



Directorate-General for External Policies of the Union
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Secretariat of the Subcommittee on Human Rights

**SUBCOMMITTEE ON HUMAN RIGHTS
DELEGATION TO
HONDURAS and MEXICO
16-20 MAY 2011**

FINAL REPORT

SUMMARY

The DROI Delegation to Honduras and Mexico was formed by Mr Richard Howitt (UK, S&D), Head of the Delegation, Ms Heidi Hautala (Finland, Greens), Ms Laima Andrikiene (Lithuania, EPP), Ms Maria Eleni Koppa (Greece, S&D) and Mr Marian-Jean Marinescu (Romania, EPP). They were accompanied by EP staff, Ms Conceição Gonçalves, Mr Geoffrey Harris, Ms Brigitte Bataille (S&D Group Secretariat), and three interpreters. The programme of the visit, attached, details all the meetings and project visits in the two countries, one day in Honduras and two days in Mexico. This report summarises the most important developments, issues and points discussed.

In spite of the high levels of violence and impunity in both countries, the visit took place without any major security concerns. In both countries it was clear that the EU delegations are very much committed to active programmes within the framework of the EIDHR and other EU programmes designed to advance human rights and the rule of law. In view of the profound human rights problems in both countries it was hardly surprising that the NGO's hope that the EU will still do more to support their work and to establish closer cooperation with them in order to make the dialogue between the EU and the national authorities more effective.

Whilst the resources available for law enforcement and criminal investigations are extraordinarily limited, the NGOs expressed some concern that EU programmes to strengthen the judicial and security structures could lead to subsidising those who violate human rights. The delegation mentioned that these issues could be taken up in the established inter-parliamentary structures (IPM in Honduras and JPC in Mexico) as well as in relevant AFET and INTA discussions.

The delegation attributed great importance to the issue of impunity in both countries, stressing the need for proper investigation of attacks against Human Rights Defenders and violations of human rights by the police and the security forces.

HONDURAS

Objectives

The objectives of the Delegation regarding its visit to Honduras can be summarised in three main points:

- the implementation of the Lisbon Treaty by the EU Delegation and the EEAS, in respect to the Human Rights policy;
- the human rights situation in the country, in particular regarding impunity and the independency of the judiciary, and ways of improving;
- the protection of human rights defenders (HRDs), its failures and lessons learned.

The delegation had several meetings with official entities and with civil society organisations, which are briefly described here. The delegation also visited the Centre for Prevention, Treatment and Rehabilitation of Torture Victims and their Families (CPTRT) and had a discussion over lunch with EU Ambassadors in Honduras.

The visit to Honduras took place at a particularly delicate moment, just one week before the expected return to the country of the former President who was ousted in a coup in 2009, after which elections were held which, in effect, retrospectively legalised the coup. The delegation noted the strong commitment of the Honduran authorities (Government and Parliament) to turn the page, to adopt various international human rights law texts and increase the effectiveness of the judicial system; insisted, nevertheless, on the need to investigate human rights violations during and after the coup, also as a means to achieve reconciliation in the country. The day ended with a meeting with the "official" Truth and Reconciliation Commission (looking into the 2009 coup) chaired by a former Guatemalan Vice-President which will report in a few weeks, most likely after Honduras is received back into the OAS following the return of ex-President Zelaya on 27 May 2011. The delegation was informed that the Commission was currently searching the appropriate words to present some facts in the report, which aims to provide the Honduran people with an understanding of the events, in order that it not be repeated in the future. A separate Truth Commission backed by the NGOs is also preparing a report and members encouraged the two bodies to exchange ideas. In a country with over 90% impunity for violent crimes and where no-one is held responsible for the violence and human rights violations during the coup, the scepticism of the NGOs was understandable.

Briefing at EUD

The Head of the EU Delegation for Central America and Panama, Mr Mendel Goldstein, conducted the first briefing of the DROI delegation in Honduras, referring to the EU leading position in Central America since the 1980s and the San José dialogue, a period during which several countries such as Honduras itself lived through prolonged periods of civil war and

political instability. The new association agreement concluded on May 2010 (which contains clauses on political dialogue, human rights and a new section on security, as a priority area for cooperation) and interregional Free Trade Agreements reinforce the EU position, already main donor of development aid and third most important trading partner. Among the EU priorities is, in first place, the fight against poverty, as this region is one of the poorest in the Americas, good governance, education and health.

Following the dramatic events of 2009 the situation has now stabilised, as symbolised by the return to Honduras on 27 May of former President Zelaya and his public reconciliation with the current President Lobo. Honduras will soon re-join the O.A.S. It is in this context that, in theory, a more positive environment for civil society could develop. The EU is also funding (through the PASS programme) the modernisation of the security sector in a country where impunity persists at over 90% of crimes committed. Members took note of the concerns expressed about this by NGOs but also noted the strong commitment to improve human rights expressed in meetings with Government and judicial authorities. Members noted a plethora of public bodies responsible for enhancing human rights protection and the commitments entered into by the authorities during the UPR process in the framework of the UN Human Rights Council; while the number of institutions by itself is not a guarantee for effective human rights protection members stressed the need of coordination among them and real commitment to human rights. Drug trafficking, forced disappearance, the continuing murders of journalists and the fact that the media was generally closed to the current authorities were other issues mentioned.

