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**HUMAN RIGHTS
IN MEXICO**

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*Women of Atenco:
six years of resistance*



Community Water Defenders:
adopted as prisoners of conscience by
Amnesty International, their case will soon
be examined by Mexico's Supreme Court

*New era
ISSUE 0*

**Centro
Prodh**
CENTRO DE DERECHOS HUMANOS
MIGUEL AGUSTÍN PRO JUÁREZ A.C.



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Ecologists Rodolfo Montiel and Teodoro Cabrera are still waiting for justice

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Detail of the public present at the Mexican government's public acknowledgment of responsibility due to the human rights violations carried out by the military against Inés Fernández Ortega in Ayutla de los Libres, Guerrero, March 6, 2012 / Image: Tlachinollan

Focus: staying current in a new era

After 24 years, Center Prodh continues to work to bring about structural reforms and access to justice for victims of human rights violations, in a context that seems more desperate every day. Looking back over the past two and a half decades, we can say that recent years have witnessed some of the most historic and positive Constitutional reforms for human rights in Mexico, opening new strategies to human rights defenders. However, against this backdrop, we are currently living a paradoxical spiral of increasing violence and human rights violations in the country, as the legal reforms remain unimplemented or ignored by authorities in the framework of a disastrous war on crime whose main victim is Mexico's civilian population.

Over the years Center Prodh has gotten to know the personal stories of victims and their families, often tragic but usually carrying the hope that by working together we can start to stem human rights violations. Their struggle and their solidarity exemplify choosing the best in oneself in the face of seemingly overwhelming injustice and pain.

As we move forward, seeking how best to serve these families as well as our national and international counterpart organizations and the public that receives information from us, we are updating the design of our traditional English newsletter, Focus, complementing our recently re-launched Spanish language magazine, DeFondho. Of course, the heart of the articles you will find in Focus remains the same: the strength and dignity of the victims with whom we work.

For instance, in this issue, you will learn about the fight of the women of Atenco for truth and justice and against sexual torture.

We cannot forget that this May^{3rd} and 4th marked six years of impunity in their case – that is, the abuses committed against the women remain unpunished and without reparations, which is why the case is currently pending in the merits stage before the Inter-American Commission on Human Rights. This same anniversary marks six years of resistance and tireless activism by the women, who have engaged in activities ranging from traveling to inform different audiences about the case, supporting people unjustly imprisoned in other cases, testifying before international legal bodies, and more; they are undaunted and their commitment is an inspiring example for activists all over the world.

In this edition, we also offer updates on the case of José Ramón Aniceto and Pascual Agustín, two nahua indigenous community leaders incarcerated in the state of Puebla in retaliation for their successful defense of their community's right to access to water. We also discuss the case of the Ecologists Rodolfo Montiel and Teodoro Cabrera, who are still waiting for justice despite the favorable sentence issued in 2010 by the Inter-American Court of Human Rights, finding Mexico responsible for human rights violations against the Ecologists. All of these people became the victims of human rights violations precisely for having defended the rights of others.

Finally, as readers will have noticed, with this publication we show our updated institutional logo and image: a small change of look as we continue into the future without forgetting our past, and the principles that remain the same today as at Center Prodh's founding in 1988.✕

Bettina Cruz

Bettina Cruz Vélazquez is a woman of Zapotecan indigenous origin known for her charisma and clarity, especially when it comes to defending human rights. Co-founder of the Assembly of Indigenous Peoples of the Isthmus of Tehuantepec in Defense of their Land and Territory, she has participated in the fight against different megaprojects in the Isthmus of Tehuantepec, including the imposition of windfarms in violation of legal requirements and consultation with the affected peoples. Her work in defense of indigenous land rights has not been without cost for her safety: she recently received a death threat and she was detained on February 22, 2012, on invalid charges of illegal deprivation of liberty against workers of the CFE (Mexico's Federal Commission of Electricity) and illegal consumption of natural resources.

Currently, Bettina participates along with her community to call for respect for the law and indigenous rights in the framework of the windfarm project of Piedra Larga, developed by Renovalia Energy, with headquarters in Spain, to provide "clean" energy mostly to Grupo Bimbo (a major company famous in Mexico for its bread, among other products) through an 18-year auto-supply contract.

