

## ENTREVISTAS PBI MÉXICO

Núm. X/2009 . 12 de December de 2009

**Entrevistas** is a publication of PBI Mexico that highlights situations that increase risks to the physical or psychological integrity of Mexican human rights defenders, or that damage the legitimacy of their work. The opinions expressed in this publication do not necessarily reflect the opinions of PBI Mexico.

### Effects of criminal cases against human rights defenders

*Cuahtémoc Ramírez Rodríguez is the current secretary of the Organisation of the Indigenous Me'phaa People (Organización del Pueblo Indígena Me'phaa, OPIM). The organisation defends and promotes the basic rights of indigenous Me'phaa communities in the municipality of Ayutla de los Libres, Guerrero. In April 2008, 15 members of the OPIM were accused of committing murder. Despite inconsistencies in the evidence, five of those mentioned in the case were detained; they were subsequently declared 'prisoners of conscience' by Amnesty International. To stop the execution of the 10 remaining arrest warrants, pleas for legal protection [amparos] were submitted. On 21 April 2009, the Eighth District Judge of Acapulco found in favour of five of the accused, among them Cuahtémoc Ramírez. However, on 18 May the Federal Attorney General appealed the pleas that had been granted (this case has yet to be resolved). The arrest warrant against Cuahtémoc came at a time when serious threats forced him to leave his place of residence, thus avoiding both detention on false charges and any further attacks. PBI has accompanied Cuahtémoc since 2005.*

**PBI: There is a warrant out for your arrest. What does this mean in your daily life, and in your work as a human rights defender?**

**Cuahtémoc Ramírez Rodríguez (CRR):** This arrest warrant – not only for myself, but also for nine other members of the OPIM – means that we have had to set aside the work of the organisation. The warrants forced us to leave the area. If we hadn't left, we could be prisoners now, or I don't know what else could have happened. The State forced us to leave. They fabricated a crime that we did not commit. They accused us of killing a person, which is not true; this has been shown by the fact that four OPIM members have been freed [after being arrested on these same charges].

**PBI: How are you limited by the arrest warrant?**

**CRR:** I can't continue to work on my projects. I have to evade the police for a crime I didn't commit. This affects my personal life, and my daily existence. The government does this so that defenders like myself will have to stop working. If it does this to a grassroots organisation, the organisation's members will feel alone and won't return to work.

I can't travel around normally; I can't go through a police checkpoint, as they will have the list of arrest warrants for many people. I can't travel to Ayutla or other places. I'm always on

alert because someone could report me.

**PBI: ¿Have you thought about turning yourself in to the justice system?**

**CRR:** The justice system doesn't function in Mexico. If there were basic legal guarantees, there would be no problem; anyone could go and make a declaration. Here, if they accuse you of a crime, that's enough for the authorities to believe you're guilty. In many cases, the prisoners – both those accused of criminal offenses, and those accused of political crimes – spend years and years in gaol. Even if evidence is presented [to exonerate them], prisoners can spend four or five years in gaol until they are declared innocent.

In Mexico, the first priority is executing the arrest warrant and putting you in gaol. Afterwards they start legal proceedings, and then it's up to you to prove that you're innocent.

**PBI: Do you think yours is an isolated case? How do you understand it within the context of attacks against human rights defenders in Mexico?**

**CRR:** The situation had been bad for quite a while, but this has made it more severe. In Guerrero, there are more than 200 arrest warrants against people who struggle for social justice. Nor are they isolated cases

in the Mexican context.

[Arrest warrants are] an instrument used by the State to silence critical voices, in cases when an organisation protests and questions those in power. The government is conscious that social organisations potentially have political strength that could affect it, so it makes careful use of this instrument.

**PBI: Why do you work to defend human rights? What issues are you focussing on at the moment?**

**CRR:** I'm motivated by the struggle for justice. We demand that those responsible for the deaths of Lorenzo, Raúl and Manuel are punished, and we will continue to fight impunity.

