

Submission for the Universal Periodic Review of Mexico March 2018

The International Human Rights Observatory on Mexico (“Observatory”) respectfully submits written comments for consideration by the Human Rights Council prior to its third Universal Periodic Review (UPR) of Mexico.¹ Created in December 2017, the Observatory is a permanent coalition of international organizations from across Europe, the United States, and the Americas, which share grave concerns about the deteriorating human rights situation in Mexico. It monitors the situation in Mexico, draws the attention of other nations to the human rights regression underway there, and supports national civil society colleagues in the face of growing attacks against human rights defenders and journalists. The Observatory also advocates with national and international authorities to raise awareness of the human rights situation in the country and to remind them of Mexico’s obligations under international law.

A decade-long militarization strategy employed in the so-called War on Drugs has resulted in the often indiscriminate and extrajudicial use of force by Mexican security agencies—conducted without a sufficient regulatory framework or accountability for violations—resulting in unlawful killings, enforced disappearance, and torture on a widespread and systematic scale. Most of these human rights violations are never punished. The recently adopted Internal Security Law, which gives broad and superseding authority to the Mexican military to engage in domestic law enforcement, including criminal investigative powers, while failing to address widespread impunity for graves crimes,² will further enshrine the role of the armed forces in the country’s law enforcement.

The Observatory endorses the analysis and the recommendation to establish a follow-up mechanism under item 6 / follow up UPR pursuant to para. 37 of Human Rights Council Resolution 5/1 made by the large coalition of Mexican civil society organizations in its submission as “Colectivo EPU México.”

In addition, this submission focuses on four specific areas of concern, and urges the Human Rights Council to make the following recommendations:

- (1) Increased militarization: Repeal the Internal Security Law and adopt a human rights based approach to public security;³
- (2) Continued Impunity and Lack of Independent Institutions: Establish an independent and international mechanism to combat impunity, composed of Mexican and international staff, with a mandate to investigate, where necessary, atrocity crimes, human rights violations, and related acts of corruption;
- (3) Ongoing failures to ensure the rights of victims in Mexico: Ensure the effective and well-funded implementation of General Laws (torture, enforced disappearances, victims) in consultation with civil society; and
- (4) Growing attacks on human rights defenders and journalists: Develop, in consultation with civil society, a comprehensive public policy to prevent, protect, investigate, sanction and redress, when necessary, all attacks against human rights defenders and journalists.

¹ Members of the International Observatory on Mexico adhering to this submission are the Center for Justice and International Law (CEJIL), the Due Process of Law Foundation (DPLF), the German Network for Human Rights in Mexico, Latin America Working Group (LAWG), the Open Society Justice Initiative (OSJI), Robert F. Kennedy Human Rights, the Washington Office on Latin America (WOLA), and the World Organisation Against Torture (OMCT).

² See, for example, *Undeniable Atrocities: Confronting Crimes Against Humanity in Mexico* (Open Society Foundations, 2016).

³ In line with the recommendations on Mexico made by the UN High Commissioner for Human Rights, Mr. Seid Ra’ad Al Hussein, following up on his official visit to the country in October 2015, Recommendation No. 4, available at: http://www.ohchr.org/Documents/Countries/MX/RecommendationsMexicoHC_en.pdf

I. Increased Militarization

2017 marked Mexico's deadliest year in two decades—since authorities began keeping records—with homicide rates exceeding 25,000, far surpassing 2011's previous all-time high. The historic unleashing of Mexico's "war on drugs" was justified by then-President Calderón as an urgent and temporary measure; however, more than ten years later, the government continues to deploy its armed forces on a massive scale to carry out internal security functions that are constitutionally vested with civilian authorities.⁴ Furthermore, in a January 2017 report, the Belisario Domínguez Institute of the Mexican Senate found that the militarized strategy of combating organized crime had not only failed to reduce violent crimes, but in fact had the opposite effect.⁵ The Inter-American Commission on Human Rights had warned of a similar trend in its 2009 report on Mexico.⁶