The peaceful resistance of the community members has had its consequences, including for activists' families. Bettina's husband also has a detention order issued against him, and as a mother, she worries for her children.

"It's clear to me that my detention was related to the petition of the small land owners" against the contracts related to the windfarm, Bettina stated after being released. "Our indigenous communities are subjected to discrimination and constant violations only because they call for respect for our legal right to our land and territory." <



Inés Fernández



Inés with her people. At her left, Alejandro Poiré, Minister of the Interior. Image: Tlachinollan

Inés Fernández, a me'phaa indigenous woman, was 24 years old when soldiers raped her in the kitchen of her house in the community of Ayutla de los Libres, state of Guerrero. This case shows the kind of human rights violations, particularly against women, that are committed in the context of the militarization of indigenous peoples' territory.

Inés Fernández Ortega was born on March 24, 1977 in the indigenous community of El Camalote, in the municipality of Ayutla de los Libres, Guerrero. As a young girl, she was in charge of taking care of her parents and brothers; at the age of 15 she married Fortunato Prisciliano Sierra and, once married, she and her husband, with whom she had six children, devoted themselves to raising goats.

In 1998, as a consequence of the marginalization suffered by indigenous peoples, some nasavi and me'phaa indigenous men and women created the Independent Organization of Mixtec and Tlapaneco Peoples (OI-PMT) with the aim of fighting for a better economic and social situation for their communities.

Inés Fernández started participating in its offshoot Organization of the Me'phaa Indigenous Peoples in the year 2000; she trained in women's rights and gradually became a community leader who supported women whenever they had to denounce domestic violence before the community authorities.

On March 22, 2002, eleven soldiers came to her home while she was in the kitchen. Eight soldiers remained outside and three entered without her permission, yelling, aiming their weapons directly at her and asking her about her husband. Then the soldiers forced her to lie on the ground and, regardless of the presence of her children, raped her.

Following a lack of criminal investigation by the government and after numerous complaints before different authorities, the Inter-American Court of Human Rights issued a sentence in her case, finding Mexico responsible for grave human rights violations against Inés. Ten years after the terrible events that changed the life of Inés and her family, on March 6, 2012 Mexico, through the Minister of the Interior, Alejandro Poiré, publicly acknowledged its responsibility for the violations committed against Inés.

It is worth noting that this public acknowledgement comes almost a decade of the government's denial of the military's responsibility in the sexual abuse suffered by Inés and Valentina Rosendo Cantú, whose case was also decided by the Inter-American Court the same year. The Mexican government's public acknowledgment of responsibility was one step toward justice, hard-won by women who, as Abel Barrera (Director of the NGO Tlachinollan) recalled during the ceremony, were initially called liars, but whose stories have now been recognized through their many years of struggle.✧

Community Water Defenders:

In the previous issue, we presented the case of José Ramón and Pascual, nahua indigenous leaders from the state of Puebla who are currently serving prison terms for baseless charges filed in retaliation for their successful defense of their community's right to access to water. Their case reveals the destructive multiplying effect that comes about when human rights defenders are imprisoned for their work. We will now present our readers with some important updates in their case.

Brief summary of the case

After an exhaustive documentation process, Center Prodh and the Ignacio Ellacuría Human Rights Institute (part of the Ibero-American University at Puebla) have taken on the legal defense of the case of José Ramón Aniceto Gómez, 64, and Pascual Agustín Cruz, 48, nahua indigenous community members from Atla, town of Pahuatlán, state of Puebla. Both men were unjustly arrested and sentenced to nearly seven years in prison in retaliation for their legitimate and successful defense of their community's right to water.

José Ramón and Pascual had been elected as traditional indigenous authorities due to their recognition as honest representatives of the community. They carried out their assigned duties without receiving any financial compensation and were able to advance the community's rights by providing free access to drinking water and thus reversing the abuses to which their families had been subjected by the local power group that controlled the water system in Atla community (including the obligation to pay up to 5000 pesos (about \$400 USD)

adopted as prisoners of conscience by Amnesty International, their case will soon be examined by Mexico's Supreme Court



José Ramón and Pascual

for accessing water). However, after carrying out a failed physical attack against the victims, servants of the local strongman (or cacique) accused José Ramón and Pascual of an invented car theft. Despite the lack of any evidence against them and the contradictory accusations of the aggressors, the local justice system sentenced the water defenders to prison.