Meeting with the HR Commission of the National Congress (Mr Orle Solís, chair, and Ms Sadia Argueta)

The parliamentarians from Honduras welcomed the visit as a potential source of strength for their own efforts, in particular, to fill the UPR recommendations and to sign UN Conventions and implement legislation accordingly, e.g. optional CAT protocol. The DROI members raised issues such as police training and the need to scrutinise its behaviour, education as a means to develop human rights awareness, the lack of prosecution for those involved in human rights violations during the 2009 coup and the murder of journalists.

Meeting with the Special Prosecutor for Human Rights, Ms Sandra Ponce

The Prosecutor (appointed by Congress) explained her mandate for investigating human rights violations by state law enforcement authorities and the distinct role of different bodies dealing with human rights, e.g. the Ombudsman deals with different kinds of violations of the penal code like child labour, sexual exploitation or LGBT rights. The DROI members raised the issue of arbitrary transferrals and disciplinary proceedings of judges related to positions taken against the coup but, at current stage of the procedure, the Special Prosecutor cannot interfere with a Supreme Court decision.

The role of private security companies in violating human rights in specific situations e.g. social or land ownership conflicts was raised. The relevant UN Working Group had recently visited Honduras to look into the issue and the recent EP resolution was mentioned.

Mr Ponce pointed out that while prevention and protection are the main areas of action, the prosecutors face a serious problem of lack of human and financial resources to do the job.

**Meeting with civil society organisations
(Plataforma DDHH - CPTRT, COFADEH and CIPRODH) and Mr Tom Loudon
(coordinator of the Truth Commission, "*Comisión de Verdad*")**

The NGOs also welcomed the timely visit of the delegation and referred to a very negative situation mentioning specifically the contrasting elements:

- the violent repressions and torture of the "campesinos" where land owners use local police and military power to destroy opposition using what were described as "fascist" techniques,
- the formal acceptance by the authorities of human rights and democracy alongside an effective militarisation of society.

NGOs felt their work was being deliberately blocked and feared that anti-terrorist legislation would be used to extend the time suspects could be detained without charge. As well as the situation in Bajo Aguan the other main social movement was based on the teachers who often faced suspension for attempting to defend their economic situation. Hundreds of teachers had been suspended or unpaid and dealt with by the authorities in a way that tended to criminalise social protest.

Given the high rate of impunity extra-judicial killings, rape and repression of protest, the NGOs considered that the authorities were, in effect, misleading the international community with their professional commitments to improve human rights. They also felt that the dialogue with the EU delegation should be intensified and showed concern that, through the PASS programme, EU aid for human rights would be redirected to the security apparatus, forgetting the victims.

Tom Loudon presented the work of the independent civil society based Truth Commission, which he coordinates, in preparing cases to be brought before the I.C.C. and collecting evidence of human rights violations in 2009 by the authorities, police and politicians linked to drug traffickers. The Truth Commission is also seeking information on the role played by the US in the coup. Mr Loudon argued that the Stein Commission lacked legitimacy and for this reason people refused to give it their testimony.

**Meeting with the Ministry of Justice and Human Rights,
Ms Ana Pineda, State Secretariat of Justice and Human Rights,**

The Minister recalled the earlier constitutional crisis and expressed the view that the 2010 elections had represented a turning point. She accepted, however, that the people need to be reassured that they could have faith in their institutions. She had accepted her post in Government on condition of maintaining her independence which had, for example, enabled her to challenge actions by the Security Minister. She welcomed EU support and referred to her human rights secretariat, the invitations to UNSR's to visit, the forthcoming opening of an OHCHR office. She mentioned action on specific issues such as child labour, prison conditions, torture and the rights of indigenous people.

On the issues of the judges who had lost their positions for opposing the 2009 coup, she explained that she had been met with stony silence when she had addressed the Supreme Court on this matter and criticised their double standards.

Meeting with Ambassador Ramon Valladares, Director of HR affairs in the Ministry of Foreign Affairs

Again the delegation's visit was welcomed as a source of encouragement and the Ambassador explained his Directorate's coordinating role in relation to efforts by Honduras to meet its international obligations. He took the view that the murder of journalists was due to organised crime not politics even if he accepted that there was too much politicisation of the judiciary. He also mentioned the issue of migrants' rights.

The Truth and Reconciliation Commission - Dr Stein

The Truth and Reconciliation Commission coordinated by Eduardo Stein, a former Guatemalan Vice-President, is made up of international personalities chosen by the authorities to analyse the 2009 events and their implications. Their report is expected in mid-June, after the public reconciliation between Zelaya and Lobo and in advance of Honduras' reintegration to the O.A.S. Mr Stein gave a very full presentation of his work.