The passage of the Internal Security Law, signed by President Peña Nieto in December 2017, further expands and normalizes the Mexican military's role in performing such functions, setting a dangerous precedent for both the country and region at large. The law is dangerously overbroad: it constitutes an unprecedented expansion of the military into the administration of Mexico's public security and threatens to further erode its civilian policing institutions and to water down legal reforms aimed to improve accountability for military abuses. The definition of key concepts, beginning with "internal security," is ambiguous, inviting wide-ranging, arbitrary, and discretionary application of the law in a wide variety of situations. Under the law, if the President makes a "declaration of protection of internal security," either on his own initiative or at the request of a state congress or governor (this declaration is valid for one year but indefinitely renewable), civilian authorities could be placed under the command of military executive power. Presently, the military can participate in security actions even where security risks are not imminent, i.e., "a situation that could potentially become a threat to internal security."⁷ The law also threatens freedoms of association and expression insofar as it gives the military the authority to exercise force to "repel or neutralize acts of resistance," including non-violent acts of resistance.⁸ Information considered to be "of national security interest" is confidential and not subject to Mexico's freedom of information regime.

These provisions raise profound constitutional questions for Mexico; they also violate the country's international human rights obligations. The concept of "legitimate use of force" in the law, for instance, does not accord with international use-of-force standards, as it refers only to the "rational and proportionate" use of force; no mention is made of other basic principles as necessity or adequacy. The Internal Security Law instructs soldiers to use their "military training"—which traditionally has been the use of lethal force to defeating an "enemy" at war—to deal with citizen security threats.

The law also fails to establish specific conditions and procedures for the suspension of human rights or to specify that certain rights, notably the right to life and the prohibition on torture, are non-derogable. In addition, consistent with broader concerns about the law's threat to associational rights, it allows for a suspension of rights in cases of "serious perturbation of public peace or other circumstance that puts the society in serious danger or conflict, in accordance with article 29 of the Constitution." Notably, however, the implementing legislation for article 29—which should have been in place at the latest in 2012—has yet to be adopted.

⁴ Animal Político, *Peña duplica el número de militares en la calle, aunque ninguna ley los regula*, Oct.6, 2016, <http://www.animalpolitico.com/2016/10/pena-nieto-militares-seguridad-publica/>.

⁵ Instituto Belisario Domínguez, *Seguridad Interior: elementos para el debate*, Jan. 2017, http://bibliodigitalibd.senado.gob.mx/bitstream/handle/123456789/3344/Reporte39_SeguridadInterior_DistDigital.pdf, p.4. Showing that the homicide rate was in decline in the years prior to the initial deployment of forces in 2007, and then tripled from 9,000 to over 27,000 homicides between 2007 and 2011).

⁶ Inter-American Commission on Human Rights, *Report on Citizen Security and Human Rights*, 31 December 2009. Available at: <http://www.cidh.org/pdf%20files/SEGURIDAD%20CIUDADANA%202009%20ESP.pdf>

⁷ Article 4 I and III and article 26.

⁸ Article 4 X. In an effort to address such criticisms, an amendment was added at the last hour to prevent "social protest mobilizations or those which have a political-electoral motive" to be considered threats against the internal security, provided they are carried out "in accordance with the [Constitution]." However, the military would have the discretion to determine which protests it considers constitutionally compliant.

Civilian counter-balancing controls are weak, requiring only that Congress and Mexico's National Human Rights Commission (CNDH) be informed when soldiers are deployed to carry out actions related to "internal security" and requiring the official coordinating internal security actions (by law, a member of the military) to inform the President via the head of the Ministry of Interior, who subsequently notifies the Bicameral Commission of the Congress. These obligations to report are not accompanied by any mechanism of accountability, however, the law fails to explain how the Bicameral Commission or the President may use these reports by establishing procedures for civilian oversight when soldiers implement the law.

