

ADVANCE QUESTIONS TO UNITED STATES OF AMERICA – Add.3

MEXICO

MIGRATION POLICY

- (Paragraph 95 of the national report states that "only the federal government has the authority to establish and enforce immigration laws") What steps has the U.S. government taken to prevent the proliferation of cooperation initiatives with local authorities to implement schemes such as immigration legislation under Cooperation Agreements with the Communities to Improve Security (ICE ACCESS) - which include Memoranda of Understanding 287 g and the Safe Communities Program?
- Under the Safe Communities Program, what specific safeguards, including measures for the collection of data, has the U.S. Government taken to ensure that local jurisdictions that are part of the Program, avoid the implementation of practices aimed at increasing arrests on the basis of racial or national origin profiling, subsequently discharging minor offences ¿? that led to the initial arrest for the sole purpose of making a subsequent deportation?
- What legal remedies, whether local or federal, are available for individuals who allege to be victims of abuses by state and local authorities who are acting to implement federal laws?
- What actions have been taken by the U.S. Government to reduce the number of deaths of persons in immigration custody and to investigate the occurring ones, and to improve the medical services provided in immigration detention centers?

On the excessive use of force by immigration officials:

- What measures have been taken by the U.S. Government to regulate the proportional use of force when performing immigration enforcement duties, particularly to reduce the use of lethal force along territorial borders?
- To what extent such measures are in accordance with the provisions of International instruments to which the U.S. is a State party?

DEATH PENALTY

- (The national report notes in paragraph 54, the willingness of the USG to comply with its obligations under the Avena case of the International Court of Justice.) What future measures are envisaged by the Government of the United States to comply with the Avena Judgment of the International Court of Justice and especially to prevent the execution of Mexican nationals in violation of this ruling? b) what are the persisting obstacles that hinder the

undertaking of the review and reconsideration of the death penalty sentences of Mexican nationals who are covered by the ruling?

- What measures or actions have been taken by the the United States to request state governments to take into consideration recommendations or injunctions issued by international and regional bodies related to human rights violations of those sentenced to death?

PERSONS WITH DISABILITIES

- What obstacles does the United States face for the ratification of the Convention on the Rights of Persons with Disabilities and what measures have been undertaken to address them?
- Does the United States have the intention to ratify the Optional Protocol to the Convention,?
- ¿Se contempla que Estados Unidos ratifique igualmente el Protocolo Facultativo de la Convención, a fin de reconocer la competencia del Comité sobre los Derechos de las Personas con Discapacidad?

FREEDOM OF ASSOCIATION

- What guarantees does the US have to allow the free association of migrant workers, including undocumented migrants, and to prevent immigration laws and policies from being used as threats or obstacles to hamper freedom of peaceful assembly and association?

FIGHT AGAINST TERRORISM

- Bearing in mind that that there are provisions of international human rights that law that are non derogable under any circumstances, how does the United States ensure compliance with those norms in the armed forces activities, including in situations of armed conflict?
- What mechanisms does the US have in place to periodically review the provisions of the Army operations manual are compatible with International human rights norms and international humanitarian law, in particular on measures to prevent and punish torture?