

**Mexico: joint briefing note on the situation of human rights defenders**  
in view of EU-Mexico Bilateral Human Rights Dialogue, Mexico City, April 2015

*The briefing note is complete with an annex of individual cases raised by Front Line Defenders in 2014*

## 1. Facts and figures on Human Rights Defenders (HRDs) in Mexico

In 2006 Felipe Calderón took up office as President of Mexico and under his administration a “war on drugs” was launched. Mexico experienced unprecedented levels of violence and insecurity throughout the country. The risk of defending human rights and practising journalism in Mexico increased at an alarming rate in the context of the “war on drugs”. **Numerous cases of intimidation, legal harassment, death threats, enforced disappearances, killings and acts of aggressions have been documented against human rights defenders (HRDs)** as a result of their human rights work. While the perpetrators are not identified in a great majority of cases, civil society has expressed concern that both state and non-state actors are reportedly responsible for such attacks. Regarding the involvement of state actors, such tendencies were observed either by their direct collusion in the aforementioned incidents, or by acquiescence.

Although there was a change of administration in Mexico in December 2012, the public security strategies utilised by the current administration under Enrique Peña Nieto continue to arouse cause for concern and continue to place HRDs and journalists at risk. In recent months, Mexico has attracted international attention due to the enforced disappearance of 43 students from Ayotzinapa in the southern state of Guerrero at the end of September 2014. In its 2015 Mexico Report<sup>1</sup>, Human Rights Watch stated that this case was one of the worst tragedies that have been seen in the country, yet it reflected a broader pattern of gross and systematic human rights abuses and impunity. The case, which sparked widespread protests in the country, highlighted the pervasive corruption of public officials, their involvement with drug cartels and organised crime gangs and violence. Human rights defenders, including parents of the missing students and other victims of the violence and security strategies employed during Mexico’s “war on drugs”, who started to investigate the disappearances and other violent acts and participate in protests in order to demand justice for the victims have faced retaliation, including threats and acts of intimidation, between the end of 2014 and the beginning of the year 2015.

In Mexico, a variety of human rights issues place HRDs in high-risk situations:

- **Violence against HRDs continues escalating.** The Cerezo Committee and ACUDDEH have registered 204 cases of aggressions against HRD between June 2013 and May 2014 (the figure has doubled since January 2011). From November 2010 to December 2012, the OHCHR documented 89 alleged acts of aggression against human rights defenders<sup>2</sup>. However it pointed out that the numbers might be higher due to data sub register.
- **New trends in acts of aggression:** according to the report of the Cerezo Committee and ACUDDEH, throughout the last three years, the patterns of aggressions have become more serious: documented cases of harassment and aggressions have exceeded the threats<sup>3</sup>.

<sup>1</sup> For more information see: <https://www.hrw.org/world-report/2015/country-chapters/mexico>

<sup>2</sup> OHCHR-Mexico, Report on the situation of human rights defenders in Mexico: update and evaluation, 2013

<sup>3</sup> ACUDDEH, National Campaign Against Enforced Disappearance and Cerezo Committee Mexico, La defensa de los derechos humanos en México: una lucha contra la impunidad [The defense of human rights in Mexico: a fight against impunity] (June 2013 to

The National Campaign against Enforced Disappearance affirms that if you compare the first 18 months of Felipe Calderon's presidency with Enrique Peña Nieto's, the enforced disappearance of human rights defenders increased by 60%, which means that currently in Mexico, every two weeks a human rights defender is a victim of enforced disappearance<sup>4</sup>.