International and national organizations have recognized the enormous concerns this law raises and have advocated strongly for its rejection, pointing instead to the need to improve the training of civilian police forces. Notably, the United Nations Office of the High Commissioner in Mexico also submitted a detailed analysis articulating 14 reasons why the law should be rejected.⁹ In an unprecedented joint action, seven UN special procedures also published a joint press release calling for the law's rejection.¹⁰ The Law is currently being challenged with at least 700 legal actions (*amparos*) as well as more than a dozen constitutional challenges (*acciones de inconstitucionalidad* and *controversias constitucionales*) filed before the Supreme Court of Justice. In the meantime, President Peña Nieto has committed to wait until these challenges are resolved before formally implementing the law. Nevertheless, the law is already in force and some aspects of it, notably, the section granting the military the ability to gather intelligence and information from civilian authorities, are not stayed by the President's actions.

In light of the information described above, the Observatory encourages the UPR Working Group to make the following recommendations to Mexico:

- Repeal the Internal Security Law and adopt a human rights based approach to public security.

II. Continued Impunity and Lack of Independent Institutions.

Mexico not only has high levels of homicides and violent crimes, but it also has one of the highest rates of impunity. A 2017 study by *Universidad de las Américas Puebla* (UDLAP) and *Consejo Ciudadano de Seguridad y Justicia de Puebla* developed the first Global Impunity Index. It found that Mexico ranked fourth out of 69 countries¹¹ on impunity, surpassing all other countries in the Latin American region (whose homicide rate is already at least three times the global average).¹² When it comes to impunity for human rights violations, the study also found that Mexico ranked number one. An earlier version of the same report found that impunity related to human rights violations accounted for 33 percent of Mexico's impunity index, compared to 17 percent generally and 20 percent for countries throughout the western hemisphere. While torture remains a routine and "generalized" practice by Mexican public officials at all levels of government, according to a finding reaffirmed by the UN Special Rapporteur on Torture in early 2017, following his previous visit in 2015,¹³ convictions are a very rare exception. According to official figures, between 2012 and 2016, more

⁹ http://hchr.org.mx/images/doc_pub/Anexo_ObservacionesONU-DH_LeydeSeguridadInterior.pdf;
http://www.hchr.org.mx/images/doc_pub/CartaSenado_ONU-DH_LeydeSeguridadInterior.pdf,

¹⁰ http://hchr.org.mx/index.php?option=com_k2&view=item&id=1065:mexico-proyecto-de-ley-de-seguridad-interior-supone-riesgo-para-los-derechos-humanos-y-debe-ser-rechazado-advierten-expertos-y-expertas-de-la-onu&Itemid=266

¹¹ Mexico ranks 66th in the impunity out of 69 countries with sufficient information to calculate the GII-2017. In 2015, it ranked in the 58th position out of 59 countries subject to analysis. Given that this edition increased the number of countries, Mexico does not have the penultimate position in the measurement of the GII, at the time that its distance from the best-ranked countries increased. https://www.udlap.mx/cesij/files/IGI-2017_eng.pdf

¹² At a regional level, Mexico surpassed Colombia (75.6), Nicaragua (65.9), Honduras (64.1), and El Salvador (64.1); globally, only the Philippines scored higher (80). See 2016 Índice Global de Impunidad México, at: http://www.udlap.mx/igimex/assets/files/igimex2016_ESP.pdf. For data on the broader Latin American region, see Robert Muggah, "How to fix Latin American's homicide problem," *The Conversation*, 28 June 2017.

¹³ See UN Rapporteur (January 2017); Mexican authorities denied the rapporteur's request for a follow-up visit after his initial report in 2015.

than 10,000 preliminary investigations into torture were opened by the *Procuraduría General de la República* (PGR) (which only investigates crimes under the jurisdiction of the Federation), affecting 20,000 victims; in only 22 of these cases (0.21 %), perpetrators were prosecuted, and even fewer, around 10, were convicted¹⁴.

Impunity rates for military abuses are equally high. In Mexico's first and second Universal Periodic Review (UPR) the Human Rights Council recommended that Mexico investigate all allegations of human rights violations committed by the military and security forces and amend the Military Code to allow civilian investigations into these abuses.¹⁵ Such reforms were approved in 2014. However, a research report of the Washington Office on Latin America (WOLA)¹⁶ showed that these reforms have not been fully implemented and that 96.8 percent of military abuses investigated between 2012 and 2016 were not punished. This report also found at least three practices related to military authorities obstructing civilian investigations: 1) when military and civilian authorities carry out separate investigations into the same case, 2) when military officials limit civilian authorities' access to testimony from accused soldiers or soldiers who are witnesses in investigations, and 3) when soldiers tamper with crime scenes or give false testimony.

