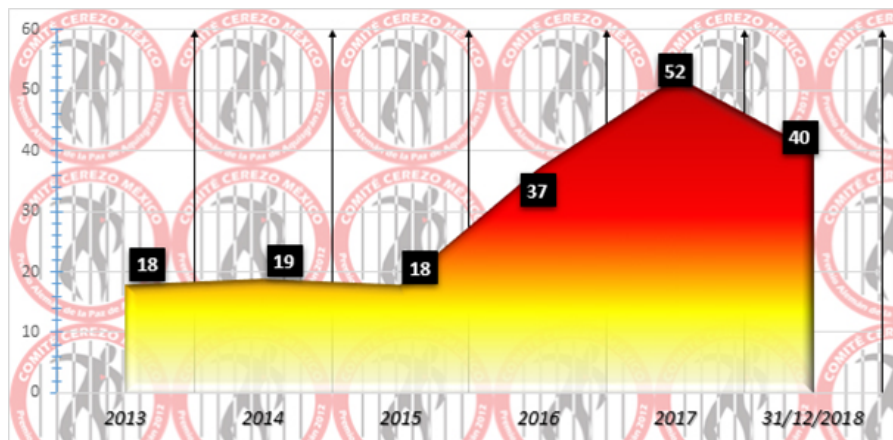


May 7, 2019

Mexico: A Deteriorating Situation for Human Rights Defenders

From December 1, 2012 to November 30, 2018, 184 defenders of human rights were murdered. While the number of defenders murdered decreased in 2018, as the graph below illustrates, it was higher than any other year in the six-year presidential cycle except for 2017 and was more than double the number killed in 2015, 2014, or 2013.



graph by the Cerezo Committee

In the first four months of President Andrés Manuel López Obrador's term, which began on December 1, 2018, at least seventeen human rights defenders and journalists were murdered, an increase over last year's rate. If killings continue at this rate, fifty-two defenders and journalists will be dead by the end of 2019. ¹

In light of this climate, civil society organizations in Mexico are stressing the need for a public policy on the protection of human rights defenders. Although Mexico has a Federal Protection Mechanism for defenders, which provides threatened defenders with various types of protection, the Mechanism has a number of shortcomings and is viewed as reactive rather than proactive and preventive (see report "Turning the Tide on Impunity," key findings, attached).

From 2012 to 2018, the Mexican state with the greatest number of defender killings was Oaxaca, with forty-nine murders. Oaxaca continues to be extremely dangerous for human rights defenders. In April, our accompanied organizations Consorcio Oaxaca and Código DH went to Geneva to report on conditions for human rights defenders in Oaxaca. In 2017, according to the organizations, at least six human rights defenders were killed in Oaxaca.

Three of these had protective measures from the state of Oaxaca. In 2018, eight human rights defenders were murdered in Oaxaca. Five were defenders with Committee for the Defense of Indigenous Rights (CODEDI), which works to protect land and rivers from the effects of mining and hydroelectric projects. Also in 2018 the forced disappearance of Ernesto Sernas García, three other politically motivated disappearances, two armed attacks against organizations, nine arbitrary detentions, seven raids on homes, and one case of torture of the son of a human rights defender were documented. This year the situation for defenders may be even worse. Already in 2019 at least three human rights defenders have been murdered in Oaxaca. The use of the criminal justice system to silence and hamper defenders is a continuing problem, as well. According to the organizations' report², since 2013 at least 141 human rights defenders have been arbitrarily detained in Oaxaca.

