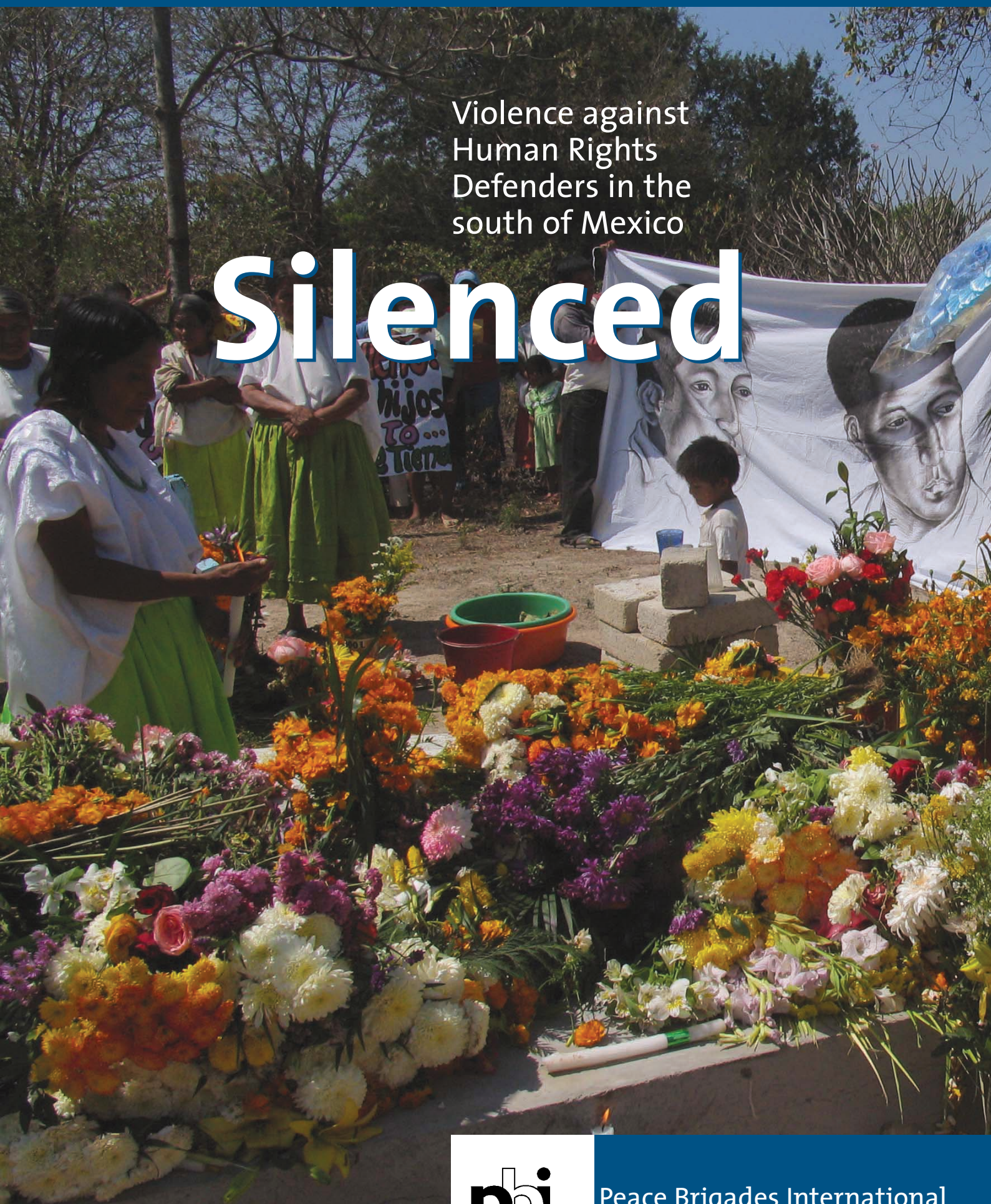


Violence against
Human Rights
Defenders in the
south of Mexico

Silenced



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Cover Photo:

Funeral for the leaders of the Organization for the Future of the Mixteco People (OFPM) assassinated in February 2009. Photo: PBI

Editor's note

Peace Brigades International (PBI) has maintained an international presence in the municipality of Ayutla de los Libres, Guerrero since 2003, accompanying indigenous organizations and human rights lawyers who suffer serious threats as a result of their work to defend fundamental rights.

Throughout these years PBI has witnessed the efforts of the organizations in Ayutla to implement the Universal Declaration of Human Rights, and their accomplishments in this arena. Unfortunately, PBI has also witnessed the assassinations, disappearances and death threats to members of these organizations, attacks that aim to put an end to the human rights defense work in the region.

With this special bulletin, PBI intends to provide information regarding the particularly difficult situation faced by human rights defenders in Ayutla, defenders who, time and time again face threats to their physical and psychological integrity. The *Tlachinollan* Human Rights Center and the Organization of Indigenous Me'Phaa People (OPIM), both organizations accompanied by PBI, currently find themselves in a particularly serious situation. The tension in Ayutla has increased precisely at a time in which these organizations

have achieved important advances in the search for justice through the Inter-American Commission on Human Rights (IACHR); an entity that the OPIM and *Tlachinollan* turned to as a result of the impunity that prevails in cases of serious human rights violations of the indigenous population in Mexico.

