Spanish judge Baltasar Garzon delivered a speech last week on "Ethics, Conflict, and International Rights," at a conference honoring the 50th anniversary of ITESM, "Tec" de Monterrey. While declaring state sovereignty and justice to be two pillars of international human rights law, he characterized the U.S. war against terror as "illegal" and called for the United Nations to take action against the USG. Commenting on the long-unsolved murders of over 300 women in Ciudad Juarez, he categorized this lack of prosecution as a crime against humanity, stating it should be brought to federal investigators, if not ultimately to the International Criminal Court (ICC). END SUMMARY.

USG VIOLATES HUMAN RIGHTS

UNITED STATES DEPARTMENT OF STATE
REVIEW AUTHORITY: NORMAN M BOUTON
DATE/CASE ID: 05 JUL 2006  200502506
2. (U) The judge was hosted by the School of Law at "Tec" de Monterrey, in a forum attended by local and federal judges, academic leaders and students (and POLOFF). The large auditorium was nearly filled as Gabriel Cavazos, Director of the Law School's International Rights program, introduced his guest to the audience of hundreds. Garzon's video biography followed, a portrait of the man who has a reputation as a hard-working and highly principled judge who enjoys the limelight. He is most famous for his case in the ICC to extradite and prosecute Augusto Pinochet for human rights violations. Garzon has been involved in other high-profile cases including Spain's fight against the Basque terrorist group ETA. He was nominated for the Nobel Peace Prize in 2002.

3. (U) Garzon accused the USG of obstructing the efforts of the ICC through what he stated are human rights violations in the war against terror. The judge criticized the term itself, "war against terror," as meaningless, noting that the world is not in need of another "war." He reserved his strongest words for the current status of the detainees in Guantanamo Bay and argued that U.S. policy has violated the rights of Afghans and Iraqis as well. He called U.S. actions unethical and unilateral.

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AND YOUR ALLIES TOO
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4. (U) The judge gave no ground to those who support U.S. efforts. He argued that every country that aids the USG also degrades human rights and supports the obstruction of ICC efforts toward international justice, and that these countries should urge the United Nations to take action against the USG.

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CRIMES AGAINST HUMANITY IN CIUDAD JUAREZ
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5. (U) Garzon called for changes in the handling of the decade-old case of over 300 unsolved murders of young women in Ciudad Juarez. He argued the specific nature of the crime raises it to a crime against humanity, possibly prosecutable in the ICC. The judge stated clearly that this case should be under jurisdiction of federal investigators, and predicted that better investigative work could have major ramifications.
6. (SBU) COMMENT. Judge Garzon’s visit made the front page of “El Norte,” with a long follow-up in the “Lifestyle” section, and coverage in “Milenio” as well. Both periodicals are part of the Monterrey-based media group with nation-wide coverage. These articles focused mainly on Garzon’s comments on the Ciudad Juarez cases. During his speech, the audience produced no audible response, negative or positive, to Garzon’s criticism of U.S. policy. Despite the strong economic and social ties that link both sides of the border, residents of this area maintain an independent political stance. In the same manner, the newly elected Governor of Nuevo Leon considers deeper economic integration as a top priority without comment on bi-national political policy questions. Northern Mexico’s interdependence is at play in the Ciudad Juarez investigation as well, where the issue of state’s rights hampers real progress in the investigation. Rumors surrounding who is to blame range from the negative social effects of NAFTA and rampant corruption south of the border to greedy American maquiladora owners and pathological Mexican elites. The tales have only increased in number and grown wilder in content on both sides of the border as the killings continue. END COMMENT.

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