

COMMONWEALTH OF PUERTO RICO

CIVIL RIGHTS COMMISSION

YEAR 2010

[logo: Civil Rights Commission;
Commonwealth of Puerto Rico;
1965]

NO. 2010-011

RESOLUTION

WHEREAS: Article 3 of the Universal Declaration of Human Rights provides that *“Everyone has the right to life, liberty and security of person.”* Likewise, Article 7 provides that *“All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.”*

WHEREAS: The Fourth Amendment to the United States Constitution provides that *“The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.”* Likewise, the Fourteenth Amendment provides that *“All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.”*

WHEREAS: Article 2, Section 1, of the Constitution of Puerto Rico provides that *“The dignity of human beings is inviolable. All men are equal before the law. There shall be no discrimination on the basis of race, color, sex, birth, social origin or status, or political or religious beliefs.”* Likewise, Article 2, section 7, provides that *“The right to life, liberty and the enjoyment of property is recognized as a*

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fundamental right of human beings.” In addition, Article 2, section 8, provides that “All persons have the right to the protection of the law against abusive attacks on their honor, reputation, and private or family life.”

WHEREAS: Based on the foregoing principles of the Universal Declaration of Human Rights, the Constitution of Puerto Rico, and the United States Constitution, the Civil Rights Commission of the Commonwealth of Puerto Rico does not support and rejects SB 1070, HB 2779 of the State of Arizona, which violates the basic principles of human rights by promoting persecution, harassment, xenophobia, and discrimination chiefly against all Hispanics, inasmuch as it allows the police to stop any person if there is “*reasonable suspicion*” that the person is an illegal alien, thus endorsing discrimination through racial profiling by the state.

WHEREAS: The Universal Declaration of Human Rights was built on the following foundation: “*Whereas it is essential to promote the development of friendly relations between nations, whereas the peoples of the United Nations have in the Charter reaffirmed their faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and have determined to promote social progress and better standards of life in larger freedom...*” Affirming this principle, the Civil Rights Commission believes that SB 1070 violates this foundation, as it adversely affects the relations between the two countries involved in this inadmissible situation, in which Mexican migrants are definitely completely vulnerable during their trip to the United States.

WHEREAS: The Civil Rights Commission of the Commonwealth of Puerto Rico likewise denounces that Mexican migrants lack proper protection and legal representation to stand up against the abuses that are committed against them.

THEREFORE: The Civil Rights Commission of the Commonwealth of Puerto Rico joins the claims of the human rights organizations that recommend legislative reforms guaranteeing immigrants’ access to

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justice, the compilation and publication of data on the abuses they suffer, and the punishment of those responsible to prevent the impunity of those who abuse an invisible population, as there are few who have the courage to denounce the horrific situations they experience, and if they do so it is thanks to the assistance of human rights advocates, who very probably only receive a small number of the claims of those affected.

Issued in San Juan, Puerto Rico, on this, the 3rd day of September 2010.

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José Irizarry Yordán, Esq.

Chairman

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René Pinto Lugo, Esq.

Commissioner

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Palmira Ríos González, Ph.D.

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Certified Correct:

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Rosa M. Rodríguez-Gancitano

Acting Executive Director

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