- **Impunity:** according to OHCHR figures which date from 2013, more than 95% of the violations against human rights defenders remain in impunity.
- **Perpetrators of attacks:** The "All Rights for All" National Network of Civil Human Rights Organizations (Red TdT) reports that, of the 104 cases of aggressions against human rights defenders that were documented between 2011 and 2013<sup>5</sup>, the main group of perpetrators that were identified were members of state security forces. In addition to this, and according to the United Nations High Commissioner for Human Rights, "it is important to note that a majority of [the cases] point to non-state actors, mainly identified as local bosses (caciques) or criminal groups that see their interests affected by the work of defenders in the region, since they uncover and confront their illegal actions and interests. In some cases they have been able to demonstrate the acquiescence of governmental actors. One piece of data to highlight is that in 23% of the cases, public officials have played a role either through action or omission"<sup>6</sup>.
- **Defenders most suffering attacks are journalists, migrants' rights defenders, land rights defenders, environmental defenders and those fighting against impunity or denouncing drug trafficking. Women HRDs also face additional and specific risks,** including sexual violence and defamation campaigns based on gender stereotypes. The National Women Human Rights Defenders Network in Mexico reported that violence against women HRDs and women journalists has intensified, without noticeable political will nor specific results from the Mexican State to counter this. In the first four months of 2014, it reported 41 direct attacks on 25 women rights defenders and female journalists, as well as 6 assaults on their organisations. In addition, between 2010-2014, at least 30 women rights defenders and journalists were assassinated. There is an incredibly high level of impunity for these attacks.  
An emblematic case is the one of Lucha Castro and her organisation *Centro de Derechos Humanos de las Mujeres A C.- CEDEHM* (Centre for Women's Rights in Chihuahua), which promotes and protects the rights of women and offers legal and psychological support to women victims of violence in their communities in Chihuahua and Juarez. In March 2015, Front Line Defenders launched the graphic novel "La Lucha: The Story of Lucha Castro and Human Rights in Mexico"<sup>7</sup> based on their true stories.
- **Violence against journalists has also intensified.** During the first nine months of 2014, the Mexican chapter of the international organization Article 19 documented 222 attacks against members of the media; since 2010, Mexico's National Human Rights Commission (Comisión Nacional de los Derechos Humanos, CNDH) has documented 97 cases of journalists who were allegedly killed as a result of their work.
- According to the Committee Cerezo and ACUDDEH, **Oaxaca, Mexico City and Chiapas** are identified as the **most dangerous states for the work of human rights defenders. The state of Mexico, Chihuahua, Michoacán, Guerrero, and Coahuila** are also among **the states where the majority of attacks are reported.**

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May 2014), 2014

<sup>4</sup> idem

<sup>5</sup> See: Red TdT, El derecho a defender los derechos humanos en México: Informe sobre la situación de personas defensoras 2011-2013 [The right to defend human rights in Mexico: report on the situation of human rights defenders 2011-2013], 2014, pp.57-58

<sup>6</sup> OHCHR-Mexico, op.cit, p.13

<sup>7</sup> For more information see: <https://www.frontlinedefenders.org/la-lucha-donate>

## 2. The National Protection Mechanism for Human Rights Defenders and Journalists

The National Protection Mechanism for Human Rights Defenders and Journalists was established in 2012; however, just over two years after its creation, the mechanism still faces many obstacles to guarantee its effective implementation. Human rights defenders who have requested the Mechanism's protection have not received to date a timely and efficient answer. The processing of petitions faces excessive delays, and in rare cases, there has been a follow up of prescribed measures. As a result, human rights defenders have become highly sceptical of the Mechanism's capacity to provide them with effective protection.

The Mechanism's deficiencies are mostly due to a lack of trained and experienced staff, necessary material resources and sufficient political support to guarantee that authorities effectively apply the protection measures. Civil society has particularly stated that, in practice, there is still a lack of coordination between the different levels of government (ie. federal and state level) involved in their protection. In addition, the Protection Mechanism further fails to identify and prosecute the perpetrators of attacks against defenders.

**In 2014, Front Line Defenders, PBI and other organisations expressed their concern at recent developments concerning the Mechanism:**

- **Several staff resignations from key posts occurred in March 2014.** The Mechanism lost one third of its staff as a result of the resignations of Mr. Juan Carlos Gutierrez Contreras, Director of the Interior Ministry's Human Rights Unit, together with four other members of staff in the Protection Mechanism. In response, the Consultative Council, a body that represents civil society at Governing Board meetings concerning protection measures for HRDs and journalists, withdrew their participation in such meetings, considering that the conditions to conduct analysis or address issues surrounding protection no longer existed. These resignations marked the latest in a long line of staff instability in key posts related to the protection of defenders. However, in April 2014, Víctor Manuel Serrato was named as the new head of the Human Rights Unit. Mr. Serrato had previously served in the National Human Rights Commission (CNDH) and the State of Michoacán Human Rights Commission (*Comisión Estatal de Derechos Humanos de Michoacán, CEDH*). Since then, significant efforts have been undertaken to restructure the mechanism and address the backlog in the cases, but many challenges to secure full implementation remain.