In this publication we also look at the criminalization suffered by members of the OPIM, as well as the recent disappearance and assassination of the main leaders of the Organization for the Future of the Mixteco People (OFPM). Reportedly, this series of attacks is part of a strategy to put an end to the human rights defense work in Ayutla.

On February 10, 2009 before the UN Human Rights Council, the Mexican state agreed to protect, recognize and support Mexican human rights defenders by providing the security conditions necessary for their work, and by publicly recognizing their labor. In this way, Mexico has shown its commitment to work towards a more effective implementation of the United Nations Declaration on Human Rights Defenders which was approved just over ten years ago. However, in Ayutla crimes against human rights defenders take place in complete impunity. ■





Alejandra González Marín from Tlachinollan with Valentina Rosendo Cantú and Otilia Eugenio Manuel



Fortunato Prisiliano and Inés Fernández Ortega's corn crops damaged by the military in February 2009



Indigenous Me'phaa communities oppose military presence in February 2009.

Characteristics of the municipality of Ayutla

The state of Guerrero, in the south-west of Mexico, has a population of 3,115,202 inhabitants and an indigenous population of about 390,000 people. The striking rates of poverty and marginalization in the state have a particularly serious effect on the indigenous communities. Illiteracy among the indigenous population climbed as high as 39.7% in 2005.¹

The municipality of Ayutla belongs to the Costa Chica, one of the 7 territorial divisions in the state of Guerrero. Historically, it is known as the place in which the Plan Ayutla was elaborated in 1854, a political statement created with the goal of abolishing the dictatorship led by Santa Ana, then president of Mexico, elaborating a new constitution, and putting an end to the centrist government.

Currently, Ayutla shares many similar characteristics with other indigenous municipalities in the south of Guerrero, and suffers from high rates of poverty and marginalization. Ayutla has a population of 55,350 inhabitants, and of these, 15,760 belong to the Na savi and Me'phaa (Mixteco and Tlapaneco) indigenous communities. Almost one-third of this population (4,546 people) does not

speak Spanish. The National Commission for the Development of Indigenous People in Mexico (CDI), reports that the level of marginalization in this locality is very high.² Most recently, the municipality has made headlines in the press in Mexico and is well-known amongst the international human rights community as a result of the serious attacks suffered by human rights defenders.

Ayutla is one of the municipalities that receives the most public money in the region, mainly due to the high levels of poverty that particularly affect indigenous communities, but also due to the public development resources that this community receives as a result of the El Charco massacre. The poor use of these state funds, and the transfer of these resources for the benefit of people linked to the municipal government, has

registered numerous complaints by indigenous organizations, including complaints of embezzlement by municipal authorities. After the El Charco massacre in 1998, the indigenous communities in Ayutla and the surrounding municipalities registered an increase in the presence of the Mexican Army in the region. Since then, there have been repeated complaints about the behaviour of the army units who have been known to invade communities, commit sexual abuses, rob money and food, and interrogate the people about the alleged presence of armed groups and drugs. While the Department of National Defense justifies the army's presence in the region as part of the fight against drug trafficking, the communities report that the increased militarization has caused additional effects on the community, including internal divisions and intra community violence.³ There are also reports throughout the region of armed civilians who have links to the army and police entities.⁴

On the morning of June 7, 1998, in the El Charco community, which is part of the municipality of Ayutla de los Libres, the Mexican army surrounded the «Catarino Maldonado» primary school where a group of people were sleeping. According to the survivors, the army killed eleven people, injured another five and detained 22, five of which were underage. The detainees were transferred to the army base of the Ninth Military Region where they were held for two days and where they report being tortured. Reporters and NGO's were prohibited from entering the scene of the crime for two days. Among those assassinated were a student from the UNAM, and according to the Revolutionary Army of the Insurgent People (ERPI), four members of this guerrilla group. The state

presented the situation as a confrontation between the army and the guerrillas. Several members of the OIPMT who were detained during the El Charco massacre were assassinated later by paramilitary groups: Galdino Sierra Francisco, from Barranca de Guadalupe, member of the Eclesial Communities in April 2000, Donaciano González Lorenzo, in January 2001, and Andrés Marcelino Petrona, Mixteco leader from El Charco and member of the Human Rights Defense Committee in August 2001. Mixteco leader Raúl Lucas' cadaver was found on February 20, 2009.

La Jornada, Opinión, February 24, 2009 (www.derechos.org/limeddh/doc/charco.html).

1 Information from the XII General Census of Population and Housing, from the year 2000, elaborated by the National Institute of Statistics, Geography and Computing (INEGI) and the II Population and Housing Count from the year 2005, using the CDI's methodology to estimate the indigenous population.

2 *Idem*.

3 *La Jornada Guerrero*, January 30, 2007.

4 *El Sur*, September 19, 2007.



