



Reference: B1926

Federica Mogherini
High Representative of the Union for Foreign
Affairs and Security Policy

12 November 2018

Dear High Representative Mogherini,

EU MUST ACT TO PROTECT AND PROMOTE HUMAN RIGHTS DEFENDERS IN MEXICO

We are writing to urge you to lead the efforts of the European Union (EU) and its member states to step up action to protect Human Rights Defenders (HRDs) in Mexico, and to promote their important work.

One day before the recent EU-Mexico human rights dialogue, on 24 October 2018, Julián Carrillo, an HRD working on land and the environment and for the rights of the Rarámuri indigenous people, was killed by unidentified armed men, joining the list of 16 human rights defenders murdered so far this year in Mexico.¹ As the leader of Coloradas de la Virgen, an isolated community in Chihuahua, Julián had publicly denounced logging and mining by mestizo landlords as well as the violence by criminal armed groups in his community.

Julián Carillo had reported attacks and death threats for years, but to no avail. His house had been burned down, and he had received threats from unidentified armed groups on four different occasions since 2015. In the past two years, five other people in his family, including his son, had also been killed. Many other indigenous leaders of Coloradas de la Virgen have faced threats, attacks, unfair trials and killings, with at least nine other leaders murdered over the past three years. For the most part, these attacks have not been investigated by the Mexican authorities.

In Mexico, HRDs working to protect land and natural resources are particularly vulnerable, as are those fighting impunity. With EU funding, the Mexican National Mechanism to Protect Human Rights Defenders and Journalists was established in 2012 to provide protection measures in a context of increasing violence against HRDs. Many challenges remain despite some improvements to the mechanism, such as the establishment of a specific unit in charge of prevention, monitoring and analysis and additional training for staff. From 2012 to date, the Mechanism has provided protection to 727 individuals and 312 organisations.

Yet the Mechanism's protection approach is still very limited because almost all cases are addressed in a reactive manner, with very specific and limited protection measures.² The Mexican Ministry of the Interior pointed to challenges including the refinement of risk analysis methodology, the transition from a protection model to a prevention model, the incorporation of gender perspectives in their actions, the creation of a catalogue of protection and prevention measures for digital harassment.

Amnesty International sees an urgent need for structural measures to address the underlying causes of violence and a more contextually appropriate approach to protection plans, such as collective measures for indigenous HRDs. The Mechanism also lacks a comprehensive public policy to coordinate protection measures at all levels of government, including between similar state-level protection units and relevant federal agencies, such as the Executive Commission for Attention to Victims.

¹ Amnesty International, "Mexico: Indigenous environmental human rights defender killed: Julián Carrillo," 25 October 2018.
<https://www.amnesty.org/en/documents/amr41/9299/2018/en/>

² Amnesty International, "Americas: the situation of state protection mechanisms for human rights defenders," 3 October 2018.
<https://www.amnesty.org/en/documents/amr01/8912/2018/en/>

Finally, the Mechanism is now facing a critical financial crisis, and risks running out of sufficient funds to implement its 3500 protection measures, leaving its beneficiaries - HRDs and journalists- unprotected and vulnerable.

In 2014, the Mexican state promised to protect Julián Carrillo and other leaders in his community, but the protection measures were not enough to stop the wave of attacks against them, and were not adapted to their community context, its isolated conditions nor the collective nature of their struggle. Similarly, the protection provided by the state failed to address the root causes of the violence facing the Rarámuri, such as agrarian conflict, the presence of organised crime or long-standing historical discrimination against these and other indigenous people. In 2017, the Protection Mechanism was supposed to reassess the risk Julián and others in the community faced- yet Amnesty International was informed the last risk assessment was made in 2016.

One day after the killing of Julián Carrillo, the EU and Mexico held their eighth dialogue on human rights and issued a joint [statement](#)

“strongly condemn[ing] all acts of aggression against human rights defenders and journalists...underlin[ing] their firm commitment to address the threats they face and to ensure they can fulfil their work with full independence. In this context, the EU and Mexico agreed on the importance of ensuring that mechanisms to protect human rights defenders, journalists and other vulnerable persons are fully resourced, effective and reliable.”