**In its 2015 report<sup>8</sup>, PBI and the Washington Office on Latin America WOLA have identified a number of issues in the Mechanism's implementation that need to be further addressed and improved. They have also highlighted the efforts made to remedy part of the problems:**

- **Shortage of staff and lack of training.** Since its creation, the staff made available has been insufficient to provide for timely and effective responses to requests for protection. Until recently, most staff positions were temporary while a high turnover has resulted in gaps in the transfer of case information and in monitoring cases. HRDs have complained that Mechanism staff members lacked training and professionalism. However, in recent months, efforts have been made to remedy this situation. All staff have received training from Freedom House, which provides technical assistance to mechanism staff with funding from USAID. The Mechanism is also in the process of hiring permanent staff.
- **Significant backlog of cases due to vast delays in risk analysis and granting of measures.** To date, the Mechanism has received over 197 requests for protection, however a vast majority of the requests were left pending for many months, and in many cases the defenders and journalists did not receive a response for over a year. In the meantime, many HRDs were not granted any emergency protections during the delay. However, in 2014, significant progress has been made to reduce the backlog of cases thanks to technical assistance provided by Freedom House: in July and August 2014, within two months, 85 cases were removed from the backlog and measures were granted in those cases. Yet, the Mechanism is likely to receive more cases in the future, and should be able to deal with a high volume of requests as part of its average workload.

<sup>8</sup> See: <http://www.wola.org/sites/default/files/MX/Jan%202015-The%20Mechanism%20to%20Protect%20Human%20Rights%20Defenders%20and%20Journalists%20in%20Mexico.pdf>

- **Poor risk analysis and inefficient protection measures.** Despite the technical assistance provided by Freedom House to clear the backlog of cases, some members of the CSO Space have expressed concern about the Freedom House methodology to analyse risks, and that crucial contextual information to understand the level of risks is often omitted. Furthermore, for those HRDs and journalists who obtain protective measures through the Mechanism, the protective measures are often ineffective or even counterproductive. For instance, in some cases, protective measures include panic buttons and satellite phones or cameras, which do not always function properly in emergency situations, or installed cameras and alarms at the HRD's homes which sometimes increase their concerns for their safety and security. Protective measures also often fail to take into consideration the specific context in which each individual works and the specific risks that they face in light of their own gender or ethnic identity. In light of these issues, HRDs suggested for example, that police receive a specific training on the risks faced by the human rights defenders and how to protect them efficiently. HRDs should also receive information on the range of protection measures available, including on safe houses.
- **Lack of coordination and communication.** The failure to implement measures is also the result of a lack of coordination between the various entities involved in the process. Serious concern has been expressed about poor communication between the beneficiaries and Mechanism staff members, as well as between federal and state level entities, and between different federal institutions. This is particularly an issue as some human rights defenders who apply to the Mechanism already have protection measures from other bodies such as the CNDH, state-level human rights commissions, or the Inter-American System, yet coordination between these entities is very poor.
- **Failure in implementing measures and lack of rapid response to emergency situations.** The Mechanism has failed to provide effective and swift responses to emergencies, and its delayed response to emergency requests has brought into question the Mechanism's capacity to protect human rights defenders at risk. Some human rights defenders were killed although they had requested the Mechanism's protection or were beneficiaries of the Mechanism.
- **Insufficient awareness of the Mechanism.** After two years of operating, the Mechanism still remains poorly known outside of the capital Mexico City. In a February 2014 meeting, all the state governors committed themselves to working together on human rights issues, including the Mechanism, however in practice; government officials working at the state level have little or no knowledge of the Mechanism.
- **A culture of impunity continues to flourish.** Very little progress has been made in investigations being carried out into the perpetrators of attacks, killings, harassment and threats against human rights defenders. Although the Office of the Attorney General (*Procuraduría General de la República*), and in particular its Special Prosecutor for Crimes against Freedom of expression, are responsible for investigating many of the cases involving journalists, has been deeply criticised as failing to make more significant progress in investigating threats against HRDs and journalists.