Amnesty International (AI) officially declares José Ramón Aniceto and Pascual Agustín Cruz prisoners of conscience

Last March 29th, Amnesty International officially declared José Ramón and Pascual prisoners of conscience. This means that Amnesty is campaigning for their release, as it does worldwide for people who have been jailed because of their political, religious or other conscientiously-held beliefs, ethnic origin, sex, color, language, national or social origin, economic status, birth, sexual orientation or other status.

Amnesty International's Mexico research team carried out a process of documentation of the case that allowed Amnesty to declare José Ramón

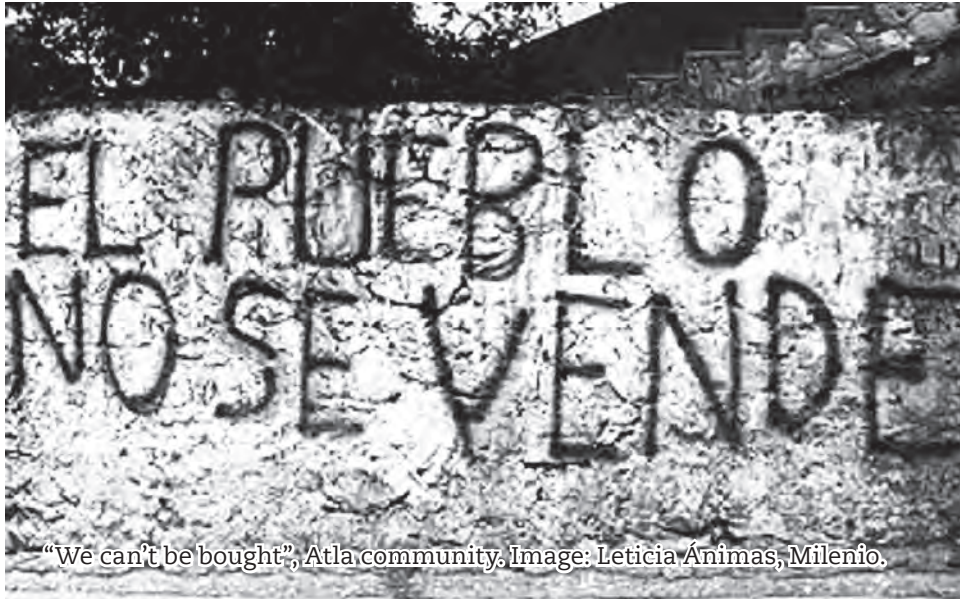
and Pascual prisoners of conscience, having concluded that both indigenous men were tried and sentenced in retaliation for their human rights defense work. This included a visit by Amnesty's team to the victims and their community.

Amnesty confirmed that it had found that there was no real crime with which to accuse José Ramón and Pascual; rather, the district attorney did not investigate appropriately and acted based only on the accusing party's statement. There were evident irregularities and contradictions in the trial. Moreover, the fact that the victims spoke the náhuatl language was not taken into account, rendering the criminal trial doubly unjust.

In short, this case confirms that Mexico's justice system still allows groundless criminal trials resulting in serious injustices against arbitrarily detained and innocent people as well as their families and communities. Thus, Amnesty International now calls for their immediate and unconditional liberation and announced that it will undertake a campaign to achieve this end.

The state of the case: Mexico's Supreme Court assumes jurisdiction

As readers will recall, on October 27, 2011, Center Prodh filed an amparo legal defense action against the confirmation of the sentence that incarcerated José Ramon and Pascual. The amparo action, the last legal remedy available to them, was admitted on November 11, 2011 under file number 527/2011 by the Second Collegiate Circuit Court (a federal court) in the state of Puebla. This court never issued a resolution because last May 2nd, the First Chamber of



“We can't be bought”, Atla community, Image: Leticia Ánimas, Milenio.

Mexico's National Supreme Court (SCJN) unanimously decided to assume jurisdiction over the amparo in the case of José Ramón and Pascual, meaning that their case will be exhaustively examined by Mexico's highest tribunal. Thus, the Court could order their immediate release from prison due to their innocence and the human rights violations committed against them.