In Guerrero, forty-one defenders were killed from 2012 to 2018. Together with Oaxaca, it accounted for nearly half of the murders in the six-year period. Guerrero remains an extremely risky place for defenders to work. On February 12, indigenous human rights defenders Otilia Eugenio Manuel and Hilario Cornelio Castro disappeared while traveling through Guerrero. They were both members of the Guerrero-based Organization of Indigenous Mepha'a People (OPIM). Since 2009, Otilia Eugenio Manuel and other OPIM members had suffered several threats and attacks related to their human rights work, including death threats. Before her disappearance, Otilia Eugenio Manuel had recently been elected to the Indigenous Municipal Council of the Ayutlade los Librestown. Otilia Eugenio Manuel was a beneficiary of protective measures from the Inter-American Commission on Human Rights Peace Brigades International activated its national and international emergency networks, as well as its local contacts in Guerrero. On February 16, Otilia Eugenio Manuel and Hilario Cornelio Castro were released. They are not able to return to Guerrero because of the risk to their safety. We urge the Mexican government, at both the state and federal level, to immediately address the extremely treacherous conditions human rights defenders face in Oaxaca, Guerrero, and throughout the country; to investigate the abduction Otilia Eugenio Manuel and Hilario Cornelio Castro and bring the perpetrators to justice; and to take measures to ensure the safety of the two defenders in their hometown so that they can return.

Throughout Mexico, indigenous defenders and defenders of land and environmental rights are especially vulnerable. On February 20, for example, Samir Flores Soberanes, a Náhautl human rights defender from the municipality of Temoac and member of the People's Front in Defence of Land and Water in Morelos, Tlaxcala and Puebla, was killed. He had been called to the door by insistent knocking at 5:00 AM and was shot twice in the head in front of his home. He had previously received threats for his opposition to a thermoelectric project. His killing highlighted a pattern of increased attacks against defenders since the administration of Andrés Manuel López Obrador took office. Human rights defenders also have suffered defamation, being labelled by President López Obrador as "opponents of development" and of the projects that the government is proposing in areas where indigenous people live.

In a positive development related to mining and labor rights, on May 1, President Andres Manuel Lopez Obrador promised to begin the recovery of the bodies of miners trapped in 2006 when an explosion took place at the Pasta de Conchos mine. Sixty-five miners were

killed. The bodies of sixty-three miners remain in the mine. This case was admitted before the Inter-American Commission on Human Rights (IACHR) in March 2018, and is one of the only mining cases admitted. By means of the admission, the IACHR recognized the Mexican State's non-compliance with its obligation to guarantee the fundamental rights of the sixty-five miners. This case hews a path for future cases related to the topic of working conditions, because it documents how labor rights form an integral part of human rights, an issue that has hardly been reported on in the IACHR. Paradoxically, the case of Pasta de Conchos was not led by any trade union but came before the IACHR solely due to the persistence of human rights defenders and the family members of the victims. Their efforts affected the strategic interests of large important economic and political actors. As a consequence, Cristina Auerbach, director of the organization Familia Pasta de Conchos, which is accompanied by Peace Brigades International, has been victim of many attacks and constant defamation in the press for her work. PBI has called on the new administration of Lopez Obrador to respond favorably to the requests of the organization and the families of the victims and to remember that compliance with the recommendations issued by the IACHR is mandatory. It is also the government's responsibility to provide reparations to the families and to recover the bodies of the miners, as well as to provide economic support to prevent the families from falling into poverty. We remind the Mexican State of its duty to protect defenders such as Cristina Auerbach and others across the country so they may continue their work in spaces free of violence and fear.

Access to justice for grave human rights violations

Impunity for the perpetrators of attacks on defenders ensures such attacks will continue. One case of particular concern that remains only partially prosecuted is the killing of Julián Carrillo, a community human rights defender from the Sierra Tarahumara in Chihuahua, on October 24, 2018. He was a beneficiary of protective measures from the Federal Protection Mechanism. Although the prosecutor's office of Chihuahua has arrested two people that were identified as the gunmen, the organization Alianza Sierra Madre, which is accompanied by PBI, stated it is imperative to investigate as the motive for the attack Carrillo's human rights work and to investigate who ordered the murder. After the murder, Carrillo's family has had to flee the community and lives in a situation of internal displacement, while community members continue to receive threats. On May 1, a niece of Julian Carrillo and her son were killed in the Sierra Tarahumara, which illustrates the ongoing situation of violence in the region. **It is imperative that the federal and Chihuahua state government address the security situation in the area and fully implement the protective measures for the human rights defenders in the region.**