The formal placement of the PGR within the executive branch has rendered Mexico's entire prosecution structure susceptible to obstruction and manipulation. Prosecutors have reclassified atrocity crimes as lesser offenses, mired investigations in bureaucratic confusion, discouraged victims from filing complaints, and tampered with or fabricated evidence.¹⁷ Replacing the PGR with an institution that functions independently of the executive is a first essential step in improving criminal investigations in Mexico. Furthermore, future prosecutors should be appointed through public and transparent mechanisms based on merit and ability, to make the office less susceptible to political influence. To that end, in February 2014, Mexico amended its Constitution to allow the creation of a new *Fiscalía General de la República* (*Fiscalía*, or FGR), one with autonomy from the executive branch and an independent budget. However, the Mexican Congress has yet to carry out additional constitutional and legal reforms for the *Fiscalía* to formally exist.

Legislative proposals detailing the contours of the *Fiscalía* have been one of the main areas of congressional debate and national discussion since Mexico's last UPR. Of particular concern is a transitory provision of the 2014 reform that introduced an "automatic transfer" provision, which grants the Attorney General (currently still appointed by the President) a nine-year term to serve as the first Fiscal General (head of the FGR) without undertaking any merit-based selection process. This provision was widely criticized as a loophole measure and such criticisms were vindicated when, in December 2016, President Peña Nieto named as Attorney General an individual close to his party's inner circle: Raúl Cervantes Andrade. Human rights organizations and scholars condemned the move as a threat to the consolidation of both the new Anticorruption National System and the construction of an autonomous *Fiscalía*.¹⁸ In an important victory, the President eventually directed Congress to eliminate the "automatic transfer" provision.¹⁹ Furthermore, in October 2017, Cervantes resigned from the PGR after less than a year in office, making him the third attorney general to leave the post

¹⁴ See: *Las quejas por tortura se quintuplican; PGR resuelve menos del 1% de los casos*, Animal Politico, 30 May 2017. Available at <https://www.animalpolitico.com/2017/05/quejas-tortura-pgr/>

¹⁵ See 2009 Report of the Working Group on the Universal Periodic Review, Mexico, A/HRC/11/27, May 29, 2009 at <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G09/136/33/PDF/G0913633.pdf?OpenElement>. And 2013 Report of the Working Group on the Universal Periodic Review, Mexico, A/HRC/25/7, December 11, 2013, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G13/189/42/PDF/G1318942.pdf?OpenElement>

¹⁶ See *Overlooking Justice: Human Rights Violations Committed by Mexican Soldiers against Civilians are Met with Impunity* (WOLA, 2017)

¹⁷ For further analysis of these obstacles, see *Undeniable Atrocities: Confronting Crimes Against Humanity in Mexico* (Open Society Foundations, 2016).

¹⁸ <http://fundar.org.mx/presidencia-y-senado-atentan-contr-una-fiscalia-autonoma-y-la-consolidacion-del-sna/>

¹⁹ <http://www.eluniversal.com.mx/articulo/nacion/politica/2016/11/29/pena-envia-iniciativa-para-que-procurador-no-se-convierta-en>

during Peña Nieto's tenure.²⁰ Conversely, the only PGR official who was investigating the possible illicit financing of the electoral party in the government, the Special Prosecutor on Electoral issues, Santiago Nieto, was dismissed in the months prior to the beginning of the electoral campaign for the Presidency of the Republic.