Meeting of representatives from the German and French embassies with the OPIM and Tlachinollan in Ayutla, April 17, 2009

Human Rights Defenders in Ayutla

Indigenous Organizations in Ayutla

In their search for solutions to the poverty and marginalization in the indigenous communities, the Independent Organization of the Mixteco and Tlapaneco People, OIPMT, was formed in the municipalities of Ayutla and Acatepec. Originally members of the OIPMT, the Organization for the Future of the Mixteco People (or Na savi) and the Organization for the Indigenous Me'phaa People (or Tlapaneco), OPIM, were formed in 2004 to better attend to the two indigenous populations who speak different languages.

The OPIM and the OFPM work to defend and promote the fundamental rights of the Me'phaa and Na savi communities. One of their goals is to put an end to the cycle of impunity by demanding justice for human rights violations which are attributed to public servants, including state security forces. One emblematic aspect of the work of the OPIM has been the support given to two indige-

nous women who suffered sexual assaults and interrogations about the alleged presence of guerrilla groups in the region. Inés Fernández Ortega and Valentina Rosendo Cantú, supported by women leaders of the OPIM, presented complaints to the Mexican justice system and the Inter-American Commission on Human Rights¹ against members of the army and demanded an investigation into these incidents.

The OPIM and the OFPM have formulated proposals and expressed their demands with the goal of improving infrastructure and basic public works to the communities in order to improve communication, medical attention, and education. They ask for an equal distribution of economic resources designated to infrastructure projects in the communities, so that all of the population in the municipality has equal access to basic services.

These organizations have also improved economic development in the region by carrying out productive projects and denouncing the irregular exploitation of the forests, especially in the Na savi communities.

Tlachinollan's work with the organizations in Ayutla

Following the El Charco massacre in 1998, both Mexican and international non-governmental human rights organizations began to look closer at the situation in Ayutla. In their demands for justice, the indigenous organizations in Ayutla came in con-

tact with several of them. A close relationship was established with the Tlachinollan Human Rights Center, which was founded in 1994 in Tlapa de Comonfort, Guerrero, with the goal of working toward a respect for human rights in the Montaña region of Guerrero. Tlachinollan opened an office in 2003 in Ayutla in order to work closely on cases in the Costa Chica of Guerrero.

The lawyers from Tlachinollan provide legal support as part of their integral defense program for cases that have been reported by the OPIM and the OFPM, providing national and international visibility for these cases by way of the media and the justice system. Tlachinollan carries out the legal work for the sexual assaults suffered by Inés Fernández Ortega and Valentina Rosendo Cantú, as well as for the repeated death threats to the leaders of the OPIM. They also provided legal representation for the inhabitants of the El Camalote community who were victims of forced sterilization by the Guerrero State Health Department in 1998.² In most recent months, Tlachinollan defended the 15 members of the OPIM who have arrest warrants against them, including the defense of five who were incarcerated. Now, due to the assassinations of the president and secretary of the OFPM in February 2009, Tlachinollan is providing legal representation to the families of the victims in their demands for justice. ■

»The mechanism (integral defense) involves working on specific, emblematic cases, that exemplify both human rights violations in Mexico, and the structural causes that lead to these human rights violations. Integral defense involves a multidisciplinary approach to resolve the situation and to work towards true fulfillment of these rights. Legal tools alone are not enough when it comes to working towards justice, since one has to go to the same state apparatus that is created with the same logic that violates human rights. Accordingly, if we do not use legal tools together with political pressure, meetings with authorities, pressure with the media, construction of national and international alliances, and the local organizations, it will be very difficult to gain access to justice.«³

Mario Patrón – Lawyer from the Tlachinollan Human Rights Center.

1 This information was collected from several interviews between PBI and Obtilia Eugenio Manuel and Andrea Eugenio Manuel in 2006 and 2007, and from the eighth and ninth annual reports by Tlachinollan, 2001 - 2003.

2 CIMAC Noticias, January 16, 2008 [<http://www.cimacnoticias.com/site/o8011611-Guerrero-indigenas.31741.o.html>].

3 Interview with Mario Patrón, Julio 24, 2007. Mario Patrón is no longer part of the legal team at Tlachinollan.



Mario Patrón, Obtilia Eugenio, Inés Fernández, and Valentino Rosendo at the Inter-American Commission on Human Rights in Washington, D.C. [CDHM Tlachinollan]

Rape of indigenous women under review by the Inter-American Commission on Human Rights

Among the human rights violations that have been reported in the region, of most noted are the sexual assaults

»I was raped by soldiers, last year they killed my brother Lorenzo, a member of the Organization of Indigenous Me'phaa People (OPIM) and who has supported me this whole time with my case. In addition, the only brother I have left, Ocotlán, and my husband, have received death threats, two of my nephews who are members of the OPIM were unfairly incarcerated. I live in fear for my children and for myself, I do not know what else the government wants, the only thing we have asked for is justice (...). I filed these reports due to the strength and support I received from my family, especially my brother Lorenzo, because I know that there are many women who are raped and don't report it out of fear, they say »they have guns«, »the government has sent them«, »it's easy for them to kill you« – that's what the men and women think in the community and I want them to change, so that they will also file a complaint when their rights are violated.«

Inés Fernández Ortega, member of the OPIM and rape victim

of indigenous women.¹ According to information from Tlachinollan and the OPIM, many of the women that suffered rape have not wanted to report these incidents to authorities for fear of reprisals or marginalization within their communities.² These attacks, which have serious consequences in indigenous communities, lead to the break-up of families and communities. Women have found themselves forced to face the military on several occasions, even kicking them off their land in order to protect the physical integrity of both themselves and their communities.