In conclusion, despite some efforts made over the last year to remedy current weaknesses in the Mechanism, the Mechanism continues to face many challenges that hinder its ability to effectively provide protection to human rights defenders and journalists at risk in Mexico. In light of issues raised, the Mechanism must be provided with sufficient number of well-trained personnel and the necessary resources to operate efficiently and professionally, that risk analysis practices and protection measures be further improved and made more effective, including by taking into account the specific needs of human rights defenders. Finally, at a time when the trust in the Mechanism by the civil society and human rights defenders has been severely eroded, it is crucial that the implementation of the Mechanism be conducted in full transparency, and that dialogues with civil society organizations continue.

## ANNEX

### Cases raised by Front Line Defenders in 2014-2015

#### 1. Physical attacks and death threats against women human rights defenders in Oaxaca State

It is reported that Oaxaca is the state with the highest level of attacks against women human rights defenders and journalists in Mexico. In 2014-2015, Front Line Defenders has taken up a number of cases of aggressions against women human rights defenders in Oaxaca State:

- On 15 February 2014, human rights defender Ms Eva Lucero Rivero Ortiz, spokesperson for the *Unión Cívica Democrática de Barrios Colonias y Comunidades – UCIDEBACC*, received text messages threatening her with death after her attendance at a meeting with Oaxacan state officials. UCIDEBACC works against the construction of a “Coppel” department store on municipal land in Pinotepa, Nacional, Oaxaca.

- On 14 February 2014, María Dolores Merino Ortiz, Reina Clavel Tapia, Cinthia Narciso Bernal, all members of UCIDEBACC, were gravely injured after being beaten by members of the State Preventative Police during a peaceful demonstration in Pinotepa.

These incidents came in the context of constant and systematic attacks against Eva Lucero Rivero Ortiz and her organisation. Between June and August 2013, the human rights defender suffered multiple acts of intimidation, defamation, harassment and threats as well as an attempt on her life. The organisation's case has been before the Interamerican Commission for Human Rights (IACHR) and before the Human Rights Ombudsman of the People of Oaxaca, an organism which granted protection measures to Eva Lucero Rivero Ortiz and her organisation in September 2013. Despite this, the security situation of the human rights defender and members of UCIDEBACC remains volatile.

#### 2. Arrest and detention of Juan Carlos Flores Solís and Enedina Rosas Veleza - Frente de Pueblos en Defensa del Agua y de la Tierra de Morelos, Puebla y Tlaxcala (The People's Front in Defence of the Water and Earth of Morelos, Puebla and Tlaxcala)

Frente de Pueblos en Defensa del Agua y de la Tierra de Morelos, Puebla y Tlaxcala - *FPDATMPT* is an organisation which works together with Nahua communities to protect the rights of 22 communities potentially affected by various large-scale developments in the area, including the proposed construction of a gas pipeline through their community (Proyecto Integral Morelos). FPDATMPT opposes the pipeline as it will be constructed in the vicinity of the volcano Popocatepetl, which may pose a serious risk to the inhabitants of the region. Reportedly, at least 12 arrest warrants have been issued in 2014 against environmentalists who oppose the Proyecto Integral Morelos.

On 7 April 2014, Juan Carlos Flores Solís was arrested shortly after he submitted a complaint to the Puebla State Commission on Human Rights regarding the detention of Ms Enedina Rosas Veleza, another member of *FPDATMPT*. He was eventually released from prison on 23 January 2015, however he still faces a number of other charge, such as 'aggravated theft' against a worker of Italian company Bonatti S.p.A. and 'obstruction of public works', punishable with a sentence of up to nine years imprisonment. .

Enedina Rosas Veleza was arrested on 6 April 2014 and to this date, she remains in detention pending a hearing on similar charges.