To date, no new attorney general has been named to replace Cervantes and the need for a more transparent and merit-based appointment process remains. United under the hashtags #Vamospormás and #FiscalíaQueSirva, civil society groups presented a draft citizen's opinion on September 18, 2017, seeking, in part, further amendment of the Constitution so that it expressly incorporates the guarantees of meritocracy, publicity, transparency and civil society participation in the selection of the new autonomous *Fiscal*.²¹ Some Senate members had expressed support for the proposal in principle; however, on December 14, Congress approved a law eliminating the automatic transfer provision without further amendment of article 102.²² This measure alone is insufficient to guarantee the autonomy of the FGR, since the procedure still allows for political interference in the nomination and announcement of the Prosecutor as well as his/her removal, which, according to the current regulation, resides with the president.

Furthermore, civil society groups have urged that the creation of an autonomous prosecutor should also include safeguards that avoid political interference, accountability mechanisms, and measures that guarantee efficient and timely investigations. Echoing a recommendation of the UN High Commissioner for Human Rights, they have urged the establishment of independent forensic services. Witness protection also continues to operate under the PGR and lacks the necessary safeguards to be effective.

In light of the information described above, the Observatory encourages the UPR Working Group to make the following recommendations to Mexico:

- Establish an independent and international mechanism to combat impunity, composed of Mexican and international staff, with a mandate to investigate, where necessary, atrocity crimes, human rights violations, and related acts of corruption.

III. Victims' struggle to access justice.

According to official figures, between 1 January 2015 and 31 December 2017, the Executive Commission for Victim Assistance (CEAV) only provided compensation to 16 direct victims and 52 indirect victims of torture and enforced disappearance, out of 1,576 applications registered during the same period.²³ The National Human Rights Commission (CNDH) has found serious shortcomings in the effectiveness and responsiveness of the CEAV, with excessively bureaucratic and protracted

²⁰ DPLF, *Resignation of Mexico's Attorney General*, Oct. 20, 2017, <http://dplf.org/en/news/resignation-mexicos-attorney-general-important-yet-insufficient-step-ensure-independent-and>. In addition to 17 corruption scandals of former PRI state governors, Cervantes has also become the subject of reports of tax evasion. See <http://www.animalpolitico.com/2017/09/procurador-raul-cervantes-ferrari-morelos/>.

²¹ Among the other recommendations are: establishing a public, transparent and participatory election process; functional and budgetary autonomy; no automatic hiring of PGR staff into the FGR; better process flow to reduce bureaucracy; improved implementation of the accusatory system; improved training/background in human rights; adequate control mechanisms and improved transparency; and autonomy of forensic services. See http://fundacionjusticia.org/cms/wp-content/uploads/2017/09/DictamenCiudadano_06SEP2017_VF.pdf; see also "Civil Society Organizations demand a profound modification of Article 102," at <http://fundacionjusticia.org/organizaciones-la-sociedad-civil-exigen-una-modificacion-profunda-del-102-constitucional-transitorios-garantizar-una-fiscalia-autonoma/>.

²² For instance, Emilio Gamboa (PRI) stated, "We are convinced that this institution requires a profound transformation. It is not a simple change of facade from the PGR to the *Fiscalía*." See <https://www.elsiglodetorreon.com.mx/noticia/1380929.cambia-pri-postura-ante-fiscalia.html>

²³ <https://www.reporteindigo.com/reporte/atencion-a-victimas-ilega-la-reparacion-recursos-compensaciones-estadisticas-transparencia/> (OMCT has also official figures provided by CEAV during bilateral meeting, but only concerning victims of torture registered by RENAVI)

administrative proceedings resulting in an under-registration in the National Registry of Victims (RENAVI). Victims seeking medical, psychological, legal and social attention and rehabilitation have likewise struggled to access services.²⁴ On the state level, 13 states have yet to even set up Commissions for Victim Assistance; in those states where CEAVs have been created, they lack financial and human resources or have not undertaken the necessary reforms to bring state laws in compliance with the Victims' Law.²⁵

Victims of torture and ill-treatment, as well as indirect victims of enforced disappearances and extrajudicial killings, continue to face stigmatization and reprisals as well.²⁶ For example, in the case *Ramirez and others v Mexico*, the first condemnation of Mexico by the UN Committee against Torture (2015), two of the victims were re-arrested the same day they were released, and the other two faced intimidation and persecution to the extent that the Committee, in an unprecedented move, issued measures of protection to stop reprisals in 2016.²⁷