At 24 years of age, Inés Fernández Ortega reported being raped by soldiers in her home in the community of Barranca Tecuani, on March 22, 2002. Her case was presented in June 2004 to the Inter-American Commission on Human Rights, together with that of Valentina Rosendo Cantú who at 17 years old also suffered a sexual assault in the community of Barranca Bejuco. On October 12, 2007 they went to Washington D.C. for a public hearing with the IACHR. Four months later, Lorenzo Fernández Ortega, Inés Fernández' brother and member of the OPIM,

was kidnapped and killed. His body was found with visible signs of torture on February 9, 2008. The investigations into this assassination have not clarified who might be responsible for this crime. At the end of 2008, the IACHR issued their conclusions regarding the case of Inés Fernández, which is now waiting a response from Mexico.

The accusations of rape by Inés Fernández Ortega and Valentina Rosendo Cantú against members of the Mexican army were reviewed by the Mexican military justice system, which determined that the cases fell within their jurisdiction. The victims presented appeals regarding this decision, stating that their right to due process was being violated, and demanded that the crimes be judged in a civil court. The appeals were rejected and subsequently the military justice system concluded its investigation by filing away the cases, alleging that there was a lack of evidence. In December 2006, the IACHR accepted the cases of Inés Fernández Ortega (Case 12.580) and Valentina Rosendo Cantú (Case 12.579). The Commission released the final report for Inés' case in November 2008, and is awaiting a response from Mexico regarding the recommendations in this report.

At the beginning of February 2009, Inés Fernández and her family felt defenseless and were concerned due to the presence of army units parked in their community. They reported that several soldiers intruded on their land, stole part of their harvest and damaged the rest.¹²

¹ *Mexico: Indigenous Women and Military Injustice*, Amnesty International, November 2004.

² PBI Interviews with Obtilia Eugenio Manuel and Andrea Eugenio Manuel in 2006 and 2007 and the eighth and ninth annual reports by Tlachinollan in the years 2001 and 2003.

³ Interview with Inés Fernández Ortega with Cimac Noticias, March 24, 2009 [<http://www.cimacnoticias.com/site/s09032403-ENTREVISTA-No-se-q.37064.o.html>].

⁴ Information collected by PBI and information from Inés Fernández Ortega's interview with CIMAC Noticias, March 24, 2009.

The criminalization of community-based organization

According to different organizations from Mexican civil society, threats and criminalization against members of indigenous organizations, community leaders and human rights defenders are a common practice in the state of Guerrero. Human rights defenders and their families are the object of attacks against their lives, intimidations, slander, and unfounded accusations of criminality, all of which take place in a context that fails to investigate who is behind these actions. Civil society organizations face the dilemma of stopping their activities due to the fear of reprisals, or to continue with their work and live with this level of pressure. According to this logic, the state denies individuals the right to denounce human rights violations, and questions the moral integrity of those who do file complaints. This only adds to the impunity with which crimes are committed and which protects public servants.¹

In 1996 and 1997 Ayutla was believed to be the focal point for recruitment for guerrilla groups, which, according to Tlachinollan, has made the government believe that any community-based organization in Ayutla by the indigenous population is subversive.² Since 1996, Tlachinollan has documented numerous cases in which community leaders who were members of the OIPMT have been unfairly accused of belonging to armed groups, kidnapping gangs, or accused of crimes like homicide or drug trafficking. These accusations led to a paralysis of the activities of leaders who feared incarceration for crimes they did not commit. The OIPMT reported attacks against their members, combined with the presence of the military and armed civilians who carry lists of names, which they used to inquire about the members of the organization.³ Obtilia Eugenio Manuel, president of the OPIM, reports that these actions continue to take place.



Lawyers Vidulfo Rosales and Rogelio Téliz from Tlachinollan leave the prison in Ayutla following a visit with the prisoners of conscience from the OPIM in March 2009.

Detentions and arrest warrants against members of the OPIM

On the April 15, 2008, fifteen members of the OPIM were accused of the murder of Alejandro Feliciano García, which allegedly occurred on January 1, 2008. Among the accused are Cuauhtémoc Ramírez, who receives PBI accompaniment and was previously President of the OPIM, relatives of Inés Fernández Ortega, whose



rape is under review by the Inter-American Commission on Human Rights, and Orlando Manzanares Lorenzo, representative of the fourteen sterilized men from El Camalote.