#### 3. Human Rights Defenders from the Tehuantepec Isthmus, Oaxaca

The region of the Tehuantepec Isthmus in Oaxaca is one of Mexico's windiest regions, which makes it a suitable place to build wind farms. Indeed, a Federal State Plan along with the private sector looks to exploit the aeolian energy of the region. 14 farms have already been installed and

four more are under construction, the majority of them in the lands of the ikjoots and binni'zaa indigenous communities. It is alleged that the territory is being stripped in order to install wind turbines for the production of so-called clean, cheap energy. The development of these wind farms has characterised by violations of international legal standards such as right to free, prior and informed consent regarding land used by indigenous peoples. It has also deeply divided the local population provoking tensions and conflict, often leading to violent clashes between developers and those in favour of the wind farms, and those who oppose them. Local human rights defenders have organized themselves in popular assemblies such as: the *Asamblea Popular del Pueblo de Juchitán* (Popular Assembly of Juchitán, APPJ) formed in February 2013 to struggle against the imposition of the wind-farm Bii Hioxo, which is managed by the Spanish venture capital firm Gas Natural Fenosa (GNF) and the *Asamblea de Pueblos Indígenas del Istmo de Tehuantepec en Defensa de la Tierra y el Territorio* (APIITDTT) which gathers since 2007 several communities. . In 2014, the APPJ and the APIITDTT have continued to denounce aggressions against those who work to defend their land and territory, in particular:

- On 10 February 2014, two members of the APPJ, Mariano López Gómez and María Isabel Jiménez Salinas received threatening phone calls for their resistance to the Bii Hioxo wind farm.
- On 10 April 2014, Ms Carmen Ruiz Martínez, another member of APPJ, was attacked by two unknown women in the street, who grabbed her as to force her to go with them, but she managed to escape. The incident occurred shortly after a call threatening to abduct the human rights defender, and followed recent instances of harassment and intimidation.
- On 28 January 2014, the protest camp of the APPJ located in communal territories of Juchitán de Zaragoza on the Tehuantepec Isthmus, Oaxaca, was razed to the ground for a second time by unknown persons. The incident follows a previous razing of the protest camp that occurred on 15 October 2013.
- In February 2015, Lucila Bettina Cruz Velázquez, an indigenous leader and member of the APIITDTT, was finally acquitted following three long years of trial against her, with the prosecution failing to provide adequate evidence and charges being constantly modified. Lucila Bettina Cruz Velázquez had been charged in February 2012 with acts or omissions gravely affecting the “national consumption and national wealth” and with illegally detaining individuals. Since then, she has been granted protection measures by the Public Defender of Human Rights for the People of Oaxaca and, in November 2012, by the Federal Government's Protection Mechanism for Defenders and Journalists, but reported that these protective measures had been inefficient in guaranteeing her safety and security.

#### **4. Killing of human rights defender Ms Sandra Luz Hernandez – Madres con Hijos Desaparecidos (Mothers of Disappeared Children)**

On 12 May 2014, Ms Sandra Luz Hernandez, who was a member of *Madres con Hijos Desaparecidos*, was killed in Culiacán, Sinaloa. The human rights defender was shot 15 times in the head in broad daylight as she was reportedly on her way to meet a person who she had been told had information regarding her son's case. The killing of Sandra Luz Hernandez highlights the great risks faced by families of disappeared persons in Mexico seeking justice.

Allegedly, those responsible for the disappearance of Sandra Luz Hernandez's son had presented themselves to the police, but were released without charge. The Prosecutor's Office had assisted the human rights defender on three occasions in performing a physical search for her son's body, but no progress was made in the investigation.

Madres con Hijos Desaparecidos is an organisation made up of mothers seeking to combat impunity for the enforced disappearances of their children in Mexico. Sandra Luz Hernandez has been searching for justice for her son, Edgar Guadalupe García Hernández, who worked in the State Prosecutor's Office of Sinaloa, since he was abducted from their home on 12 February 2012 by unknown armed persons.

## **5. Physical attacks against Mr Damian Gallardo Martinez in prison as he awaits conclusion of appeal against detention**

Damian Gallardo Martinez, a teacher who has worked to defend the rights of indigenous communities and the right to education, in particular in the Mixe and Zapoteca regions of the Oaxaca Hills, has been detained since 18 May 2013. In May 2014, Front Line Defenders expressed its concern at physical attacks and threats against him in the Federal Centre for Social Rehabilitation Number 2 of “el Salto” in Jalisco state, CEFERESO prison.