Referring to the civil society based Truth Commission coordinated by Tom Loudon, Mr Stein himself considered that the two Commissions could be seen as complementary and even that the EU could give support to both. The DROI members encouraged dialogue between them. It is expected that the Stein Commission will put the responsibility back to the Honduras people rather than to the I.C.C. and he stated that this approach was the only possible way for the Commission to present a united report which could advance the process of reconciliation.

Visit to a Human Rights project - CPTRT (Centre for Prevention, Treatment and Rehabilitation of Torture Victims and their Families)

An important element of a DROI delegation is the direct contact with human rights defenders and to hear from their day-to-day life and the difficulties they face. At the CPTRT members were informed of the work carried out on victims, and in prisons, based on the protocol of Istanbul on Torture. The centre accompanies torture survivals under medical/psychological treatment e.g. political activists, indigenous peoples, *campesinos*, students, LGBT, women, journalists, and every day people. The lack of a protection mechanism for witnesses prevents people to speak against the criminals, "los sicarios".

The members listened to terrible descriptions of the kinds of torture that the victims are submitted too; the Centre has medical documentation of these. The attacks that the centre is often subject to question the protection of this highly confidential documentation collected for each victim.

Conclusions

The meetings held during the one day visit allowed the delegation to get a more in depth understanding of the very difficult situation that the country is going through, the burden of the past and the expected changes in the weeks ahead, when important steps on the way to national reconciliation might happen (recognition by the O.A.S., return of former president Zelaya, publication of the report from the Truth and reconciliation commission). In the view

of the DROI delegation the reconciliation process will only be achieved when HRDs will no longer need to exile.

The delegation welcomes the efforts of the EU to favour the strengthening of democracy and human rights in Honduras and calls for a deepening of the dialogue between the EU and civil society organisations in order to ensure that human rights defenders here feel genuine backing from Europe, in the prevention of human rights abuses and promoting protection mechanisms for HRDs from any active group like journalists, activists for LGBT rights, land workers (campesinos) organisations, teachers or trade unionists. The local EU strategy for HRDs is a very comprehensive document and shows the gaps between needs and resources of the EUD. The upgrade of the EU delegation in Honduras, expected to take place soon, should fill in some of those gaps in the protection of HRDs.

The delegation is concerned by the numerous murders of activists and journalists and deplores the high rate of impunity for such crimes. There is hope that the Stein commission report will prove to be a real contribution to truth and reconciliation. The DROI delegation is convinced that the independent Truth Commission gives a true contribute to the achievement of justice for those whose human rights have been so cruelly violated and calls on the EUD to also finance this commission.

The Parliament will consider positively the EU-Central America Agreement in due course with a view to Europe's responsibility to cooperate closely with the countries of the region and to encourage regional integration. The independence of the judiciary and the fight against impunity should be seen as key areas for the EU contribution to country's development and prioritize in financing. As Minister Pineda recognised, Honduras have a long way to fight impunity and at the end of the journey, achieve independence of the judiciary.

In this context the EU must continue an active human rights dialogue with the authorities and use all its financial means, including the EIDHR, to back up the people in this country bravely working to defend their basic human rights.

MEXICO

Objectives

The objectives of the Delegation regarding its visit to Mexico can be summarised in three main points:

- the implementation of the Lisbon Treaty by the EU Delegation and the EEAS, in respect to the Human Rights policy;
- the reform process taking place in Mexico (the Constitutional reform, the judicial system reform) and its impact in national human rights policy;
- the protection of human rights defenders (HRDs), its failures and lessons learned towards the setting up of a special protection mechanism

The delegation had several meetings with official entities and with civil society organisations, which are briefly described here. The delegation also conducted a field visit to study human rights challenges in Oaxaca State, and had a discussion with EU Ambassadors in Mexico. Some individual cases and testimonies are detailed in the annexes.

In Mexico a high level of impunity is a cause for profound concerns in view of the increasing power of drug and human traffickers who have a tendency to extreme violence to discourage any challenges to their power by Government, NGOs or the media. The Government's "militarisation" of the war on drugs is also proving problematic in terms of reported human rights violations. Mexico, as a key transit country, faces the challenge of protecting migrants that often become victims of organised crime networks. The Government did, however, express a strong commitment to aligning their laws with international conventions although the Mexican Human Rights Commission told the delegation that it could do little more than document human rights violations which are very rarely followed up by the authorities. Indeed "self-censorship" and fear of reprisal means people hesitate to defend even their own rights.

In both countries the findings of the Inter-American Human Rights Commission have been helpful in encouraging reform and in Mexico the integration of human rights into a revised Constitution plus the appointment of various special prosecutors were clearly positive steps.

The delegation received a warm welcome in Oaxaca where the Governor has initiated judicial reforms and declared to be committed in reducing impunity. A particular attack on human rights defenders last year which led to the death amongst others of a Finnish activist was raised as it had been the subject of a DROI hearing last year. The delegation also met with victims of torture by the police who had very little hope of ever seeing those responsible punished.

A great deal of press interest was reflected in the meeting of the DROI delegation with the Mexican Senate and the press conference at the end of the visit.