Five of the accused were arrested on April 17, 2008. Lawyers from Tlachinollan lodged an appeal with a federal judge which was granted on October 20th on behalf of four of the detainees in light of the lack of evidence against them. Their liberation was delayed for five months because the National Attorney General's Office appealed the original findings of the federal judge. Finally, the original appeal findings were upheld and the four members of the OPIM were freed on March 18, 2009. Raúl Hernández remains imprisoned. His appeal was denied since two witnesses testified to have seen him at the crime scene when the victim was shot. Still, the remaining 10 who were accused could be detained at any time. To avoid this, and to prove their innocence, Tlachinollan lodged appeals on behalf of these ten people which are still awaiting resolution.⁴

Amnesty International has carefully reviewed the case and has come to the conclusion that the evidence against the prisoners was fabricated. Amnesty also considers that the proceedings against them are due to their

Orlando Manzanares Lorenzo, ex-prisoner of conscience

Orlando Manzanares Lorenzo, one of the freed prisoners, sees the accusations against the members of the OPIM as an attempt to break-up the organization. He explained that they were detained at a checkpoint manned by the military and the police on April 17, 2008 on the road that leads to his community of El Camalote: »They said a lot of things to us, they said that we were delinquents and that we were bad people.« The police officers did not allow them to speak their native language, Me'phaa, amongst each other »they told us that

they did not want us to speak Me'phaa, and I told them that some of us do not understand Spanish.« From the checkpoint, they were forced to walk back to Ayutla. At the local police station, they were interrogated: »I was the last one and they told me that my mates had said that I had killed Alejandro Feliciano García. I told them that it was impossible, since that day I was working in Barranca de Guadalupe, and that I am a bricklayer.« When he did not plead guilty, he was asked to sign a document implicating the other members of the OPIM. Orlando was told that if he signed, he would be released; he refused to sign.⁷

activities to promote human rights in their community. As a result, they were declared prisoners of conscience on November 11, 2008.⁵

The OPIM and Tlachinollan believe that there is an intention to criminalize the members of the OPIM, and that any excuse has been used to this end. They report that the arrest warrants were filed shortly after the events that occurred on March 31, 2008, when four police officers and a civilian were assassinated while transporting public money on a road from Ayutla to the community of El Camalote. The next day, the Ministerial Investigative Police (PIM)

searched the home of an alleged witness and tortured one of his relatives. While he was being tortured, he was asked about OPIM leaders Cuauhtémoc Ramírez and Obtilia Eugenio Manuel, insinuating that they were responsible for the assault.⁶ A few days later the investigation into the homicide of Alejandro Feliciano García was reopened (after having been closed since January). Four months after the murder an autopsy was carried out and fifteen arrest warrants against leaders and members of the OPIM were filed. ■

Orlando Manzanares, ex-prisoner of conscience from the OPIM



1 Tlachinollan Human Rights Center, *Tejedores de Esperanza. XI report*, Tlapa, June 2005 - Mayo 2006, p. 74 and 79.

2 PBI México, *Human rights defenders in the state of Guerrero*, December 2007, page. 35 [<http://www.pbi-mexico.org>].

3 Tlachinollan, *Eighth Annual Report: El quiebre de la Justicia*, June 2001 - May 2002 [http://www.tlachinollan.org/dhginf/dhginf_o8.pdf].

4 On April 21, 2009, the Eighth District Judge in Acapulco granted an appeal on behalf of five of the remaining ten arrest warrants.

5 Amnesty International, Press Release, CPAIMX/31/2008, November 11, 2008.

6 According to information from the Tlachinollan Human Rights Center, Yesenia Tórnez reported this torture and filed a complaint with the State Human Rights Commission of Guerrero (CODDEHUM), against the Ministerial Investigative Police (PIM) in Ayutla, the State Preventive Police in Chilpancingo and the Public Ministry in Ayutla for torture, abuse of authority, unauthorized use of the Public Service, unlawful entry and unlawful detention. The CODDEHUM granted her and her family precautionary measures.

7 Interview with Orlando Manzanares Lorenzo and Zacarías Cervantes for El Sur de Acapulco, April 24, 2008.



Obtilia Eugenio Manuel and Cuauhtémoc Ramírez, OPIM

Threats and aggressions against human rights defenders

There are many references to attacks and aggressions against members of the OPIM and the OFPM (and previously against the OIPMT) that date back to the creation of these organizations. One example is from April 18, 2008 when more than 100 soldiers from the Mexican Army, the State Police, the Ministerial Investigative Police, and the Federal Investigative Agency entered the El Camalote Community, intimidated families and paralysed the lives of the population. One group of army informants began to spread rumors that the military was going to detain and kill all members of the OPIM.¹

The threats and attacks against members of the OPIM have been reported to the Mexican justice system on several occasions for many years, however, the victims have still not been informed about advances in these investigations. In January 2005 the IACHR granted precautionary measures on behalf of Obtilia Eugenio Manuel, her sister Andrea Eugenio Manuel, her husband Cuauhtémoc Ramírez, and her children. Additional precautionary measures were granted on September 4, 2007 on behalf of Inés Fernández Ortega, her husband Fortunato Prisciliano Sierra and her children, who were being threatened due to her search for justice with the IACHR. Following the assassination

of Lorenzo Fernández Ortega in February 2008, and the arrest warrants and detention in April, the precautionary measures were extended to 41 members of the OPIM (in June 2008), including the five people who were incarcerated.