The case is now pending before the First Chamber of the SCJN, which could issue resolutions on at least three fundamental questions in the case, which appear as well in many cases in the Mexican justice system: (1) that there was no adequate defense because the victims did not have an interpreter and their culture was not respected; (2) that no crime ever existed, showing serious deficiencies in the standards used to bring people to trial; and that (3) even though by law the district attorney is in charge of proving the guilt of the indicted, José Ramón and Pascual were instead told to demonstrate their innocence.

For Center Prodh, this case is particularly important because José Ramón and Pascual are indigenous authorities, traditionally elected, and they were working as defenders of the right to access to water. As mentioned before, that is the reason for which they were falsely accused and imprisoned. Their case is thus an example of the

use of the criminal law as a form of repression for their defense of human rights. Their unjust imprisonment means that the residents of the community of Atla still suffer from the abuses of the local power group (grupo caciquil) which profiting once again from its control over the access to water for the local population. The im-

prisonment of the community leaders also has a chilling effect on the people that took on José Ramón y Pascual's positions, since they are justifiably wary of opposing the local group.

Regarding the examination of the amparo by the First Chamber, it is our hope that in addition to examining the violations of the victims' judicial guarantees and indigenous rights, the SCJN's resolution includes an analysis of the essential characteristics of the case as an example of the improper use of the criminal justice system to block human rights activities, as well as a clear recognition of the victims' innocence.

The SCJN now has the opportunity to set precedents and contribute to guaranteeing justice for vulnerable social groups. Indeed, the unjust imprisonment of José Ramón and Pascual is representative not only of activists criminalized for their work, but also of people in situations of vulnerability because of their indigenous origin or economic status.

Conclusion

Center Prodh and the Ignacio Ellacuría Human Rights Institute welcome the SCJN's decision to assume jurisdiction over this case and hope that the Justices of the First Chamber will resolve this matter in observance with the highest human rights standards. We will keep our readers informed about the SCJN's decision, which we hope will be issued soon. Recalling that as of today, the victims have already served a third of their prison sentence, it is clear that justice cannot wait any longer for José Ramón and Pascual.✧

On May 3rd and 4th, 2006, 47 female detainees were brutally beaten, humiliated and abused and the majority denounced suffering sexual torture during a police operation characterized by the excessive and indiscriminate use of force in Texcoco and San Salvador Atenco, state of Mexico, Mexico. When they denounced sexual abuses, the state governor and now presidential candidate, Enrique Peña Nieto, declared that “the issue had to be put in context... some attempt to say, from what happened in

Atenco, that rape is a police policy...It is also well known that the radical groups’ manuals indicate, in the case of women, that they have to say they have been raped...”.

Recently, on May 11, 2012, Enrique Peña Nieto took responsibility for the police operation when, during a visit to the Iberoamerican University in Mexico City, carried out as part of his presidential campaign, university students questioned him sharply about the 2006 Atenco events. “I made the decision to use the

Six years of impu



police,” stated Peña Nieto, “to restore order and peace and unfortunately there were some incidents that were properly punished and those responsible were brought before the judicial authorities. But I repeat: it was an action for which I personally assume responsibility...”

Contrary to what was stated by the presidential candidate, not a single person has been punished for the abuses committed in Atenco. In fact, due to the lack of justice, the women of Atenco decided to take their case before the Inter-American

Atenco:
6 años de impunidad,
de resistencia

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Impunity, six years of resistance

Atenco: the world must continue watching



Commission on Human Rights, which admitted the case in November 2011 and is currently analyzing its merits.

To commemorate the sixth anniversary of the events, Bárbara Italia and Edith, two of the women detained in Atenco, together with Center Prodh and Amnesty International-Mexico, gave a press conference and presented the book "Atenco: 6 years of impunity, 6 years of resistance", prefaced by the Nobel Peace Prize-Winner Jody Williams. During the presentation Bárbara Italia stated that the women of

Atenco are no longer victims, but defenders vindicating their names, their bodies and their fight for justice, and that the government's attempt to silence them has been in vain. To support the women of Atenco, 100 national and international organizations (including the World Organization against Torture, the Washington Office on Latin America, the Voices and Faces Project, etc.) signed a statement demanding that the sexual torture in their case be properly investigated, punished and redressed. Finally, some of the women also organized

and participated in a rally to denounce once more the human rights violations committed during the raid in 2006.

