and journalists. However, this mechanism has not yet been properly implemented. We believe a clear commitment from the Peña Nieto government is needed to ensure that this mechanism provides defenders with immediate protection measures when necessary. It is equally important that prompt and comprehensive investigations are carried out to ensure that those responsible for threats and attacks are prosecuted and punished.

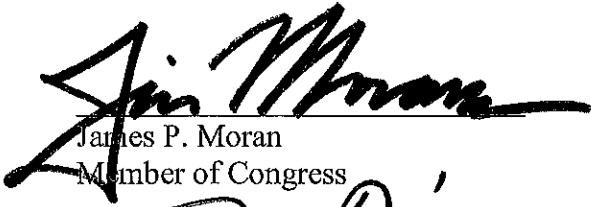
Lastly, we wish to bring to your attention the distressingly high number of disappearances – estimated to be over 26,000 – that have occurred in the past six years. Of these cases, the CNDH identified over 2,000 cases of enforced disappearances in which there is clear evidence that federal authorities were involved; state and municipal officials have also been implicated in multiple cases. In April 2012, an important law creating the National Registry of the Missing or Disappeared went into force but to date it is not fully operational and there is no database of unidentified bodies and remains.

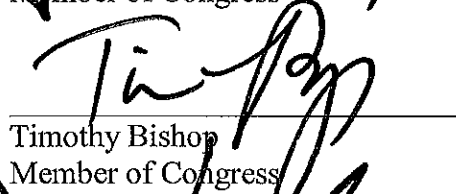
This past January, Mexico's Minister of the Interior, Miguel Angel Osorio Chong, affirmed that searching for all of the disappeared was a commitment of President Peña Nieto. An important step forward would be the establishment of this national registry and a database of remains. Given the United States' experience with the National Missing and Unidentified Persons System (NamUs) and the National DNA Index System (NDIS), we believe the United States can positively engage with the Mexican government on its registry and in Mexico's efforts to bring answers and justice to the family members of the disappeared.

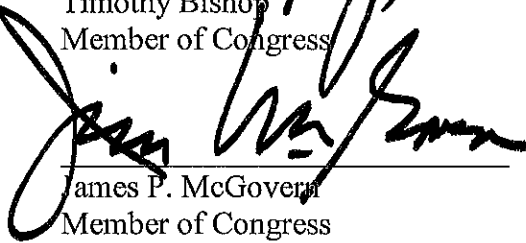
Mr. Secretary, as you are aware, the State Department is currently withholding \$18 million in security assistance to Mexico until the United States identifies areas of future collaboration with the Peña Nieto government on key human rights issues. We are encouraged by Peña Nieto's strong statements affirming his commitment to human rights and we believe they provide the United States with an important opening to raise our concerns with the Mexican government. The human rights crisis will not improve until there are stronger legal protections, increased human rights training for Mexico's security forces, and more government agents held responsible for the human rights violations they commit. We believe that a measurable increase in the number of cases of abuses that are investigated and prosecuted in civilian jurisdiction should be a key benchmark by which the State Department assesses the progress made by the Peña Nieto government on human rights.

We are grateful for your efforts to assist the Mexican government meet the commitments it has made to enhance accountability and human rights. Thank you for your consideration of these important requests.

