President of the Board of Directors - Chamber of Deputies

Dip. Porfirio Muñoz Ledo

Av. Congreso de la Unión 66Col El Parque
Del. VenustianoCarranza

C.P. 15969, Ciudad de México

México

Dear Deputy:

The Mexican Congress could soon pass a constitutional amendment that would force judges to order pretrial detention in cases involving a broad series of crimes. Contrary to international law, the reform does not provide that judges can waive it or assess any evidence before determining if such deprivation of liberty is appropriate.

International law provides that pre-trial detention should not be based solely on the type of offense and that it should be used only as an exceptional measure and not as a form of punishment. Mandatory pretrial detention enables imprisonment of people accused of crimes even in cases lacking sound evidence and would encourage further deficient criminal investigations and unsubstantiated criminal charges.

I respectfully urge you to reject the constitutional amendment bill that seeks to expand the list of crimes for which mandatory pretrial detention exists under Article 19 of the Mexican Constitution. Furthermore, I urge you to abolish provisions in the Mexican Constitution and legislation that allow mandatory pretrial detention.

Yours sincerely,