Against this backdrop, the General Laws on Torture and Enforced Disappearances urgently need to be implemented. Deadlines set out in the transitory provisions regarding the establishment of key institutions and programs for the protection of victims or persons at risk and the accountability of the perpetrators, such as the creation (and election of the person in charge) of the National Search Commission, must be met. Furthermore, recent laws and regulations that water down or contradict the provisions of the mentioned laws (e.g. Adoption of the Protocolo Homologado de Investigación de Tortura²⁸ or recent ruling of SCJN²⁹ with respect to the application of the exclusionary rule for evidence obtained under torture), must be repealed.

In light of the information described above, the Observatory encourages the UPR Working Group to make the following recommendations to Mexico:

- Implement promptly and effectively the General Law on Torture, the General Law on Disappearances and the General Victims' Law, allocating the necessary efforts and resources to this end.

IV. Attacks on Human Rights Defenders and Journalists.

Attacks against individuals who expose atrocity crimes and corruption—journalists and human rights defenders—as well as political actors who threaten to disrupt existing patronage networks and/or protection rackets between cartels and various state officials have increased over the past two years. Article 19 has noted that 2017 marked one of the most violent years for journalists in Mexico, continuing a growing upward trend of violence. In a report issued this year, it documented 507 incidents of violence against Mexican journalists in 2017, including twelve who were brutally murdered.³⁰ Overall, between 2012 and 2017, 1,986 journalists have been attacked in relation to their work.³¹ Women journalists, in particular, face specific threats. Following their joint visit in December 2017, the UN Special Rapporteur on Freedom of Expression, David Kaye, and the Inter-American Commission's Special Rapporteur for Freedom of Expression, Edison Lanza, published preliminary

²⁴ <https://www.reporteindigo.com/reporte/atencion-a-victimas-llega-la-reparacion-recursos-compensaciones-estadisticas-transparencia/> (trace original source CNDH “informe seguimiento”)

²⁵ <http://comunicacion.senado.gob.mx/index.php/informacion/boletines/39157-estados-tienen-minima-armonizacion-integra-con-la-ley-general-de-victimas-informan-a-senadoras-y-senadores.html>

²⁶ See joint open letter to President Peña Nieto “Preocupación frente a la campaña de desprestigio y difamación contra víctimas y defensores”: <http://www.omct.org/es/urgent-campaigns/urgent-interventions/mexico/2016/03/d23672/>

²⁷ http://tbinternet.ohchr.org/Treaties/CAT/Shared%20Documents/MEX/INT_CAT_RLE_MEX_8213_S.pdf

²⁸ Conferencia Nacional de Procuración de Justicia. Protocolo Homologado de investigación del delito de tortura publicado en el diario oficial de la Federación el 2 de febrero de 2018.

²⁹ Tortura. Es innecesario reponer el procedimiento cuando no exista confesión de los hechos imputados o cualquier acto que conlleve autoincriminación del inculpado. Tesis: 1a./J. 101/2017 (10a.) noviembre de 2017.

³⁰ See Artículo19, “Democracia Simulada, Nada que Aplaudir.” Available at: https://articulo19.org/wp-content/uploads/2018/03/INFORME-A19-2017_v04.pdf

³¹ Ibid.

observations highlighting that information they received from Mexican civil society groups indicated a 200 percent increase in attacks against women journalists.³²

Like journalists, Mexican human rights defenders have also faced growing harassment and attacks in the past two years, but information regarding cases, investigations, and sentences for such attacks are much harder to find. Between 2013 and 2016, at least 1,360 attacks against human rights defenders took place in Mexico.³³ Front Line Defenders, an organization that tracks the number of human rights defenders attacked or killed across the world, reported that 31 Mexican human rights advocates were killed just in 2017.³⁴ The report also found that Mexico has systematically failed to adequately implement precautionary measures ordered by the Inter-American Commission on Human Rights. According to the Washington Office of Latin America, Mexican human rights groups have identified at least a dozen more cases of family members who were killed during their search for disappeared loved ones.³⁵