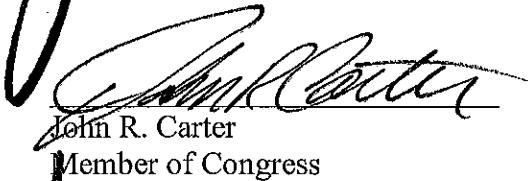
Sincerely,

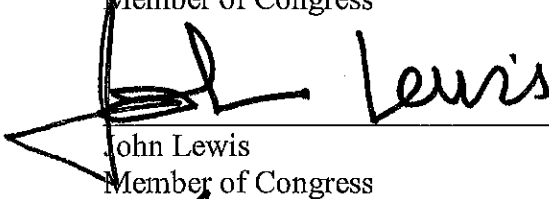

James P. Moran
Member of Congress

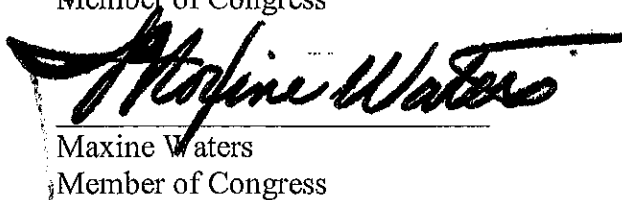

Timothy Bishop
Member of Congress

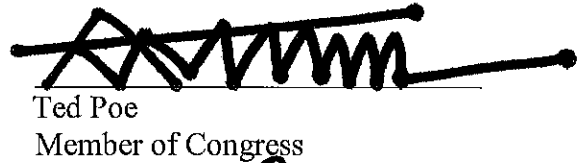

James P. McGovern
Member of Congress

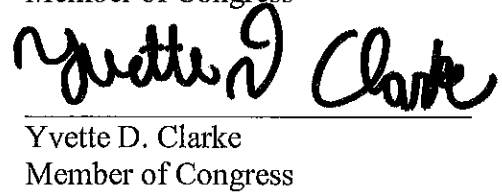

Janice D. Schakowsky
Member of Congress

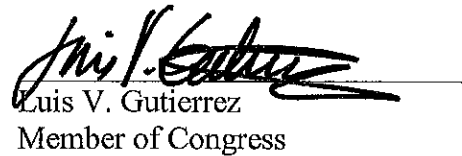

John R. Carter
Member of Congress

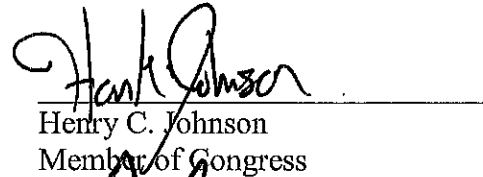

John Lewis
Member of Congress

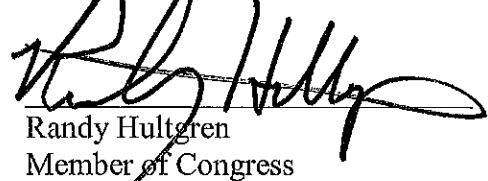

Maxine Waters
Member of Congress

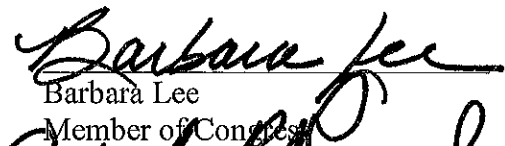

Ted Poe
Member of Congress

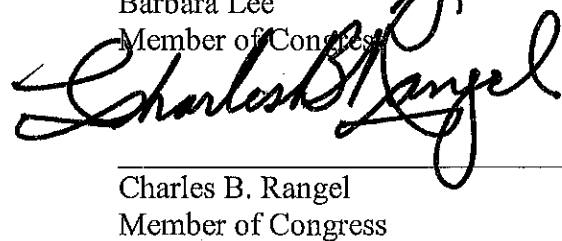

Yvette D. Clarke
Member of Congress



Luis V. Gutierrez
Member of Congress



Henry C. Johnson
Member of Congress



Randy Hultgren
Member of Congress


Barbara Lee
Member of Congress



Charles B. Rangel
Member of Congress



Michael E. Capuano
Member of Congress

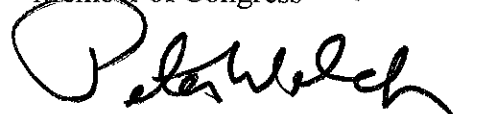

Tony Cardenas
Member of Congress

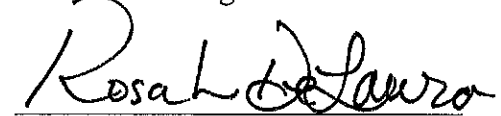

Bill Foster
Member of Congress


Earl Blumenauer
Member of Congress


Alan Lowenthal
Member of Congress


Raúl M. Grijalva
Member of Congress


Peter Welch
Member of Congress


Rosa L. DeLauro
Member of Congress


Danny Davis
Member of Congress