

Presidente Felipe de Jesus Calderón Hinojosa  
official residence of Los Pinos  
Casa Miguel German,  
Col. San Miguel Chapultepec,  
CP 11850  
México Distrito Federal.

London, 7 June 2012

Dear President,

**Re: the need for immediate protection of human rights defenders in Oaxaca**

The Solicitors' International Human Rights Group (SIHRG) promotes awareness of international human rights within the legal profession and mobilises lawyers into effective action in support of those rights. The Group encourages human rights lawyers overseas and conducts related missions, research, campaigns and training. It concerns upholding the independence of the legal profession, the judiciary, the rule of law and human rights throughout the world.

SIHRG welcomes the unanimous approval by both chambers of the Federal Congress of the Law for the Protection of Human Rights Defenders and Journalists in April. Despite the promulgation of this Legislation being a huge step towards guaranteeing the right to life and safety for such people in Mexico, many of them cannot wait for the Law to be fully implemented. It is crucial that the Government immediately implements existing protection mechanisms to guarantee the lives of human rights defenders at risk.

The situation is particularly serious in Oaxaca, where the number and serious nature of threats to human rights lawyers, and the assassinations and threats to other human rights defenders reveal the systematic nature of the attacks, and the urgency of implementing effective protective measures for such practitioners.

An example of the serious risk to life in Oaxaca is the case of Ms Alba Cruz, who met members of the SIHRG Americas Working Group in May 2010. Ms Cruz has been subjected to attacks, threats and harassment because of her work for many years. In 2007 the Inter-American Commission on Human Rights (IACHR) granted precautionary measures to guarantee her safety but the Mexican Government has failed to fully implement them. She has been repeatedly victimised by threats and to date, the people responsible for these crimes have not been identified, let alone prosecuted or tried.

On 30 March she was attacked by three people driving a truck, who attempted to run her vehicle off the road. Less than 15 days later, on 14 April, Ms Cruz received a text message stating: "Start fucking now" and on the previous day, 13 April, she received a death threat on her phone saying, "We've warned you... you die along with him for being assholes".

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Moreover, members of the United Towns of the Valley of Ocotlán<sup>1</sup> (COPUVO) have been killed since the beginning of the year. In January 2012, Bernardo Méndez was assassinated. Two months later, on 15 March, Bernardo Vasquez Sánchez, a member of the Coordination of COPUVO was also killed, and his brother Álvaro Andrés Vásquez Sánchez and Rosalinda Dionisio Vásquez were injured in the attack.

On 3 November 2011 and 3 March 2012, the offices of Consorco, Oaxaca<sup>2</sup> were raided, where computers containing important information were stolen. Before the raid the members of the Organisation were threatened

SIHRG welcomes the fact that the new Law for the Protection of Human Rights Defenders and Journalists aims to guarantee the life, safety and security of human rights defenders and journalists by creating and implementing preventive measures and protection mechanisms. We also welcome the establishment by this legislation of a clear legal framework for the cooperation among Federal, State and local authorities, and the participation of civil society organisations to protect human rights defenders and journalist, whose lives are at risk due to their involvement in the promotion of human rights and the exercise of freedom of expression. SIHRG considers that the text of this legislation has benefitted from consultation with civil society organisations.

SIHRG believes that the Law for the Protection of Human Rights Defenders and Journalists is an opportunity for the Mexican Government to comply with precautionary measures granted on behalf of human rights defenders and journalists by the Inter-American Commission on Human Rights (IACHR) and to adopt the recommendations of the Mexico Office of the United Nations High Commissioner for Human Rights to prevent, protect and fight against impunity, and to provide effective remedies to victims.

However, because human rights defenders such as Ms Cruz and journalists need to have their lives protected immediately, SIHRG respectfully urges the Mexican Government to adopt as a matter of urgency, measures to guarantee the safety of Ms Cruz and other human rights defenders and journalists until the above Law is fully implemented. Such measures must include: the full implementation of protective measures awarded by the IACHR to Ms Cruz, in accordance with her wishes.

Moreover, to end the ongoing impunity regarding these crimes, we strongly urge you to fulfil the duties set out in Article 44 of the Law for the Protection of Human Rights Defenders and Journalists, which states:

*“The Federation and the Federal States, within their respective competencies will promote and publicly recognise the important work of human rights defenders and journalists, for the consolidation of the rule of law, and **condemn, thoroughly and impartially investigate and punish the attacks to which they are subjected.**”*

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<sup>1</sup> COPUVO are opposed to the mining activities of the Cuzcatlán mining company.

<sup>2</sup> An organisation promoting respect for the human rights of women.

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SIHRG also strongly recommends the Mexican authorities to continue involving civil society during the implementation of this Law. Additionally we urge that all legislative measures to implement the protection mechanism will be taken promptly.

SIHRG looks forward to receiving your reply detailing the progress of the investigations into the above crimes. We also expect an early response regarding the measures taken to protect Ms Cruz and other defenders of human rights and journalists. SIHRG will continue to monitor the case of Ms Cruz and the safety of other human rights defenders and journalists in Oaxaca.

Yours faithfully,



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Tatiana A Dicenzo,  
Americas Group  
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cc. Dr. Alejandro Poire, Minister of the Interior  
Marisela Morales Ibañez degree, Attorney General of the Republic  
Mr. Manuel de Jesus Lopez Lopez, Attorney General of the State of Oaxaca  
Dr. Raul Plascencia Villanueva, President of the National Human Rights Commission  
His Excellency, Ambassador Eduardo Medina Mora