Briefing at EUD

The Head of the EU delegation and her team explained the developments since 2008, of the Strategic Partnership between Mexico and the EU and mentioned the second round of the Human Rights Dialogue held in early 2011 and the planned initiation of a Dialogue on Justice and Security. The relations between the national and local authorities in this federal state were explained and it was noted that whilst Mexico does face high levels of violent crime and impunity the regional violations could vary considerably. Alongside this there is a very vibrant civil society with huge local and national demonstrations against violence and repressions.

The Mexican authorities are naturally sensitive to the international image of the country and for this reason Mexico adopts a very active stand in international fora. They remain, nevertheless, suspicious of anything they see as an external interference to home affairs, particularly human rights (e.g. DROI hearing on Oaxaca, November 2010).

The local strategy on human rights defenders was shared with the delegation and the relevant "focal point" took an active part in the work of the delegation. The link between social

conflict, political violence and human rights violations was explained with the view being taken that judicial reform was the key to progress. The violence against journalists was also highlighted with reference made to negative assessments about press freedom issued by the US and the remarks of the US Ambassador, leaked by Wikileaks, which were so critical of the authorities that he had to be replaced.

Ministerial Meeting

chaired by Vice-Minister of Interior, Felipe de Jesus Zamora, Foreign Affairs; Defence, Justice, Public Security and the Women's National Institute, Ambassador S. Fuentes

The Vice-Minister provided detailed information on the efforts over the last two decades to improve the human rights situation in the country. The various institutions concerned were mentioned (e.g. National Commission on Human Rights) as were Mexico's determination to meet its international commitments coming from the UN and the IACHR. Ongoing constitutional reforms were designed precisely to strengthen the role of human rights defenders.

Other officials referred to important reforms of the legal system: introduction of accusatory system, principle of publicity, equality between defence and prosecution, women's rights, human rights responsibilities of army and law enforcement personnel, and the public security role of the army. Importance was attached to the establishment of a national police with a renewed emphasis on professionalism.

Members of the DROI delegation raised the specific cases of Jyri Jaakola (human rights defender killed near Oaxaca in 2010) and Florence Cassez, a French national imprisoned for 60 years for a kidnapping of which she insisted she was innocent. Concerns were expressed about the widespread impunity, the apparent militarisation of the "war" on drugs, and the fact that reported violations of human rights by military personnel were subjected only to military courts. Violence against women was also mentioned, with DROI members expressing concern that chastity belts were apparently still considered relevant in rape cases.

Meeting at Centro Prodh

The NGOs took the view that the authorities do not give sufficient attention to the concerns of civil society. In a climate of insecurity and impunity, human rights violations cannot be properly investigated without a witness protection scheme. For the NGOs the judicial reform undertaken does not provide a brake on discrimination and corruption and the lengthening of preventive detention permissible is another negative sign. The Government speaks a double language outside and inside Mexico and reforms can only be considered as progress on paper, not in practice.

The DROI delegation noted the NGOs concern on the quality and intensity of their cooperation with the EU delegation and their limited possibilities for input to the EU-Mexico Human Rights Dialogue. They felt the Government should be under an obligation to consult NGOs on the implementation of relevant EU aid programmes and procedures for direct financing of civil society organisations should be simplified.

The following organizations participated at the meeting with the DROI delegation:

- Asociación Nacional de Abogados Democráticos (DF)
- Católicas por el Derecho a Decidir (DF)
- Centro de Derechos Humanos Fr. Francisco de Vitoria, O.P. A.C. (DF)
- Centro de Derechos Humanos Miguel Agustín Pro Juárez, A.C. (DF)
- Centro de Derechos Humanos de la Montaña "Tlachinollan", A.C. (Guerrero)
- Comisión Mexicana de Defensa y Promoción de los Derechos Humanos, A.C. (DF)
- Peace Brigades International PBI-México
- Red de Investigadoras por la Vida y la Libertad de las Mujeres (DF)
- Red Mesa de Mujeres de Ciudad Juárez, A.C. (Chihuahua)

**Working breakfast with media associations:
AMARC, CENCOS, Article XIX (NGO) and Contralinea**

These more specialised NGOs shared the general concern at the climate of impunity with increasing locally based violence against independent media reaching such a level as to contribute to a dangerous tendency by journalists being towards self-censorship and hesitation to investigate specific cases. One participant described Mexico as a "country of simulation" whereby professions of commitments to human rights are not implemented, e.g. Mexico correctly submits itself to examination by international bodies but does not adequately implement their recommendations. Mexico lacks the capacity to protect those who challenge powerful interests, most notably criminal organisations.

Visit to the Mexican Senate

Meeting with Senator José Luis Máximo García Zalvidea (Committee on Human Rights) and Senator Juan Bueno Torio (Committee on External Affairs Europe)

The Senators emphasised their strong commitment to human rights and explained the importance of changes being made to the Constitution to strengthen national institutions. These changes were welcomed by the DROI delegation but they stressed the importance of not only adopting but also implementing new laws. The Senators argued that this was not a short term process but the National Human Rights Commission (CNDH) had been strengthened and reform was on the way to bring cases against military personnel to the civil courts. The importance of migration and the drug cartels was mentioned with reference made to the possibility of decriminalising certain drugs. Answering concerns about the possible excessive power of the military, the Senators stated that they did not have any interest to leave them outside the law but, in fact, the military enjoys more public trust than any other public organisation, even the Church and certainly more than the Congress.