A ground-breaking investigation led by the Citizen Lab at the University of Toronto found traces of Pegasus—spyware developed by an Israeli cyber arms manufacturer—in the devices of numerous Mexican journalists, human rights defenders, and anti-corruption activists.³⁶ Since 2011, at least three Mexican federal agencies have purchased about \$80 million worth of this software.³⁷ Although the technology is sold exclusively to governments on the condition that it only be used to investigate terrorists, cartels or criminal activity, it has no way of ensuring the technology is not misused. A June 2017 article by the *New York Times* found that “the software has been used against some of the government’s most outspoken critics and their families, in what many view as an unprecedented effort to thwart the fight against the corruption infecting every limb of Mexican society.”³⁸

In light of the information described above, the Observatory encourages the UPR Working Group to make the following recommendations to Mexico:

- Develop, in consultation with civil society, a comprehensive public policy to prevent, protect, investigate, sanction, and redress, when necessary, all attacks against human rights defenders and journalists.

³² Amongst Kaye and Lanza’s preliminary observations published in December 2017, they highlighted the lack of resources, specialized accountability mechanisms, and political will of Mexico’s government to protect journalists. They recommended, *inter alia*, strengthening the implementation of protection mechanism at state level, including greater investment of human and financial resources; increasing the budget of the FEADLE to investigate violations of the freedom of expression; and prioritizing cases of violence against journalists from a gender perspective.³²

³³ Pedro Matias. *En México, un ataque al día contra defensoras de derechos humanos: RNDDHM. Proceso 29 November 2017.* <http://www.proceso.com.mx/513092/en-mexico-ataque-al-dia-contra-defensoras-derechos-humanos-rnddhm>. See also Red TDT, “La Esperanza no se agota. Situación de las personas defensoras de derechos humanos durante la Presidencia de Enrique Peña Nieto” (2017), available at <http://redtdt.org.mx/acciondefensores/index.php/2017/09/05/personas-defensoras-en-el-periodo-de-epn/#page/6>

³⁴ <https://www.frontlinedefenders.org/en/resource-publication/annual-report-human-rights-defenders-risk-2017>. The UN Special Rapporteur Michel Forst ended his visit to Mexico on January 24, 2017 issued a statement in which he identified family members who search for their disappeared relatives as human rights defenders. See http://www.hchr.org.mx/images/doc_pub/SRHRD-END-OF-MISSION-STATEMENT-FINAL_ESP.pdf.

³⁵ <https://www.wola.org/2017/05/murder-activist-miriam-rodriguez-mexico-highlights-dangers-faced-mothers-families-searching-disappeared-relatives/>. Other cases of family members who were killed during their search for justice in disappearance cases include: Gerardo Corona Piceno in Jalisco in April of this year; José Jesús Jiménez in Veracruz in 2016; Heriberto López Gastelum in Sonora in 2016; Cornelia San Juan Guevara Guerrero “Doña Coni” in the State of Mexico in 2016; Bernardo Carreto, Norma Angélica Bruno, and Miguel Ángel Jiménez Blanco in Guerrero in 2015; Luis Abraham Cabada Hernández in Sinaloa in 2015; Sandra Luz Hernández in Sinaloa in 2014; Nepomuceno Moreno in Sonora in 2011; members of the Reyes Salazar family in Chihuahua between 2008 and 2011; and Marisela Escobedo in Chihuahua in 2010.

³⁶ University of Toronto Citizen Lab, *Reckless Exploit: Mexican Journalists, Lawyers and a Child, Targeted with NSO Spyware*, June 2017, <https://citizenlab.ca/2017/06/reckless-exploit-mexico-nso/>; see also Article19, *Gobierno Espía*, June 2017, <https://articulo19.org/gobiernoespia/>.

³⁷ NYTimes, *Using Texts as Lures, Government Spyware Targets Mexican Journalists and their Families*, June 19, 2017, available at <https://www.nytimes.com/2017/06/19/world/americas/mexico-spyware-anticrime.html>.

³⁸ Ibid.

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