The human rights defender was originally arbitrarily detained on 18 May 2013 following a night raid on his house made by seven men carrying military-issued guns, who did not present the human rights defender with a warrant or identify themselves. He is accused of kidnapping and organised crime along with 11 other colleagues. Eleven colleagues of Damian Gallardo Martinez were also detained on 17 and 18 May 2013 and subsequently charged with the same crimes. The human rights defender was held incommunicado for 30 hours and reportedly tortured, until he signed a false confession incriminating members of the *Sección 22 del Sindicato Nacional de Trabajadores de la Educación* – SNTE (22nd Section of the National Union of Education Workers) in the charges against him.

Damian Gallardo Martinez still awaits the final decision of the Fourth Circuit Court of Zapopan Jalisco regarding his detention in relation to these charges. A judge of the Third District found that the human rights defender's rights had been violated in the trial and ordered a review of the judgement issued by the Sixth Federal Criminal Court of Jalisco to detain the human rights defender. The appeal relates to the decision of that same court to uphold its original finding, however there have been further delays in the process, and to date no final judgement has been made.

## **6. Detention of environmental rights defender Mr Marco Antonio Suástegui Muñoz - Consejo de Ejidos y Comunidades Opositores a la Presa La Parota (Council of Communal Lands and Communities Opposing the La Parota Dam)**

In June 2014, Front Line Defenders issued a joint letter with 52 other organisations on the detention of environmental rights defender Mr Marco Antonio Suástegui Muñoz, a leader of the *Consejo de Ejidos y Comunidades Opositores a la Presa La Parota* – CECOP. He was arrested on 17 June 2014 by members of the Ministerial Police of the Attorney General of Justice of Guerrero State. Several violations of the human rights defender's rights to due process were reported, such as his having been severely beaten by the police at the time of his arrest.

## **7. Threats, detention, raids, harassment, surveillance and stigmatisation of human rights defenders in the state of Chiapas**

In Chiapas, the rural indigenous communities have been confronting years of repression and harassment. Indigenous rural defenders are constantly targeted because of their human rights work. In June 2014, Front Line Defenders launched an urgent appeal on several human rights defenders in Chiapas who have been the victims of a series of attacks, threats, harassment, surveillance and stigmatisation. An emblematic case is the one of the *Centro de Derechos Humanos Fray Bartolomé de las Casas – Frayba* (Fray Bartolomé de las Casas Human Rights Centre), an independent organisation working to promote and defend the rights of indigenous peoples in the State of Chiapas. Frayba and its members suffer from an ongoing campaign of harassment, intimidation, stigmatisation. On 8 June 2014, Mr Víctor Hugo López Rodríguez, Director of Frayba reported being once again under surveillance.

## **8. Threats against Mrs. Silvia Perez Yescas – Conservación, Investigación y Aprovechamiento de los Recursos Naturales (Conservation, Investigation and Exploitation of Natural Resources)**

On 19 August 2014, Silvia Perez Yescas, a Zapoteca-Chinanteca indigenous woman, founder and coordinator of *Ciarena A.C.*, a grass-roots organisation focused on gender equality, women and children's rights, was informed that in San José Río Manzo community there was a bounty of

100.000 pesos on her head. Due to her human rights work since January 2009, Silvia Perez Yescas along with other members of Ciarena A.C has suffered harassment, surveillance and received many personal death threats, including through messages written on the organisation's walls and windows. On 16 January 2013, Silvia Perez Yescas was physically assaulted by a group of twenty armed men who entered her house. She managed to save herself and her son, but they were not able to return to their home for fears over their safety.

Silvia Perez Yescas has precautionary measures granted by the Oaxacan government, however those have never been fully implemented. Additionally, the human rights defender has been taken up by the National Mechanism for the Protection of Human Rights Defenders and Journalists. However the measures taken by the Mechanism have not been sufficient to guarantee her security.

### **9. Arrest and detention of environmental and indigenous rights defenders Mario Luna Romero and Fernando Jiménez Gutiérrez**

In September 2014, Front Line Defenders expressed its concern at an ongoing strategy of criminalisation of human rights defenders who are promoting and protecting the rights of the Yaquí tribe in its campaigns against the Independence Aqueduct. The Yaqui community has been working to prevent the diversion of water from the Yaqui river, over which the tribe has 50% ownership, to the Independence Aqueduct.