You can find corruption everywhere in Mexico. It can't continue like this, we need to change our country. Nobody can do it alone, but with so many people feeling so unsatisfied I hope we will eventually see changes. Many people, like politicians, are hypocritical in what they say and what they do. They're only interested in their privileges and money, nothing else matters to them. If things don't change, local networks are going to lose their credibility and Mexico will lose its identity as a nation – everything will come from positions of power. We would disappear. We need to work in an open and peaceful way to defend human rights. Others will work to defend labour rights, or peasants' rights.

Soldiers are found throughout the country. They say they're fighting drug trafficking, but they support one group and destroy another. They're allowed to come right into your house, as if that were normal. They patrol all the highways, but they don't obey the law.

**PBI: What do you think of PBI's accompaniment?**

**CRR:** The accompaniment has given the OPIM protection. The fact that the OPIM's members are seen with the PBI volunteers gives them greater security that the authorities will pay attention to them. Accompaniment has also given the OPIM visibility outside of Mexico; it is a window onto the rest of the world. People know what we do, and how the government acts against human rights defenders. Thanks to PBI's accompaniment, we achieve things that aren't so easy to do, like meetings with embassies from Europe or the United States. This helps to develop the organisation's own strengths; if we don't look after ourselves, we have no future. As long as PBI maintains its current profile, it is limiting the government's

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Secretary of the OPIM Cuauhtémoc Ramírez, who is accompanied by PBI. Photo: PBI

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**PBI: How do you see the future?**

**CRR:** I hope they annul the arrest warrants; we're also planning to return to Ayutla, although we don't know how or when. We want to continue working with our members and with the organisation, working together – only in this way can we face these abuses. The biggest question in the future is our survival. What unites us is the struggle to survive.

\* The body of Lorenzo Fernández Ortega, a member of the OPIM, was discovered on 10 February 2008. He had been murdered, and his body showed signs of torture. There have been no signs of progress in the investigation. Lorenzo was the brother of Inés Fernández Ortega, whose case of sexual assault at the hands of Mexican Army troops is currently pending hearing in the Inter-American Court of Human Rights.

\* Raúl Lucas Lucía and Manuel Ponce Rosas were leaders of the Organisation for the Future of the Mixtec People (Organización por el Futuro del Pueblo Mixteco, OFPM), a sister organisation to the OPIM. In February 2009 they were forcibly disappeared while attending a public event in Ayutla de los Libres. One week later, their bodies were found, bearing signs of torture. This investigation also shows no signs of progress.

The **Organisation of the Indigenous Me'phaa People (Organización del Pueblo Indígena Me'phaa, OPIM)** was founded in 2002 to defend and promote the rights of indigenous Me'phaa peoples (also known as Tlapanecs) in Mexico. The coastal state of Guerrero, home to some 116,000 Me'phaa, has one of the highest levels of marginalisation in Mexico, in addition to the country's lowest human development indicators. The OPIM has more than 300 active members who work to promote the cultural traditions and customs of the Me'phaa people. They also run campaigns denouncing the discriminatory practices that have condemned so many indigenous communities to poverty and social exclusion. The OPIM fosters small-scale projects in economic and social development, aimed at improving the living conditions in Me'phaa communities. It also lobbies for justice and the reparation of the human rights violations committed against the communities. Forty-one members of the organisation are beneficiaries of provisional measures issued by the Inter-American Court of Human Rights. The measures were granted because of the insecurity experienced in the region, as the State has not implemented the measures needed to protect the beneficiaries' lives.

For more information on the OPIM and the problems faced by human rights defenders in the region of Ayutla de los Libres, Guerrero, see PBI Mexico's special report, 'Silenced: Violence against Human Rights Defenders in the South of Mexico'. The report can be found online at [www.pbi-mexico.org](http://www.pbi-mexico.org).