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MOTHERS

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Open letter regarding Jewel Lazaro, a US mother facing prison sentence in Spain

To the Honourable Minister of Justice Mr Bolaños García

We are writing to formally bring to your attention the serious human rights violations in the case of Jewel Lazaro, a U.S. citizen and mother of two, who has been sentenced to three years and three months in a Spanish prison, due to start a week from today. This conviction arises from her taking her eldest daughter back to the United States to escape domestic violence in Spain—a decision made to protect herself and her children.

Despite her return under the Hague Convention on International Child Abduction in 2021, the father of the children pursued criminal charges against her, resulting in her unjust conviction. However, these criminal charges should not have been legally permissible, as per 2021 U.S. court orders, in which the father had explicitly agreed that he would not bring criminal proceedings against her or separate her from their child upon her return.

This case represents a grave miscarriage of justice and raises serious human rights concerns, including:

- **Denial of the Right to Appeal:** The mother has not been granted the right to appeal to the Spanish Supreme Court or have her case re-examined, despite the severity of the circumstances.
- **Forcible Separation from Her Infant:** She will be forcibly separated from her eldest daughter and eight-month-old baby, whom she is breastfeeding and is the sole primary caregiver of. This separation directly contravenes the principles of family unity and child welfare, as protected under Spanish and international law.
- **Violation of Fair Trial Rights:** She has had no access to legal aid, which has severely restricted her ability to defend herself and obtain justice.

Under Spanish constitutional law, as well as the European Convention on Human Rights (ECHR), this case violates fundamental rights, including the right to a fair trial (Article 6 ECHR), the right to family life (Article 8 ECHR), and the principle of non-discrimination (Article 14 ECHR). Furthermore, her forced separation from her young child is in direct contradiction to Spain's obligations under the UN Convention on the Rights of the Child.

We respectfully urge the Ministry of Justice to take immediate action by:

1. **Reviewing this case** to ensure that the mother's fundamental rights have not been violated.
2. **Ensuring access to a fair appeal process** before the Spanish Supreme Court or the Constitutional Court.
3. **Granting her urgent access to legal aid**, so that she has a fair opportunity to defend herself.
4. **Reconsidering her sentence** in light of the humanitarian and legal concerns outlined above.

This case has international implications, and failure to act may lead to an escalation at the European Court of Human Rights (ECHR) and intervention from international human rights bodies.

We kindly request a prompt response regarding the actions that the Ministry of Justice will take to address these violations. Thank you for your attention to this urgent matter.

Yours sincerely

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