Once the IACHR grants precautionary measures, the way in which they are implemented must be negotiated between the state and the threatened individuals. Obtilia Eugenio Manuel has repeatedly reported that the measures that were granted to her have been inefficient – she continues to suffer threats and the measures have had little positive impact on her security.² Due to the threats and attacks against members of the OPIM, OFPM and Tlachinollan in February and March 2009, the Inter-American Court of Human Rights ordered the Mexican State to take further urgent measures to protect their lives.³

Threats against Obtilia Eugenio Manuel

Obtilia Eugenio Manuel has received death threats since her participation in the anniversary of the El Charco massacre in 2002. These threats intensified when she began to work as a translator for Inés Fernández Ortega (who speaks little Spanish). During the first six months of 2002, she was threatened on four occasions. In December 2004 she received an anonymous note with a death threat that

made reference to the public statements she made in a forum regarding the cases of Inés Fernández and Valentina Rosendo. Since then, the threats, surveillance, intimidating phone calls, and other acts of harassment have been repeated several times each year.

Her election as president of the OPIM in 2009 has resulted in an increase in the intensity of these intimidations. PBI has documented a total of 7

»After I helped Inés as her translator, then the threats came at me. I came across a man in the street [...] who is indigenous – and we know that he is part of the military – and in the street he told me: «I am telling you for your own good to be careful, don't go around filing complaints because what the women say is not true, you say pure lies but the people who are accused are very angry, they want revenge and I am telling you this for your own good, because I know you, be careful.» I did not say anything to that man. Then the anonymous notes began. Because of that I receive precautionary measures (...) They want to scare me so that I stop organizing my people, that is the fear that they create. And we know the government has their people, paramilitary groups, and we know who they are because they are indigenous people. When people die the government says: 'well it is between them, they are fighting amongst each other because they are indigenous people'.«⁶

Obtilia Eugenio Manuel,
president of the OPIM

serious threats to her since January. Some examples include the events that occurred on January 24th on her way to an OPIM meeting when she was followed by three pick-up trucks and threatened by one of the occupants, as reported in an Urgent Action by Amnesty International dated February 12th: »Do you think you're so brave? Are you a real woman? Let's hope you also go to prison ... If you don't go to prison, we'll kill you.«⁴

Following the assassinations of the Mixteco leaders, the harassment has increased. On March 17th and 20th she received text messages on her cell phone in which she was told that she might be the next one to be disappeared, tortured, and executed like the members of the OFPM. In these threats, she was warned that the support of organizations like the Tlachinollan Human Rights Center would not protect her from the »bullets going through her.« Otilia has been forced to abandon the region as a result of this situation.⁵

Assassination of Raúl Lucas Lucía and Manuel Ponce Rosas, leaders of the OFPM

Raúl Lucas Lucien was one of the survivors of the El Charco massacre. Since 2007 he occupied the post as President of the Organization for the Future of the Mixteco People. Since 1998 he was threatened and attacked on at least four occasions. In 1999, the Mexican Army tortured and threatened him. In September 2001 he was once again tortured by soldiers in his community, together with his brothers and his brother-in-law. On October 18, 2006, after the Other Campaign passed through the Mixteco community of El Charco, he received threats from soldiers. On February 15, 2007, he was shot in the neck during an ambush that almost cost him his life. Even though these incidents were reported to authorities, they continue to remain in impunity. Finally on February 13, 2009, Raúl Lucas Lucía and Manuel Ponce Rosas, Secretary of the organization, were kidnapped by three armed men at 1:15 p.m. during a public act in which municipal authorities from Ayutla de Los Libres were present. On Sunday the 22nd the families of the victims identified the dead bodies of the two leaders who were found on Friday February 20th with visible signs of torture and in an advanced state of decomposition.⁷

Raúl Lucas Lucía, President of the OFPM, assassinated in 2009

In July 2007, Raúl Lucas, in an interview with PBI, summed up some of the attacks he and his family had suffered since the El Charco massacre in 1998. »After the massacre at El Charco, the army began to harass me ... that I was a leader, that I organize the people, and that they were going to kill me ... later they shot at my wife and we didn't see any justice. That year, on

February 15, 2007, I was attacked ... and they shot a bullet in my neck. And in that case we did not have any support from the police, there was no justice. Before that [October 18, 2006] they began to harass me: "You know your region and where they grow drugs, and you know where are the masked men (guerrillas) [...] You should know and if you do not know we are going to go looking and if we find something we will come for you."«⁹

Two months later, lawyers from Tlachinollan who represent the families of the deceased report that the authorities who are supposed to investigate and bring those responsible to trial have been slow to react and have not published any results of the investigation. They report that no one has yet been accused of these crimes and point out that the State Attorney General's Office has failed to investigate the possibility that these crimes are linked to their work as human rights defenders.⁸ For this reason, they request that these crimes be investigated by the Federal Attorney Generals Office, an entity that they hope will act more effectively to clarify these crimes.

Guadalupe Castro Morales and Carmen Lucas Lucía, widow and sister of Raúl Lucas, have been victims of threats in which they were told to stop their demands for an investigation. They have informed Peace Brigades International that the Mexican state has offered them a police escort, which they have rejected. They explained that the police escort was granted to them without considering their needs, and without taking into account their cultural and social reality as indigenous women. In addition, the police who would provide for their protection arrived at their homes while they were in mourning and carrying out funeral rituals for the deceased.

