



Tlapa de Comonfort, Guerrero, 8th of February 2010

Dear Colleagues:

The United Nations Office of the High Commissioner of Human Rights confirmed that of a study of 128 attacks and presumed acts of aggression against Mexican human rights defenders, conducted between 2006 and August 2009, which includes 10 homicides, 98% of the cases resulted in impunity¹. Moreover, based on those cases that are registered by the Office, there is a situation of risk, in which the victims, presumably in relation to their activities as human rights defenders, have been victims of threats, harassed, suffered from arbitrary executive meddling and interference, and arbitrary use of the penal system as well as violations of their right to life, to dignity, to freedom and personal security.

In the state of Guerrero, 107 defenders of human rights have been reporting since April 2009 that they are vulnerable and at real and imminent risk because of their work, despite the provisional measures that have been granted by the Inter American Court of Human Rights. Furthermore, in Guerrero state there is a register of a number of diverse cases which illustrate this situation and will, in the next couple of weeks, commemorate sad anniversaries that tell of the problem of impunity.

The first cases refer to the those of two indigenous Me'phaa women: **Valentina Rosendo Cantu** and **Ines Fernandez Ortega**, sexually abused by members of the Mexican Army on the 16th of February 2002 and the 22nd of March 2002 respectively. Both cases, being heard before the Inter American Court of Human Rights, have exhausted all the internal legal resources without finding justice (and 8 years have now passed since they happened). Their investigations were diverted to the Military Jurisdiction and thus lacked the impartiality necessary to investigate and discipline those responsible.

The 10th of February 2008 marked two years since the execution of **Lorenzo Fernandez Ortega**, the brother of Ines Fernandez and a prominent human rights defender from the Organization of the Me'phaa Indigenous People (OPIM). To date, there have been no advances in the investigations into his murder.

Also, it is one year since the forced disappearances, torture and extrajudicial executions of **Raul Lucas Lucia** and **Manuel Ponce Rosas**, President and Secretary of the Organization for the Future of the Mixteco People (OFPM). They were disappeared at a public event in Ayutla de los Libres on the 13th of February 2009, taken by people who presented themselves as police officers. Their lifeless bodies were found in the Municipality of Tecoanapa on the 20th February 2009.

The **Human Rights Centre of La Montaña, Tlachinollan**, was forced to close its office in Ayutla de Los Libres on the 14th of February 2009 in order to safeguard the physical and psychological well-being of its personnel from a significant increase in threats. Although this was planned as a temporary measure, the

¹ The United Nations Office for the High Commissioner of Human Rights in Mexico. Human Rights Defenders: between commitment and risk. Report about the situation of the human rights defenders in Mexico, available on www.hchr.org.mx/documentos/libros/informepdf.pdf.

office remains closed because of a continued lack of conditions in the region whereby they could begin to work again.

In consequence of some of these facts mentioned above, the Inter American Court of Human Rights ordered the state of Mexico to adopt provisional measures in order to protect 107 defenders of human rights in Guerrero state who belong to the OPIM, the OFPM and Tlachinollan. The 9th of April 2010 will mark one year since the authorities, in response, granted measures to ensure the security and investigation necessary to allow the human rights defenders to conduct their work. But these have not been implemented to full effect.

Finally, the 17th of April 2010 will mark 2 years since five human rights defenders of the OPIM were detained and accused of a crime that occurred in December 2007, for which they are not guilty. Four of them passed 11 months in prison in Ayutla de Los Libres before their release on the 19th of March 2009 after it was resolved that there was not sufficient evidence to prove their guilt. Amnesty International declared all of them to be prisoners of conscience. Raul Hernandez Abundio, the fifth prisoner, continues to be detained and is the only prisoner of conscience acknowledged by Amnesty International in Latin America.

Despite the fact that Mexico has signed and ratified all the treaties of human rights presented to it and despite the recommendations of the Universal Periodical Review, the Mexican state continues in its failure to provide a guarantee for the fundamental work of human rights. Moreover, the authorities continue to fail to investigate cases and punish those responsible.

As friends who are concerned for human rights, and as part of the international community, we ask that you express the concerns and problems of the impoverished people of Guerrero state and that the militarization is not resolving the problems of drug-related violence and drug-related poverty. It is important to continue demanding the freedom of Raul Hernandez, and justice for Valentina, Ines, Lorenzo, Raul and Manuel. Furthermore, to continue reminding the Mexican government that the most effective method to protect human rights defenders is to efficiently investigate the acts of violence committed against them and to punish those responsible.

We thank you for your support and collaboration and if you require further information, please do not hesitate to contact us.

Yours sincerely



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