

D. Michael Dale
Northwest Workers' Justice Project

Dear Friends:

I am writing to seek your assistance and solidarity with respect to a matter involving severe abuse of human rights. In April of this year, organizer Rafael Santiago Cruz was murdered in the offices of FLOC in Monterrey, Mexico.

FLOC is a union of farm workers in the United States. In 2004, it won a contract with the employers of most of the H-2A temporary workers who are recruited from Mexico to work in agriculture in the state of North Carolina. One of the most significant benefits won under the contract was that prospective H-2A workers were no longer required to pay hundreds, and in some cases, thousands of dollars in bribes and "recruitment fees" to labor contractors in Mexico in order to be sent to work in North Carolina as an H-2A worker. They simply had to sign up with the union.

Of course, this change has meant that the pre-existing corrupt system of labor contractors has been denied millions of dollars of income that it had been able to extract from impoverished workers. This has upset those who once benefited from labor contracting, and, from the beginning, FLOC has faced difficulties. Its office in Monterrey has been broken into several times and its files and equipment destroyed.

Rafael Santiago, originally from the Mexican state of Oaxaca, was a veteran organizer for FLOC in the United States. In February of this year he moved to Monterrey to help H-2A workers enforce their rights under the new contract. He was sleeping in the FLOC offices while he looked for an apartment. His body was found in the office by friends on the morning of April 10. Witnesses say that he had apparently been bound, beaten, tortured and murdered by several assailants.

Immediately after this brutal attack, FLOC, joined by a number of Mexican and North American human rights organizations, petitioned the Inter-American Commission for Human Rights for medidas cautelares to protect the remaining FLOC staff and to require prompt and thorough investigation of these matters and prosecution of responsible parties. The Commission acted favorably on this petition, and some favorable steps have been taken.

However, it is with great concern that we note that the authorities in Nuevo Leon are now promulgating an account that the murder was committed by a suspect now in custody, and that the killing arose out of a dispute between the victim and the accused over some \$4500 allegedly paid to Rafael Santiago to arrange visas for friends of the accused. This story is an attempt to defame FLOC and the deceased, and is absurd on its face. Santiago had barely arrived in Mexico, and did not even have the resources to locate a suitable place to live. Furthermore, four days after the "confession," the supposed murderer filed charges with a Mexican human rights commission, saying that he had been beaten by the Mexican police to force him to make that confession.

In light of these and other circumstances, the prosecutor's statements to the media and the public that Santiago's murder and the motives behind that murder have been fully explained by the account of the presumed murderer that the killing occurred because of a dispute over a visa bribe presents a distorted picture of all facts relevant to the investigation of the murder. Furthermore, the termination of that investigation almost exclusively on the basis of that confession is also completely unsatisfactory as there is substantial evidence to support a completely different explanation for the murder. It appears more likely that the work of FLOC has offended interests who were benefiting from the prior arrangement, that Santiago was murdered to intimidate this work, and that, in the face of international pressure, local authorities are just offering up someone to blame.

Justice and the human rights of workers demand that the investigation of this murder be sufficient to get to the bottom of the matter, and that the real culprits be punished. I seek your assistance in making it clear that international scrutiny remains focused on this investigation. It would be helpful if letters from member organizations of our network could be directed to the following individuals, calling on local officials not to misrepresent information about the investigation, and to relate fairly and fully any new information that comes to light, and making clear that the international community insists upon a full and thorough investigation and that a white wash of these events will not suffice:

Procurador General de Justicia del Estado de Nuevo Leon Luis Carlos Trevino Berchelmann Ocampo 470 Poniente Colonia Centro Monterrey, NL MEXICO 64000	Gobernador de Nuevo Leon Jose Natividad Gonzalez Paras Zaragoza y 5 de Mayo Centro Monterrey, NL MEXICO 64000
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Please forward copies of any letters to me at this email address: michael@nwjp.org

Thank you.
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