Threats against the Tlachinollan Human Rights Center

At the crux of the work of the Tlachinollan Human Rights Center is their legal defense department. This department takes on the legal defense of the cases that both the OPIM and the OFPM have reported both within the Mexican justice system as well as within the Inter-American system. They also offer psychological support to both the victims and their families.

As a result of this work, Tlachinollan has been the object of a series of aggressions, threats, and acts of harassment which heightened during February and March 2009. One particular incident occurred on March 18, 2009 when a team of eight staff from Tlachinollan visited Ayutla. On their return trip, they were followed by another vehicle that fired gunshots into the air. On the following days, Tlachinollan announced the temporary closure of their office in Ayutla due to this increased risk, and reported that they did not have the conditions to carry out their human rights defense work in Ayutla.¹⁰

1 *La Jornada Guerrero*, March 18, 2008.

2 Peace Brigades International. Information collected from accompanied individuals.

3 Inter-American Court for Human Rights. Matter of Fernández Ortega et al. v. México. April 9, 2009. <http://www.cor-teidh.or.cr/medidas.cfm?idMedida=379&CFID=664687&CFTOKEN=83449542>

4 Amnesty International, Urgent Action, AMR 41/006/2009, February 12, 2009.

5 FIDH, Urgent Action- MEX 004/0309/OBS 055, March 30, 2009

6 PBI Mexico, *Human rights defenders in the state of Guerrero*, December 2007, page. 43 [<http://www.pbi-mexico.org>].

7 *La Jornada, Opinión*, February 24, 2009.

8 Tlachinollan Human Rights Center and 111 organizations, *Aggressions intensify against human rights defenders in Guerrero*, March 25, 2009 [<http://www.tlachinollan.org/notbp/notbp090325.html>].

9 Extracts from this interview can be found in PBI Mexico's publication *Human Rights defenders in the state of Guerrero* available at [<http://www.pbi-mexico.org>].

10 Proceso.com.mx, *Cierra centro de derechos humanos en Guerrero por amenazas*, March 25, 2009 [http://www.proceso.com.mx/noticias_articulo.php?articulo=67424]. The complete press conference can be found online at [<http://www.fundar.org.mx/boletines2009/24marzo.htm>].



Meeting of representatives from the German and French embassies with the OPIM and Tlachinollan in Ayutla, April 17, 2009

The work of international human rights entities in Ayutla

International human rights organizations

Indigenous organizations and human rights organizations have maintained contact with international human rights organizations, including Amnesty International and Peace Brigades International, who have accompanied their cases and who have reacted to aggressions against them. PBI began to provide international accompaniment in Mexico in 1999, and at the end of 2003 began to accompany Tlachinollan's staff in the Ayutla office. At the end of 2004, Tlachinollan and the OPIM detailed the serious risk faced by leaders of the OPIM as a result of their non-violent work to defend human rights, and due to their work to improve the social situation in indigenous communities. They told PBI about the threats suffered by Otilia Eugenio Manuel and Andrea Eugenio Manuel as translators and defenders of Inés Fernández Ortega and Valentina Rosendo Cantú. Shortly after, PBI began to accompany Otilia Eugenio Manuel, Andrea Eugenio Manuel and Cuauhtémoc Ramírez Rodríguez, members of the coordinating committee of the OPIM. Throughout the years in Ayutla, PBI has continued to accompany Tlachinollan and has maintained a close relationship with members of the OPIM and the OFPM.

PBI works to guarantee the physical integrity of people who are threatened, and provide them with the security necessary so that they can continue with their work. This national and international protection strategy involves the presence of teams of international observers who monitor the risk situation for human rights defenders. PBI has established a regu-

lar presence in the municipality of Ayutla and has elaborated publications which have been translated into several languages, and which present the work and the demands of the accompanied organizations. This work is supported by international support networks in 16 countries in Europe, North America and the Pacific. PBI has worked to raise awareness regarding the security problems that threatened human rights defenders face both within and outside Mexico, with Mexican civil and military authorities, the diplomatic corps, human rights entities in the United Nations, the European Union and the Inter-American Human Rights System.

Amnesty International has followed the situation in Ayutla and has supported the demands of the OPIM and the OFPM through their urgent actions. AI has expressed concern for the security of the members of the OPIM since 2005, and for the OFPM in 2009. On November 11, 2008, AI declared the five members of the OPIM who were incarcerated in April 2008 prisoners of conscience and began a campaign for their freedom. A delegation from Amnesty International visited the OPIM and the human rights organizations in Ayutla on February 5-6, 2009.

International organizations including the German Coordination for Human Rights in Mexico, International Service for Peace (SIPAZ), Frontline, Washington Office on Latin America (WOLA), Latin America Working Group and Agir Ensemble pour les Droits de L'Homme expressed concern to Mexican authorities regarding the aggressions to members of the OPIM and the OFPM, and reminded

authorities of their duty to provide protection to human rights defenders.