In line with this joint commitment, as well as with the EU Guidelines on HRDs, we urge you to lead the EU and its member states to:

- Call on the Mexican authorities to:
 - Conduct a prompt, thorough and impartial investigation of Julián Carrillo’s killing, identifying and prosecuting those responsible, in line with the recent local statement of the EU delegation.³ The investigation must take into account the possibility of the attack being in retaliation for his activities as an environmental, land and territory defender.
 - Take all measures to guarantee the safety of Julián Carrillo’s family members and the Coloradas de la Virgen community in accordance with their wishes and consent, including a prompt risk assessment of the community
 - Take immediate steps to overcome the structural causes behind the threats, killings and attacks faced by human rights defenders in the Coloradas de la Virgen community
 - Redouble efforts toward an effective and responsive national protection mechanism accompanied by comprehensive public policies addressing structural causes creating a climate of risk for human rights defenders.⁴
- Give timely and effective protection to HRDs at risk in Mexico, promote their work and follow up on the human rights concerns they raise
- Provide adequate funding as well as full political backing to the National Protection mechanism to ensure that the mechanism functions effectively to protect HRDs countrywide
- Pro-actively monitor its activities and engage with the Mexican authorities to address the serious gaps shown by the killing of Julián Carrillo and cited by the Inter-American Commission on Human Rights (IACHR)⁵, United Nations (UN) and IACHR experts⁶, civil society and the Mexican authorities themselves
- Raise individual cases of killings, threats and other attacks on HRDs and journalists in public statements at Brussels level to match concerns raised at local level; similarly ensure that these individual cases are raised in all EU and member state exchanges with Mexico up to highest level

³ “Declaración local de la Unión Europea, Noruega y Suiza, sobre los asesinatos del periodista Gabriel Soriano Kuri y del defensor Julián Carrillo,” 25 October 2018. https://eeas.europa.eu/delegations/mexico/52812/declaraci%C3%B3n-local-de-la-uni%C3%B3n-europea-noruega-y-suiza-sobre-los-asesinatos-del-periodista_es

⁴ See Amnesty International, “Americas: the situation of state protection mechanisms for human rights defenders,” 3 October 2018. <https://www.amnesty.org/en/documents/amr01/8912/2018/en/> for detailed recommendations in this regard.

⁵ “The Commission believes it is important to reiterate to the [Mexican] state that it ‘must guarantee adequate communication and active participation in risk assessment’ by the people who are being protected or the beneficiaries of precautionary measures. Thereon it is necessary for all related procedures –including intake of individuals into the program, risk assessment, the implementation of material protective measures, among others- occur as quickly as possible, taking appropriate action in light of the fact that life and humane treatment are at risk. Likewise, and according to each individual situation, the [IACHR] wishes to recall that every implemented protective measure must be adapted, since it must be appropriate to protect the at-risk individual and must also be effective as it should produce the expected results.” IACHR, “The Human Rights Situation in Mexico”. OEA/Ser.LV/II. Doc. 44/15 31 December 2015. Para.448. <http://www.oas.org/en/iachr/reports/pdfs/mexico2016-en.pdf>

⁶ “International Experts call Mexico to ensure continued and sufficient funding for the Protection Mechanism for Human Rights Defenders and Journalists in Mexico,” 2 November 2018, <http://www.oas.org/en/iachr/expression/showarticle.asp?artID=1124&IID=1>

- Fully use the opportunity of the modernisation of the EU-Mexico Global Agreement to explicitly address the increase in killings and attacks on HRDs in Mexico, in particular those working on land rights and the environment. Mexican civil society has long called for a specific recognition of the importance of HRDs' work in the modernised Global Agreement – including in the democratic clause and in sections dealing with trade relations – to promote the work of HRDs and to ensure more effective access to justice where their human rights are violated.

We thank you in advance for your action to protect HRDs in Mexico and to ensure that deepening EU-Mexico relations truly enable the crucial work of HRDs throughout Mexico.

Yours sincerely,

A handwritten signature in blue ink that reads "C. de la Campa". The signature is written in a cursive style.

Covadonga de la Campa
Interim Head of the European Institutions Office and Advocacy Director
Amnesty International