The Paso del Norte Human Rights Center works on cases of enforced disappearances and torture. Defenders working with the organization have suffered threats and security incidents on a regular basis. Paso del Norte, accompanied by PBI, provides legal and psychological support to the family of Victor Manuel Baca. Baca was killed on February 26, 2009, according to his friend Oscar Alejandro Kabata. On April 22, 2019, Kabata stated in a television interview that they both had been arbitrarily detained, brought to a military base, and tortured by the Mexican military in Ciudad Juárez during the so-called "Chihuahua Joint Operation." This operation was a militarized public security strategy that

was implemented in the state of Chihuahua from 2008 to 2010. Kabata witnessed the death of Victor Manuel Baca, who suffered a respiratory arrest and was subsequently shot. Kabata has identified General Felipe de Jesús Espitia as the officer in charge of the Joint Chihuahua Operation. The general reportedly told Kabata that his detention has been a mistake and freed him, warning him not to return to Ciudad Juárez. In 2009, remains were found outside of Ciudad Juárez which in 2016 were proven to be those of Victor Manuel Baca. Paso del Norte has urged the Mexican government to ensure the safety of Oscar Alejandro Kabata and his family, as well as the safety of the family of Victor Manuel Baca. The organization is also urging the Secretary of Defense to hand over all information available on this case to the prosecutor's office and is pressing for progress on the investigation. The international community is invited to write letters to the Mexican government, expressing concern the case and the safety of those involved. PBI is concerned about Kabata's safety and the safety of his and Baca's relatives, PBI is also concerned about the safety of members of the Paso del Norte Human Rights Center.

PBI has been involved in accompanying families in their search for disappeared loved ones. In March, PBI accompanied human rights defender Tita Radilla, whose father, Rosendo Radilla Pacheco, disappeared after he was stopped at a military checkpoint in 1974. Between March 25 and March 27, 2019, PBI accompanied Tita Radilla and the Association of Families of Detained and Disappeared Victims of Human Rights Violations in Mexico (AFADEM) as they undertook a sixth excavation to search for disappeared people. The excavations, carried out between March 25 and April 13, took place in the Ciudad de Los Servicios, an area that was a military base during the 70s and 80s and headquarters of the 27th Battalion, in Atoyac de Álvarez. Its history throughout the so-called "Dirty War" in the 70s is paradigmatic of the history of state violence in Mexico: militarization of an area, followed by human rights violations, including forced disappearances and killings. The military base is the last location in which Rosendo Radilla Pacheco was seen alive. In 2009, the Inter-American Court of Human Rights issued a sentence in the Radilla case, requiring the Mexican government to provide reparations such as "the effective search and immediate location of Mr. Rosendo Radilla Pacheco, or his remains." This sixth excavation represents a relevant advance in the search for truth and justice for the victims and families of disappeared people. It is important to note, however, the length of time these types of processes take and the psychological effects of those delays on the families. During the days we accompanied Tita Radilla and AFADEM, we observed logistical and administrative problems, along with limited economic resources and personnel. Some evidence was found but answers have not been provided to Tita Radilla and families of those disappeared in the Dirty War. The search for their loved ones continues. PBI continues to call for full justice, including the right to reparations and the right to truth.

¹ These numbers are conservative. The Cerezo Committee and the All Rights for All Network (RedTdT), a coalition of civil society organizations, put the number of defenders killed as of May 7 at sixteen, and this number does not include journalists. The United Nations, for its part, reports at least five journalists murdered in 2019.

² The report is available at https://es.scribd.com/document/407196534/Informe-Sombra-Tortura?fbclid=IwAR1hjo4l8QFkEW7gxYaAvnVS29JA6VCB4fscjMQq71S5LEEQUz-ulCXQ4cY#from_embed