In the preface of the aforementioned book Jody Williams wrote that "We want Mexico to know that the world is watching and the women of Atenco have not been forgotten". Indeed, people inside and outside Mexico must know and remember what happened in Atenco in 2006. Their support is very important for the women who continue fighting for justice.✎

Ecologists Rodolfo Montiel and Teodoro Cabrera are still waiting for justice

Mexico has not advanced in investigating torture or reformed the Code of Military Justice to comply with the ruling of the Inter-American Court of Human Rights

As readers will recall, in November 2010, the Inter-American Court of Human Rights found in favor of Rodolfo Montiel Flores and Teodoro Cabrera García, defenders of the forest from Guerrero state who in 1999 were arbitrarily detained by the Mexican army and coerced into falsely confessing to crimes they did not commit. They were convicted in a trial plagued with human rights violations and only freed years later for supposed “humanitarian reasons”, without an official recognition of their innocence by the Mexican government, much less any reparations for the abuses they had suffered. In particular, and following a preliminary investigation in military jurisdiction, no authority has been charged for the acts of torture committed against the ecologists by members of Mexico’s army.

In its sentence on this case, the Inter-American Court thus ordered Mexico to investigate the crime of torture with a view to punishing any and all guilty parties. The Court also reiterated an order already issued in three previous cases against Mexico: to reform the Code of Military Justice so as to exclude cases of human rights violations from the jurisdiction of military investigators. Decades of experience have proven that when the military investigates its own members, the result is impunity for grave human rights violations; indeed, the prohibition on using military jurisdiction to investigate and try human rights crimes is a well-established principle of international law in the inter-American system and has been reflected in reforms and jurisprudence of numerous Latin

American countries.

Yet despite the legally binding nature of the Inter-American Court’s sentences, and despite the government’s stated intention to comply with its orders, as of today, one and a half years after the sentence in the Ecologists Case, Mexico has not advanced in the investigation of torture or reformed its Code of Military Justice. In fact, other proposed legislative reforms would go against the jurisprudence of the Court in the Ecologists Case.

The torture investigation: still waiting for action from the authorities

In July 2011, the federal Attorney General’s Office (PGR) opened an investigation into the ecologists’ allegations of torture. Both Rodolfo Montiel and Teodoro Cabrera indicated their wish to cooperate with the investigation,

and gave detailed statements to the PGR. However, the PGR informed them that before taking other actions in the investigation, it was necessary to gather together all the old files that had to do with the case, including military files and files from the trial court that unjustly sentenced them for false crimes. Then, PGR medical and psychological experts would analyze the files so as to be prepared to carry out an Istanbul Protocol evaluation of Rodolfo and Teodoro (that is, a specialized medical exam and questionnaire internationally recognized as a tool for documenting torture). The ecologists and Center ProDH pointed out that

The Ecologists case

Rodolfo Montiel and Teodoro Cabrera were victims of arbitrary detention and torture by soldiers in 1999, as well as an unfounded criminal trial and other abuses because of their defense of the forests in Sierra de Petatlán and Coyuca de Catalán, Guerrero state.

In 2001 and thanks to international solidarity, they were released from prison. However, Mexico never recognized their innocence

In 2010, the Inter-American Court of Human Rights rendered a sentence finding Mexico internationally responsible for serious human rights violations committed against the two Ecologists. The judgment issued by the Inter-American Court in the Ecologists addresses several structural problems that continue in Mexico today, such as the use of coercion to obtain confessions and the impermissible use of military jurisdiction to investigate human rights violations against civilians.

You can learn more about their case on our website, www.centroprodh.org.mx.

it was not necessary to wait through this process before pursuing other lines of investigation, espe-

cially given that several of the suspects are clearly identified and that there is already medical documentation of the torture. However, to our knowledge the PGR is not pursuing other lines of investigation. Since it has yet to carry out the Istanbul Protocols either, at ten months since the opening of the investigation, there has been no advance beyond gathering together case documents.