CNDH (Comisión Nacional de los Derechos Humanos)

Meeting with Dr Luis García López Guerrero, fifth General Visitor, responsible for the areas of migrants, human trafficking, journalists and HRDs

At this meeting the DROI delegation raised the central importance of witness protection as so many victims are fearful of the consequence of giving testimony and not being "re-victimised" if they do so. The Centre was cooperating with the UN to establish an Observatory strengthening the links between victims and civil society organisations. It was emphasized that the Centre's role is to document crimes not to investigate or prosecute. The institutional weakness of the CNDH should be seen against the fact that, in his view, it is as

popular as the Army. Nevertheless, following a recommendation of the CNDH, the National Institute of Migration was under investigation for corruption.

He agreed with DROI members that the continuing lack of prosecution for the murder of Jyri Jaakkola in Oaxaca (who he had also known personally) was emblematic of the climate of impunity. He expressed concerns that the Army, trained to conduct military operations and not to police, was problematic. To change from a culture of impunity to a culture of legality would take a long time, citizens needed to become aware of both their rights and their obligations. This was also an educational project aimed at individuals and families.

OAXACA

Visit to a Human Rights project : CODIGO-DH (Comité de defensa integral de derechos humanos)

The field trip to Oaxaca followed the DROI hearing on human rights in Mexico held in November 2010 which heard specifically from the family of the two human rights activists murdered in April 2010 namely Betty Cariño and Jyri Jaakkola.

The first meeting was held at the offices of CODIGO-DH where DROI members met with Alba Cruz, a lawyer who leads its work and with a trade union activist who had been attacked and continuously threatened in the context of the violent social conflict in the area in 2006. Ms. Cruz explained the profound problems of the legal system emphasising the absence even of investigation of most crimes. Human Rights Defenders were often themselves accused of being trouble makers. Whilst the new Governor and Prosecutor had been looking into major cases no real action had yet been undertaken. Only now was Mexico implementing commitment made over 3 years ago to the IACHR. The Centre was following further cases and by way of example a trade union activist detailed his own experience including death threats, torture, ill treatments, being attacked by police in front of his son, and even now remaining frightened even to walk on the street. His "crime" had been not only his trade union (AFPO) activity but also his role in exposing pension fund fraud.

Ms. Cruz further explained the limited powers of prosecutors and the continuing trauma faced by victims involved in lengthy, mostly inconclusive legal proceedings, which require them to return to the memory of their terrible experiences. Again the absence of witness protection was highlighted.

Meeting with State Governor, Lic. Gabino Cué Monteagudo and members of his Administration, State Attorney General, Lic. Manuel de Jesús López López; Special Commission on Human Rights, Lic. Eréndira Cruz Villegas

The Governor had provided testimony to the DROI hearing and reiterated his commitment to ensure that the murderers of Jyri Jaakkola and Cariño did not go unpunished. He welcomed the EU messages to Mexico with regard to human rights and the interest of DROI in Oaxaca. He described Mexico as undertaking an inevitably difficult transition from an authoritarian to a democratic system. He also referred to the repression of 2006 and his willingness to look at the cases of the victims with who he had met. He mentioned that he had to rely on the services of a team of investigators who had been following these cases for many years. The

Attorney General explained the local judicial reforms in their national context, also emphasising the problems flowing from a lack of resources for adequate investigation. Even to order a doctor to make an autopsy could take days.

The Governor concluded the meeting with the news that the main resources that had to be developed was confidence and in this context the DROI visit was a sign of encouragement.

Meeting with the President of the State Supreme Court, Mag. Lic. Alfredo Rodrigo Lagunas Rivera

The relationship between reforms at state and federal level was explained by the President of the Supreme Court. These reforms were very new and an information campaign was under way to explain them to civil society. Again the willingness to follow up the cases from 2006 was expressed and the need for a profound change of culture.

Meetings with NGOs:

EDUCA, Consorcio, LIMEDDH, Barca-DH, Cedhapi;

Before the delegation met with a group of NGOs, a private meeting was held with a young woman who in November 2006 had also faced arbitrary detention, abuse and torture. During the 4 months of detention she received no medical attention for the injuries caused to her and as a result her eye sight remained severely impaired. The Supreme Court had ruled that the federal rather than state authorities were responsible for the violent repression of social protest in Oaxaca but still no individuals had been brought to justice. The young lady insisted that she was interested in justice not financial compensation and would prefer that a monument be erected to those killed during the 2006 conflict. She thanked DROI for the interest in her case which made her feel less alone and abandoned.

The widow of Bety Cariño then explained recent developments in that particular case, including the arrest on another charge of someone widely considered responsible for the murders. This arrest a few days before the DROI visit was mentioned by various interlocutors as a confirmation of the value of maintaining international interest in the case. Again the absence of a federal witness protection programme was emphasized. Reference was made to a number of 70 unresolved murders of human rights defenders in the area.