Within a matter of weeks, several arrest warrants were issued against various members of the Yaqui Tribe (including Mario Luna Romero and Fernando Jiménez Gutiérrez) in relation to their opposition of the Independence Aqueduct:

- Mr Mario Luna Romero was arrested on 11 September 2014 in connection with the abduction of another Yaquí community leader who was detained for committing a crime on the tribe's territory as an indigenous person.

- Following his arrest, Mr Fernando Jiménez Gutiérrez was arrested in september 2014. As a spokesperson for the Yaqui Tribe, Fernando Jiménez Gutiérrez had been participating in meetings on the conflict of Aqueduct Independence on behalf of the Yaqui Tribe en Mexico City. Charges brought against the two human rights defenders were “illegal deprivation of liberty” and “theft of a motor vehicle”. These accusations arose out of the events of 8 June 2013, when, during a road block maintained by the Yaqui, a member of the indigenous group committed an infraction while driving his car and, in accordance with the practices and customs of the tribe, was detained, transferred to the Commissary and sanctioned.

To this day, Mario Luna Romero and Fernando Jiménez Gutiérrez remain in prison and are still awaiting the decision of the judge.

### **10. Human rights defenders opposing mining activities in the state of Colima**

In October 2014, we expressed our concerns for the safety and security of human rights defenders opposing mining activities. Over the past year, environmental and indigenous rights organisations such as *Bios Iguana A.C.* and the Indigenous Council for the Defense of the Territory of Zacualpan located in the municipality of Comala, Colima State, Mexico, have been facing continuous threats, attacks, stigmatisation and criminalisation as a result of their ongoing opposition to a mining concession that has been granted in the Indigenous Nahua community of Zacualpan.

Mr Gabriel Martínez Campos, President of Bios Iguana, has reported at the time being followed by several cars on a number of occasions and being approached by unknown persons asking him how the current situation is in Zacualpan. To this day, threats against Mr Gabriel Martínez Campos continue (including acts of defamation in the media) and other members of Bios Iguarana have also received threats. The human rights defenders have further denounced the inaction of the police to protect human rights defenders at risk.

### **11. Environmental rights defender Martín Solís Bustamante forced to temporarily relocate due to government refusal to implement protection measures**

In November 2014, Mr Martín Solís Bustamante, director of *El Barzón Chihuahua*, a national association that represents the owners of small and medium-sized farms, has been forced to temporarily leave the state of Chihuahua as a result of renewed threats against him. Martín Solís Bustamante is beneficiary of precautionary measures (388/12) granted by the Inter-American Commission on Human Rights (IACHR) on 6 November 2012. To date the Mexican authorities have failed to implement these measures.

El Barzón Chihuahua represents various communities in the North-West of Chihuahua in their opposition to illegal overexploitation of water and the presence of the Canadian mining company MAG SILVER in the Benito Juárez community in Buenaventura.

The members of El Barzón Chihuahua have faced numerous cases of harassment and intimidation due to their environmental human rights activities.

### **12. Killing of migrants rights defenders in Tequixquiac, Mexico State - Colectivo Ustedes Somos Nosotros (Collective You Are Us)**

In November 2014, Front Line Defenders reported on the killing of two migrants rights defenders, who were members of the *Colectivo Ustedes Somos Nosotros* and had for many years provided food and humanitarian assistance to migrants travelling through Mexico as they stop in the Tequixquiac and Huehuetoca regions. Their surnames were not made public as a precautionary measure for their family members. The murder of the two human rights defenders followed ongoing threats and harassment against members of the organisation.

The homes of some of their members, Jorge Andrade and Andrea González were previously raided and a number of items were taken including computers, USB sticks and camera memory cards which contained information about human rights violations against migrants by both the authorities and criminal groups. Though the members of the organisation receive assistance from the Mechanism for the Protection of Human Rights Defenders and Journalists at federal level, this has been ineffective.

On 5 April 2014, a group of eight migrants' rights defenders, including members of *Colectivo Ustedes Somos Nosotros*, were shot at by an unknown man as they prepared to offer food, medicine and clothing to migrants arriving on a freight train outside of Mexico City.

To this day, the police have no line of investigation and members have had no contact from the Protection Mechanism with regards to a renewed risk analysis or increased precautionary measures.