Center Prodh and the Center for Justice and International Law (CEJIL), the organizations that litigated the case before the Inter-American Court, recently submitted a report on compliance to the Court, as did the Mexican government and the Inter-American Commission on Human Rights. We now await the Court's first compliance resolution on the case, in which it will review the status of implementation of the sentence and issue instructions to the government to comply with all pending points.



Rodolfo Montiel and Teodoro Cabrera

Objections from the Armed Forces halt Senate bill to reform Code of Military Justice

In order to comply with the Inter-American Court's repeated orders to reform Mexico's Code of Military Justice, a bill was proposed in the Senate that would exclude from military jurisdiction all human rights violations. The bill was analyzed and approved at the level of the Senate's corresponding internal commissions, and thus should have passed to the plenary of the Senate to be voted in April 2012, just before the end of the legislative session. However, representatives of the Armed Forces made known that they opposed the inclusion of the phrase "human rights violations" in the reform, and hence the coordinators of the PAN and PRI political parties in the Senate decided not to let the bill come to a vote in the plenary. The legislative session has now ended. The fact that the momentum behind this crucial and obligatory reform has been lost due to direct pressure by the Armed Forces in a matter that is the exclu-

sive jurisdiction of the legislative branch and in which Mexico has binding legal obligations, is highly alarming and signifies a major setback in this area.

Proposed reforms to Federal Code of Criminal Procedure replete with anti-human-rights provisions

Another recent legislative proposal, to reform Mexico's Federal Code of Criminal Procedure, has been equally alarming to the human rights community. This proposal, from the Justice Commission of the House of Representatives, contains provisions designed to increase the discretion of authorities to detain and interrogate and to establish exceptions to the rule excluding evidence obtained through human rights violations from trials – despite the Inter-American Court's clear jurisprudence in the Ecologists Case and the Mexi-

can Constitution's reformed provisions dealing with this issue. In general, the bill runs counter to the criminal justice reforms that this very Code is supposed to implement. When dozens of national and international civil society organizations objected, as well as the PRD and PT political parties, the Justice Commission indicated that it would study our recommendations. However, the Commission instead ignored the principle objections and fast-tracked the bill to the plenary of the House of Representatives, where it would have been voted had certain Representatives not physically occupied the building to prevent the vote. This bill remains a latent threat for the next period of legislative sessions, with serious concerns that far from implementing the new justice system, the Code of Criminal Procedure will undermine fundamental rights now incorporated into the Constitution.

We will keep readers informed of developments in these areas in future issues.▼

UN Committee examines marginalization of indigenous peoples in Mexico, awaits justice in the case of Hugo Sánchez Ramírez

Last February 14th and 15th, 2012, the United Nations Committee on the Elimination of Racial Discrimination (CERD Committee), sitting in Geneva, Switzerland, carried out its periodic evaluation of Mexico. The Committee underscored the State's obligation to fight structural discrimination against indigenous peoples, which manifests itself in ways ranging from the destruction of their lands to the criminalization of their leaders and the victimization of innocent indigenous persons within the justice system.

As the United Nations body in charge of monitoring the implementation of the Con-

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vention on the Elimination of All Forms of Racial Discrimination, the Committee examines periodic reports submitted by the States parties in which they explain the actions they have taken to fight discrimination. The [ask questions and state their concerns and recommendations. Civil society organizations can participate in the process, as Center ProDH did on this occasion by presenting the alternative report Imprisoned by discrimination: The arbitrary detention and conviction of innocent indigenous people in Mexico.

Through expert analysis of the information provided by the State and civil society,



United Nations Human Rights Council
 Image: U.S. Mission Photo by Eric Bridiers

complemented by two days of discussion, the Committee was able to enter into a fairly detailed analysis of some of the more pressing issues in the fight against discrimination and social inequality in Mexico. It is important to bear in mind that as the monitoring body of the Convention, a binding treaty, the CERD Committee's recommendations constitute an authoritative interpretation of the State's legal obligations under the treaty.

On this occasion, Mexico was represented in Geneva by a delegation of 16 authorities headed by Ambassador Alejandro Negrín Muñoz, Human Rights General Director at the Department of Foreign Affairs, and by the President of the National Council for the Prevention of Discrimination (CONAPRED), Ricardo Bucio Mújica, among others. After analyzing the information provided, the Committee experts reiterated the urgent need to combat the marginalization of indigenous peoples, as well as xenophobia against migrants, and the double discrimination suffered by women from indigenous or minority groups.