The final round table with the NGOs returned to the issue of governability, the situation of indigenous people, the climate of impunity, and gender issues. On the latter it was emphasized money announced for women's shelter projects was not arriving and whilst a new state level Council of Women's Issues had been set up, no meeting had actually been held. The DROI hearing on "Femicide: the case of Mexico and Guatemala" held in April 2006 was mentioned by the delegation. The European Parliament respected Mexico's concern about its international image but in a spirit of solidarity with NGOs and victims felt obliged to continue to process Mexico to follow up on its obligations under international human rights law.

MEXICO CITY

Ms Laima Andrikiene and Mr Marian-Jean Marinescu held a number of meetings in Mexico City on May 19th.

Working breakfast with Mr Luis Gonzalez Placencia, President of the Human Rights Commission in Mexico City

Mr Luis Gonzalez Placencia presented the activities of the Human Rights Commission in Mexico City, the institution having 600 employees. As he noted, the Commission is mainly concentrating on human rights abuses in the capital, as well as promoting educational activities on human rights. In 2010 the Commission investigated 9000 cases related to human rights abuses, but its recommendations are not obligatory for judicial institutions. In order to encourage the investigations of those crimes by judicial institutions, the Commission can use only moral pressure which could be supported by the media. The Commission encounters a significant problem of the underestimation of human rights importance in army and police activities.

Meeting with Mr. Hector Javier Villareal Orodenez, Vice Minister of the Interior, and Mr Gustavo R. Salas, Special prosecutor for crimes against journalists

Mr. Villareal Orodenez stressed that freedom of expression and press exists in Mexico but this basic human right is endangered by threats and violence against journalists. It is important to provide security not only for those journalists who are victims of violence but also for those who are threatened, he stated. Mr Salas, Special prosecutor for crimes against journalists, presented an overview of the work of his office, which is systematically collecting information about crimes against journalists. This systematic work plays an essential role in the investigation of any criminal offence against representatives of the media. He noted that at the moment 62 per cent of cases are ready for judicial proceedings. Mr Salas also mentioned a special protection mechanism for journalists. He admitted that the results of his office's work are not satisfactory and do not meet expectations of the society, but they continue their work in preventing crimes against journalists.

Mr. Villareal Orodenez drew the members' attention to a new phenomenon in media - self-censorship which means that journalists do not write about issues related to organized crime, narco dealers and human rights abuses due to threats and violence against those who dare to speak. Therefore, silence is starting to predominate, which creates perfect conditions for the implementation of the most hideous crimes.

Visit to the Federal Institute for Access to Information and Data Protection (IFAI)

Dr Jacqueline Peschard Mariscal, President of IFAI, informed members about the work and activities of the Institute. The goal of the Institute is to ensure that all sectors of society have access to the information. The most important issue discussed was related to the access of information regarding violations of human rights. As Dr Peschard Mariscal stressed, the information about investigation of crimes is classified and can be accessed only by a victim of violence or by the victim's relatives.

Meeting with Mr Alejandro Poire, Security Spokesperson for President Calderon and Coordinator of the National security Cabinet

During the meeting Mr Poire presented the position of the Mexican President Mr Calderon regarding the fight against organized crime. He informed that federal police forces were increased from 6000 officers to almost 36 000 officers. This increase was influenced by the expansion of narco cartels activities and the inability of local police forces to fight against those criminal entities. According to Mr Poire, the role of the army in this fight is temporary but necessary as local governments were requesting special protection by the armed forces. Mr Poire noted that the fight against organized crime encompasses also the implementation of large-scale legal system reform, social reform in the field of human rights and fostering international cooperation in fighting against drug trafficking.

Conclusion

At the end of the visit, the Chair of the delegation presented the following statement to a very well attended press conference:

“The importance of human rights at the heart of the European Union’s cooperation with Mexico, the EU’s commitments to help the country implement important reforms of the justice system and discussions on moving quickly towards the setting up of a special protection mechanism for human rights defenders were the key themes of this week’s three-day visit by a delegation of the European Parliament’s Human Rights Sub-Committee to Mexico.

“Human Rights are fundamental to Europe and the European citizens we represent, and we have been grateful to have the opportunity this week to restate the central role respect for human rights plays in the strategic partnership between the European Union and Mexico, to welcome the cooperation between us in international human rights institutions and to acknowledge the efforts being made within the country for reforms to ensure respect for international standards of human rights.

“Of course we share and express our own grave concerns about violations of human rights in Mexico – as we do in all countries around the world where human rights abuses take place including on our own European continent.

“We join with all those who have told us that there must be an end to impunity in the country, to ensure those responsible for violence against women, migrants, indigenous communities, people with different sexual orientations and all human rights defenders are brought to justice. This is absolutely necessary to prevent continuing violations in the future.

