

106TH CONGRESS
2D SESSION

H. CON. RES. 350

Expressing the sense of the Congress with regard to political repression
of foreign observers in Mexico.

IN THE HOUSE OF REPRESENTATIVES

JUNE 8, 2000

Mr. DEFazio (for himself, Mr. KUCINICH, Ms. MCKINNEY, Mr. SANDERS, Ms. LEE, Mr. OLVER, Mr. NADLER, Mr. WAXMAN, Mr. LANTOS, Mrs. MORELLA, Mr. DELAHUNT, Mr. PORTER, Mr. CAPUANO, Mr. STARK, Ms. PELOSI, Mr. LIPINSKI, Ms. HOOLEY of Oregon, Mr. PAYNE, Mr. ENGEL, Ms. KAPTUR, Ms. DEGETTE, Mr. UDALL of Colorado, Mr. MCGOVERN, Mr. OBERSTAR, Mr. RUSH, Mr. MINGE, Mr. EVANS, and Mr. CONYERS) submitted the following concurrent resolution; which was referred to the Committee on International Relations

CONCURRENT RESOLUTION

Expressing the sense of the Congress with regard to political
repression of foreign observers in Mexico.

Whereas Mexico has ratified 45 international agreements on
human rights, including—

(1) the United Nations' six principal agreements on
Human Rights—

(A) the International Covenant on Civil and Po-
litical Rights;

(B) the International Covenant on Economic,
Social and Cultural Rights;

(C) the Convention Against Torture;

(D) the Convention for the Elimination of Racial Discrimination;

(E) the Convention for the Elimination of All Forms of Discrimination Against Women; and

(F) the Convention on the Rights of the Child; and

(2) the two principals of the Organization of American States—

(A) the American Convention on Human Rights; and

(B) the Additional Protocol to the American Convention on Human Rights in the material of Economic, Social, and Cultural Rights known as the San Salvador Protocol;

Whereas United Nations Rapporteur Asma Jahangir stated in a February 9, 2000, press interview regarding Mexico, “Although the problem of extrajudicial executions and impunity may be more notorious in Guerrero and Chiapas, it exists throughout the country”;

Whereas state-sponsored political violence in southern Mexico has been characterized by both constant repression and sporadic outbursts of bloodshed, including the torture and execution of—

(1) 8 indigenous people in Chabajeval and Union Progreso, El Bosque, Chiapas, on June 10, 1998;

(2) 11 indigenous people in El Charco, Guerrero, on June 7, 1998;

(3) 45 indigenous people—mostly women and children—in Acteal on December 22, 1997; and

(4) 17 indigenous people in Aguas Blancas, Guerrero, on June 28, 1995;

Whereas despite Mexican Government claims to the contrary, the systemic abuses that led to the massacres of Acteal,

Aguas Blancas, El Charco, and El Bosque remain judicially unresolved, since those in positions of command responsibility remain at large;

Whereas systemic gross human rights violations continue, including most recently the murders of one person on January 13, 2000, and three other indigenous people on February 2, 2000, from the community of Chabajeval in El Bosque;

Whereas displaced war refugees in Chiapas total more than 20,000;

Whereas the harassment, kidnapping, torture, imprisonment, and murder of Mexican human rights defenders continues;

Whereas it is internationally accepted that the presence of human rights observers serves to deter violence and reduce its severity against civilian populations;

Whereas the Sub-commission on Prevention of Discrimination and Protection of Minorities of the United Nations Commission on Human Rights passed a resolution on August 20, 1998, expressing concern that “developments in the human rights situation in Mexico are becoming more and more disturbing, particularly as far as the indigenous populations are concerned”;

Whereas the United Nations Sub-commission requested that Mexican authorities “ensure full respect for the international instruments to which Mexico is party”, including attaching the highest priority “to promoting the action of human rights defenders and guaranteeing their safety”;

Whereas the 1999 edition of the State Department Human Rights Report on Mexico notes that “continued serious

abuses include . . . assaults, harassment, and threats against human rights monitors”;

Whereas foreign observers in southern Mexico are present in indigenous communities at the invitation of those communities and local nongovernmental human rights and civic organizations;

Whereas since 1995, the Mexican Government has expelled over 400 foreigners from the State of Chiapas alone, mainly because of their involvement in human rights observation;

Whereas a Mexican Supreme Court decision of September 1999 found the National Institute of Immigration’s deportation of the director of the Mexico Solidarity Network, Tom Hansen, to be illegal, in defiance of which the National Institute of Immigration subsequently re-expelled Mr. Hansen in absentia;

Whereas the Inter-American Court ruled the expulsion of Father Loren Riebe—deported June 22, 1995—who had spent 30 years serving in the Diocese of San Cristóbal de las Casas, to be illegal in a decision that the Mexican Government refuses to recognize, despite its earlier commitment to abide by it;

Whereas other cases in judicial review include those of—

- (1) Travis Loller, who was sexually assaulted by police in the course of her deportation on April 10, 1998;
- (2) Peter Brown, director of the Schools for Chiapas, who was deported on July 24, 1998; and
- (3) Kerry Appel, director of the Human Bean Co., expelled in January 2000;

Whereas 43 foreigners were cited, and most expelled, in January 2000 for visiting the indigenous community of Oventic;

Whereas in 1998 the National Institute of Immigration of Mexico implemented severe restrictions that prevent effective human rights observation in southern Mexico; and

Whereas in January 2000, the National Institute of Immigration implemented additional restrictions on access to visas, including for human rights observation and other unspecified activities, restrictions which fall outside of internationally established norms: Now, therefore, be it

1 *Resolved by the House of Representatives (the Senate*
2 *concurring)*, That the Congress—

3 (1) strongly encourages the Mexican Govern-
4 ment to facilitate the presence of foreign human
5 rights observers in Mexico without restrictions that
6 prevent these observers from effectively carrying out
7 human rights observation;

8 (2) urges the Department of State and the
9 United States Embassy in Mexico to clarify with
10 Mexican authorities current law concerning human
11 rights observers, entrance requirements, and restric-
12 tions on those observers' activities and movements;

13 (3) urges the Mexican Government to respect
14 internationally established norms for freedom of
15 transit and freedom of association for foreigners vis-
16 iting Mexico; and

1 (4) urges the Mexican Government, in light of
2 the concerns expressed in this concurrent resolution,
3 to review all of the expulsions of human rights work-
4 ers since 1994, for the purposes of clarity, consist-
5 ency, and resolution of outstanding cases.

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