Regarding the criminal justice system, the Committee was particularly interested by the case of Hugo Sánchez Ramírez, a young maza-hua indigenous man incarcerated in the state of Mexico. Several of the Committee's experts called attention to the case, questioning the police's apparent lack of

criteria to detain people and recalling the obligation to prevent arbitrary detentions against vulnerable social groups.

The representatives of the Mexican government acknowledged that Hugo Sánchez Ramírez was detained based on the premise of having a "suspicious attitude" but pointed out that Mexico's National Supreme Court (SCJN) will resolve the case in the near future and could issue guidelines "to prevent arbitrary detentions or the use of illegal trials" in similar cases in the future as well as "very important criteria" regarding the examination of evidence.✕



Shadow report presented before the CERD by Center Prodh this year.

- **Anti-mining defenders at risk in Oaxaca**
- **Israel Arzate • Protection of human rights defenders and journalists**

Newsbriefs

Rising international support for Israel Arzate, innocent victim of torture by the military in Ciudad Juárez



The list of international actors voicing support and concern for Israel Arzate Meléndez – the young father arbitrarily detained and brutally tortured by the army in Ciudad Juárez to force him to confess to a crime he did not commit – continues to grow. Readers will recall that Mexico's National Human Rights Commission had already confirmed the torture committed against Israel (among other things, the Istanbul Protocol carried out on him showed electric burns over large parts of his body). The case is also featured in Human Rights Watch's most recent report on Mexico, "Neither Rights Nor Security. Killings, Torture, and Disappearances in Mexico's 'War on Drugs'" (available at www.hrw.org).

Multiple UN mechanisms have now weighed in on this case. The UN Working Group on Arbitrary Detention, after a detailed study of the facts, declared Israel's detention arbitrary and called on Mexico to release him immediately. The Representative in Mexico of the UN High Commissioner for Human Rights, Javier Hernández, visited Israel in Ciudad Juárez in March and denounced the torture committed against him. Finally, we recently learned that the UN Special Rapporteurs on Torture and Independence of Judges and Lawyers, respectively, as well as the Working Group mentioned above, sent a joint communication to the Mexican government regarding the case.

Israel and his representatives (Center Prodh, Women's Network of Juárez, and Juárez Migrant Support Center) continue to litigate the amparo legal actions filed on his behalf and will keep readers apprised of the results in coming months.✕

San José del Progreso, Oaxaca: anti-mining defenders at risk



As readers know from previous issues, the influx of private capital into megaprojects throughout Mexico has brought serious problems for the residents of diverse states of Mexico. These “development” projects are used to displace people from their lands, destroying their way of life and creating an environment of conflict.

Residents of San José del Progreso, Oaxaca state, continue to fight for respect for the rule of law and justice against the Cuzcatlán mining company (a Canadian affiliate company), which since 2006 has committed violations against them with the tolerance of municipal and Oaxaca state authorities. The latest event was the recent murder, carried out by a group of armed men, of Bernardo Vásquez Sánchez, a member of the Coordination of Peoples of the Valle de Ocotlan and activist against the mines of the Cuzcatlán company in San José del Progreso. Last March 15th, 2012, he was driving with fellow activists Rosalinda Dionicio Sanchez and Andrés Vázquez Sanchez (Bernardo’s brother); both of his companions were seriously wounded in the ambush in which Bernardo was gunned down. At the moment of publication of this issue, none of the perpetrators has been punished.

This murder reveals the high level of vulnerability for activists who oppose the negative impacts of megaprojects undertaken by transnational companies and the urgent need for action by Mexican authorities to protect these defenders and ensure the enjoyment of the rights they defend at the cost of their own lives.▼

Legislative advance toward the protection of human rights defenders and journalists

Center Prodh has been participating in a long process of advocacy and lobbying in both Houses of Mexico’s federal Congress toward the passing of a law to establish a protection mechanism for human rights defenders and journalists. Last April 30th, the bill was passed unanimously by the House of Representatives, after being approved by the plenary of the Senate some days before. With 344 votes in favor, no abstentions, and none against, the bill mandates the creation of a mechanism to protect human rights defenders and journalists who are at risk because of their work in the defense of human rights and because they have exercised the right to freedom of expression.