“In that respect we would like to pay tribute to the work of the European Union delegation and of EU Member States in supporting human rights defenders at risk in states across the country, and call for this work to continue. Above all, we express our deep admiration for the courageous work of Mexican human rights defenders, whose work is in the common interest of us all.

“We express our deep sadness for all who have died or been victims of violence, and used our visit to Oaxaca to call for all continuing efforts to be made to bring to justice those responsible for the killings of Bety Cariño and Jyri Jaakkola and all other killings in such circumstances. We support calls from victims to hold to account all those responsible for gross violations of human rights in the state in the period after 2006.”

“We welcome the work of the Special Prosecutor on crimes against freedom of expression and also we welcome Europe’s role in supporting the Mexican Government in the establishment of a special mechanism for the protection of journalists at risk. This week we have emphasised that the EU stands ready to assist our Mexican partners in carrying out their commitment to establish quickly a similar protection mechanism for human rights defenders at risk, with the full participation of civil society organisations whose trust and support such a mechanism is intended to secure.”

“We welcome Mexico’s reform processes including the Constitutional reforms on human rights agreed this week.”

“But we also hope our presence in Mexico will help to bolster efforts towards the full implementation of reforms to the criminal justice system, the protection of the independence of the judiciary, to secure convictions in practice, introduce a comprehensive system for witness protection and demonstrate that the fight against crime can be successfully conducted without compromising respect for human rights.”

“In particular we see a need for reforms to address the failure to secure convictions in cases concerning alleged violations of human rights by the security forces. We recall the judgment of the Inter American Court of Human Rights that all such cases, without exception, should be investigated and tried within the civilian justice system.”

“We also note the contradiction between the high rate of impunity and the high number of apparently innocent persons held in prison. Reforms to the criminal justice system must resolve this contradiction.”

“We are proud that the European Union has already supported practical projects to assist Mexico in areas such as access to justice, the fight against torture and the enhancement of women’s rights. The European Parliament will support future efforts to promote respect for human rights alongside the EU–Mexico dialogue on justice and security to be launched shortly.”

“I would like to conclude by saying that we have heard and we applaud the desire of the Mexican people for prosperity, security and social progress. We know that many of the people we have met recognize that these long term goals cannot be met without respect for, compliance with and the enjoyment of fundamental human rights for all.”

Annexe

PROGRAMME

**SUBCOMMITTEE ON HUMAN RIGHTS
DELEGATION TO
HONDURAS and MEXICO
16-20 MAY 2011**

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| MEPs: Richard HOWITT (UK, S&D), chair of the delegation Heidi HAUTALA (Finland, Greens) Laima Liucija ANDRIKIENĖ (Lithuania, EPP) Maria Eleni KOPPA (Greece, S&D) Marian-Jean MARINESCU (Romania, EPP) | EP Staff: Geoffrey HARRIS, DROI Secretariat Conceição GONÇALVES, DROI Secretariat Ms Brigitte BATAILLE, Group Advisor (S&D) |
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| <u>HOTEL INTERCONTINENTAL</u> Avenida Roble Frente a Mall Multiplaza 2122 Tegucigalpa HONDURAS Phone: +504.2.2902700 Fax: +504.2.2312828 | <u>European Union Delegation</u> Col. Altos de Las Lomas del Guijarro Sur, 4ta Ave – 2da Calle, Bloque B Tegucigalpa, HONDURAS PBX: + 504 22 39 99 91 Fax: + 504 22 39 99 94 delegation-honduras@eeas.europa.eu |
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Monday , 16 May - HONDURAS

Individual arrivals to Tegucigalpa, transfer to Hotel Intercontinental

Tuesday, 17 May

8h00 Departure from the Hotel Lobby

- 8h30** Briefing with Ambassador Mendel Goldstein, Head of the EU Delegation for Central America and Panama, and Mr Laurent Sillano, Chargé d'Affaires, EU Delegation in Honduras
Venue: EU delegation
- 9h30** Meeting with the HR Commission of the National Congress (Mr Orle Solís, chair, and Ms Sadia Argueta)
Venue: EU delegation
- 10h30** Meeting with the Special Prosecutor for Human Rights, Ms Sandra Ponce
Venue: EU delegation
- 11h30** Meeting with civil society organisations (Plataforma DDHH - CPTRT, COFADEH and CIPRODH) and Mr Tom Loudon (coordinator of the *Comisión de Verdad*)
Venue: EU delegation
- 13h00** Lunch with Ambassadors of the Member States
Venue: Restaurant Casa Maria
- 15h00** Meeting with Ministry of Justice and Human Rights, Ms Ana Pineda, State Secretariat of Justice and Human Rights,
Venue: Ministry of Human Rights
- 16h30** Visit of a HR project (Centre for Prevention, Treatment and Rehabilitation of Torture Victims and their Families (CPTRT))
Venue: CPTRT
- 16h30** Meeting with Ambassador Ramon Valladares, Director of HR affairs in the Ministry of Foreign Affairs
Venue: EU delegation