Following the assassination of Raúl Lucas Lucía and Manuel Ponce Rosas, leaders of the OFPM, non-governmental organizations like Human Rights Watch (HRW), Due Process of Law Foundation, Latin American Working Group (LAWG) and the Washington Office on Latin America (WOLA), sent a special communication in which they expressed concern and asked Mexican authorities to conduct a rapid investigation into the crimes and punish those responsible. Another 140 Mexican and international organizations made a statement in which they requested that the families of the victims be protected, and in which they expressed concern for the security of the members of the OFPM and the OPIM.

Actions taken by international human rights entities

For several years, the Inter-American Commission on Human Rights (IACHR) has granted precautionary measures for the protection of members of the OPIM, and initiated investigations into the cases of Inés Fernández Ortega (Case 12.580) and Valentina Rosendo Cantú (Case 12.579). The assassination of the leaders of the OFPM and the circumstances that surround this situation have also provoked a substantial reaction by international entities such as the United Nations Office of the High Commissioner for Human Rights in Mexico (OHCHR), the Inter-American Commission on Human Rights, and the European Union through the presidency, who have condemned the deaths and demanded an agile and detailed investigation into the circumstances.

The international community is responsible for monitoring the implementation of the international obligations on human rights to which Mexico has agreed. As part of this ongoing task, representatives from the Missions of the member states of the European Union visited the state of Guerrero on April 16 and 17, 2009, in order to meet with state and municipal authorities and to collect additional information about the human rights situation in Guerrero. This visit took place at the request of Peace Brigades International. The United Nations Office of the High Commissioner for Human Rights (OHCHR) in Mexico also visited Ayutla in March with the same objective. ■

Recommendations

The OHCHR drew up an agreement with the Mexican government in 2003 to »Define and apply an integral action program for human rights defenders that both protects their work and recognizes their labor«, within the Diagnosis of the Situation of Human Rights in Mexico.¹

Mexico has developed a National Human Rights Program, officially published on August 29, 2008. The program states that it will: »Define ways to provide special protection to human rights defenders.« As part of this program, the National Attorney General's Office is in charge of »Establishing a specific protocol that allows for the investigation into illicit acts committed against human rights defenders« and to »Work towards a normative framework to protect human rights defenders.«² Similarly, Mexico agreed to protect and support human rights defense work before the United Nations Human Rights Council on February 13, 2009, in the context of the Universal Periodic Review.

PBI believes that these commitments need to be urgently implemented in the region of Ayutla, where violence against human rights defenders is seriously limiting the work of the OPIM, Tlachinollan and the OFPM.

Because of this we ask that the international community take the following actions:

Regarding the crimes against Raúl Lucas, Manuel Ponce and Lorenzo Fernández: Express concern to the Mexican state about the impunity that surrounds these assassinations, ask that they be investigated and that those responsible be brought to justice.

Regarding the accusations against Raúl Hernández and an additional 5 members of the OPIM: Request that the legal case against Raúl Hernández, Amnesty International prisoner of conscience, be concluded quickly, and with respect for due process. Request a rapid resolution for the appeals presented against the additional arrest warrants against members of the OPIM.

Regarding the threats and the risk faced by members of the OPIM and the OFPM: Ask that the threats to Otilia Eugenio Manuel, lawyers and staff from Tlachinollan, to the other members of the OPIM, and Guadalupe Castro Morales and Carmen Lucas Lucía (widow and sister of Raúl Lucas), be investigated and that those responsible be brought to justice.

Demand effective protection for OPIM leaders Otilia Eugenio Manuel, Andrea Eugenio Manuel and their families, as well as for Inés Fernández Ortega, her family and the remaining members of the OPIM.

Regarding the accusations and unfounded legal proceedings against human rights defenders: Request that the accusations that the justice system has found to be baseless be investigated, and those responsible for the false accusations be sanctioned.

Monitor the implementation of the National Human Rights Program from August 2008, specifically the aspects that deal with human rights defenders.

If you would like to support human rights defenders in Ayutla and the work of PBI, please contact us through our website at: www.pbi-mexico.org.

In addition, PBI invites jurists and lawyers interested in the subject to monitor the situation faced by lawyers from the Tlachinollan Human Rights Center.



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Protest in memorial of the leaders of the Organization for the Future of the Mixteco People (OFPM), assassinated in February 2009. Photo: PBI

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¹ United Nations Office of the High Commissioner for Human Rights in Mexico, *Diagnosis of the Situation of Human Rights in Mexico*, Mexico, OHCHR, 2003, Recommendation num. 7 p.7.

² National Human Rights Program 2008-2012, Diario Oficial, August 29, 2008



Peace Brigades International (PBI) is a non-governmental organization that maintains teams of international volunteers who accompany human rights workers in Mexico since 1999. At the request of local organizations, the goal of PBI is to protect the political space of people and organizations that non-violently promote human rights and who suffer repression as a result of this work. International accompaniment is a conflict transformation tool through which a third party contributes to the creation of the necessary conditions to search for solutions. PBI never tries to substitute Mexican initiatives that promote a respect for human rights, but instead supports them with the presence of international volunteers that accompany people and organizations under threat, make regular visits to conflict zones, distribute information about the evolution of the conflict, engage with civil and military authorities and carry out public relations and lobbying work to generate international support.

More information about PBI's work in Mexico can be found on our website at:
www.pbi-mexico.org