Now, the time has come for the Federal Executive Branch to take action: President Felipe Calderón has three months to promulgate the law in the Official Gazette of the Federation. For this reason, civil society organizations that have accompanied the process call on the federal government to speed this requirement in order for the bill to enter into force as soon as possible so that the mechanism will soon be established.

It is important to recall that this effort, which reached consensus between a broad coalition of civil society organizations and legislative advisors, will contribute to the protection of human rights defenders and journalists by establishing clear obligations and responsibilities for the Mexican authorities from a law, instead of simply a decree. This means that the creation and operation of the mechanism is not meant to be subordinated to the political willingness of the party in power and can continue beyond each period of government, once implemented. We will update readers on the steps taken to create the protection mechanism in coming months.▼



CENTRO DE DERECHOS HUMANOS
MIGUEL AGUSTÍN PRO JUÁREZ A.C.

Since being founded by the Jesuits in 1988, the Miguel Agustín Pro Juárez Human Rights Center (Center Prodh) has worked to defend, promote, and increase respect for human rights in Mexico, with a focus on social groups that find themselves in situations of vulnerability such as indigenous populations, women, migrants, and victims of social repression.

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On Mothers' Day, mothers tirelessly seek their disappeared children in Mexico



On May 10th, Mexico and Latin America celebrate Mothers' day. This year, nearly 150 mothers and children of victims of enforced disappearance marched down one of Mexico City's central avenues to call on the government to respond with justice and find their relatives, in the context of a presidential administration in which 60,000 people have died in the so-called war against crime, with many thousands of others missing.

The mothers called on authorities and the people of Mexico not to be insensitive to their pain or permit impunity. They explained that they are not just concerned about their own relatives but also about all the people in the country who are suffering in the failed war against organized crime.

Showings of support for the march of mothers arrived from different states such as Chihuahua, Coahuila, Guanajuato, Querétaro, Baja California, Nuevo León and Mexico City; and from abroad: El Salvador, Honduras, and the United States.▼

Presentation of the book Kidnapping of Migrants

This month, the Miguel Agustín Pro Juárez Human Rights Center (Center Prodh) and the Saltillo Migrant Shelter presented the book *Kidnapping of Migrants*, which contains data and testimonies on this issue in Mexico. The book is part of a compilation of Annual Reports prepared and presented by the Saltillo Migrant Shelter, which contain information on the human rights situation of undocumented migrants in transit through Mexico. For the Saltillo Migrant Shelter, the book constitutes the 7th report, with data obtained through shared testimonies of migrants that stayed in the shelter and received assistance regarding human rights violations suffered.

At the same time, Center Prodh and Bishop Raúl Vera, a well-known defender of migrants' human rights in Saltillo, Coahuila state, travelled to Europe to advocate for the human rights of migrants in Mexico. They held meetings with international and intergovernmental organizations, as well as diplomatic missions, to present the panorama of abuses suffered by migrants and some of the necessary steps to prevent these violations.

Readers can download *Kidnapping of Migrants*, only in Spanish, by clicking here: http://centroprodh.org.mx/index.php?option=com_docman&task=doc_details&gid=92&Itemid=28&lang=es ▼



The campaign to Stop Rape and Gender Violence in Conflict



Center Prodh along with dozens of civil society organizations, women's rights activists, and human rights defenders from across the country, has joined the international campaign to prevent rape and gender-based violence in conflict situations: Stop Rape and Gender Violence in Conflict. These topics remain among the principal concerns for civil society in Mexico, where we still cannot say that women enjoy either freedom from discrimination or effective access to justice in cases of gender violence.▼

Presidential campaigns 2012

IFE Presidential campaigns in Mexico started on March 30th. As of now, human rights have been largely absent from candidates' agendas and public discourse, as evidenced by the first debate among them on May 6th. Although two candidates made quick references to human rights on two occasions, and all four of them made some proposals related to human rights issues, a truly human rights-based discourse is and most probably will continue to be absent. Diverse civil society actors have expressed regret and concern that the candidates seemingly do not prioritize human rights as one of the cornerstones to govern the country.▼



Women of Atenco:

6 years of fighting for recognition of their rights

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