- 19h00** Meeting with the Truth and Reconciliation Commission coordinator, Mr Eduardo Stein, and with UNDP/UNHCHR
Venue: Hotel Intercontinental
- 20h00** Press point - interview of the chair of DROI delegation by Ms Ninfa Arias of *La Tribuna*, daily Honduran newspaper
Venue: Hotel Intercontinental

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| <u>Wednesday, 18 May - MEXICO</u> |
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05.15 Departure to the airport

Flight Tegucigalpa-Mexico City

TA 214 18MAY 3*TGUSAL 0640 0745
TA 230 18MAY 3*SALMEX 0851 1216

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| <p><u>HOTEL PRESIDENTE</u> Campos Eliseos 218, Col. Chapultepec Polanco Mexico City, 11560 • Mexico</p> <p>Front Desk: +52-55-53277700 • Fax: +52-55-53277730</p> | <p><u>European Union Delegation</u> Paseo de la Reforma 1675, Lomas de Chapultepec C.P. 11000 México D.F. México</p> <p>Tel.: + 52 (55) 55 40 33 45 -47 Fax: + 52 (55) 55 40 65 64</p> |
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In Mexico City

- 14.15** Departure from the Hotel Lobby
14.45-15.30 Briefing by Mrs Marie-Anne Coninx, Head of the EU Delegation in Mexico
Venue: EU delegation
- 16.00-17.30** Ministerial Meeting chaired by Vice-Minister of Interior Felipe de Jesus Zamora, Foreign Affairs; Defence, Justice, Public Security and the Women's National Institute, Ambassador S. Fuentes
Venue: Ministry of Foreign Affairs

18.00-20.00 Meetings with civil organisations: Centro Prodh, Mexican Commission for the Defense and Promotion of Human Rights, Tlachinollan Human Rights Center (Guerrero), Centro de Derechos Humanos Fray Francisco de Vitoria, Peace Brigade International, Mexico, Red Mesa de Mujeres, Católicas por el derecho a decidir, and David Peña, lawyer of Jyri Jaakkola.
Venue: Centro Prodh

21.00-23.00 Reception with EU Ambassadors / UN HCHR – discussion on the EU-Mexico agenda and the place of human
Venue: Hotel Presidente, private room

Thursday, 19 May

06.35 Transfer from the hotel to the airport

Flight Mexico City/ Oaxaca

AM2046 19APR 2 MEXOAX 0835 0935

In Oaxaca

10.00 -11.00 Visit of a HR project : CODIGO-DH (Comité de defensa integral de derechos humanos). Meeting with lawyer and testimony of a Human Rights Defender
Venue: CODIGO-DH

11.30 -13.00 Meeting with State Governor and members of his Administration, Lic. Gabino Cué Monteagudo; State Attorney General, Lic. Manuel de Jesús López López; Special Commission on Human Rights, Lic. Eréndira Cruz Villegas
Venue: Palacio del Gobernador

14.00-15.00 Meeting with the President of the State Supreme Court, Mag. Lic. Alfredo Rodrigo Lagunas Rivera
Venue: Supreme Court

15.30-17:30 Meetings with NGOs: EDUCA, Consorcio, LIMEDDH, Barca-DH, Cedhapi;
Testimonies from victims of 2006 events

17.30 Transfer to the airport

Flight Oaxaca/ Mexico City

AM2037 19APR 2 OAXMEX 1900 2005

Friday, 20 May

In Mexico City

8.00-9.00 Working breakfast with media associations: AMARC, CENCOS, Article XIX (NGO) and Contralinea
Venue: Hotel Presidente, private room

9.30-11.00 Visit to the Mexican Senate and meeting with Senator José Luis Máximo García Zalvidea (Committee on Human Rights) and Senator Juan Bueno Torio (Committee on External Affairs Europe)
Venue: Congreso de la Unión

12.00-13.00 Meeting with the National Commission on Human Rights, Dr Luis García López Guerrero, First General Visitor
Venue: CNDH

14.00-15.00 Press conference by the DROI delegation
Venue: Hotel President, private room

***** END of DROI delegation programme *****

**SUBCOMMITTEE ON HUMAN RIGHTS
DELEGATION TO THE REPUBLIC OF HONDURAS
AND TO THE REPUBLIC OF MEXICO
16-20 May 2011**

LIST OF PARTICIPANTS

Members :

1. **Richard HOWITT** (UK, S&D), Chair of the delegation
2. **Heidi HAUTALA** (Finland, Greens/EFA)
3. **Laima Liucija ANDRIKIENĖ** (Lithuania, EPP)
4. **Maria Eleni KOPPA** (Greece, S&D)
5. **Marian-Jean MARINESCU** (Romania, EPP)

EP Staff :

Human Rights Unit :

Geoffrey HARRIS

Conceição GONÇALVES

Group Advisors :

Brigitte BATAILLE (S&D)

Interpreters :

Micaela ARAGON HILLEMANN (EN/ES)

Karl MC LAUGHLIN (EN/ES)

Kathleen Joan TAYLOR (EN/ES)

Assistants :

Ieva STANIULYTE (to Laima Liucija ANDRIKIENĖ)

Vincenzo GRECO (to Maria Eleni KOPPA)