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End of mission statement by the United Nations Special Rapporteur on the situation of human rights defenders, Michel Forst on his visit to Mexico from from 16 to 24 January 2017

[Spanish](#)

24 January 2017

Good morning ladies and gentlemen,

I would like to start by warmly thanking the Government of Mexico for inviting me to undertake an official mission, which took place from 16 to 24 January. I wish to commend the Government of Mexico for its excellent cooperation and efforts to ensure the fruitful visit. I am grateful for the opportunity to meet with high-level representatives of various ministries, several Governors and state institutions. I am grateful to everyone who took the time to meet with me and shared their valuable experiences and insights, as well as those who helped in organizing this visit.

At the outset, I wish to recall that I am not employed by United Nations and the position I hold is honorary. As an independent expert, I exercise my professional and impartial judgement and report directly to the United Nations Human Rights Council and the General Assembly.

Before I continue, I would like to ask you to join me in a minute of silence in memory of Isidro Baldenegro López, indigenous human rights defender from the Sierra Tarahumara, who was murdered on 14 January in Chihuahua. Our minute of silence honours all those who were killed in Mexico while defending human rights.

[minute of silence]

In line with international human rights law, the primary duty to promote and protect human rights and fundamental freedoms lies within the State. This includes guaranteeing the right of everyone, individually and in association with others, to strive for the protection and realization of human rights. In other words, every one of us has the right to defend all human rights for all.

The objective of my visit was to assess, in the spirit of cooperation and dialogue, if in Mexico there is a safe and enabling environment for human rights defenders. In simpler words, the visit was seeking to answer the question whether human rights defenders feel safe and empowered in Mexico.

Ensuring these conditions is one of the principal responsibilities of the State. I have therefore focused primarily on evaluating some of the basic elements of such a safe and enabling environment, namely: a conducive legal and institutional framework; access to justice; an independent and strong national human rights institution; effective protection policies and mechanisms paying attention to groups at risk and applying gender-sensitive approach; non-State actors that respect and support the work of defenders; and a strong and dynamic community of defenders.

As I did not want to confine my visit to Mexico City, I travelled to Chihuahua, Guerrero, Oaxaca and the State of Mexico. As a result, I had a chance to meet with more than 800 human rights defenders coming from 24 states, approximately 60 % of which were women defenders. This reinforced my impression of an active, vibrant and engaged civil society in Mexico. I met with a great number of

families of disappeared persons, as well as defenders who have been arbitrarily arrested, some of whom were tortured by the police or the army, community leaders and indigenous people who reported having been deprived from their land, defenders working on sensitive issues such as sexual and reproductive rights or sexual orientation and gender identity.

As you may know, the UN has a very extensive and broad definition of human rights defenders, which has been enshrined in the Declaration on Human Rights Defenders, adopted by consensus in December 1998. During the visit, I had the opportunity, on many occasions, to refer to this definition. I recalled that human rights defenders are those who, individually or with others, act to promote or protect human rights, nationally and internationally, in a peaceful manner.

They are members of civil society organizations, journalists, bloggers, whistleblowers as well as political activists who advocate for the rights to free speech, free assembly, and safe and healthy environment. They do not need to belong to any registered organization to be a human rights defender. They can be ordinary women and men, who believe in the universality of human rights and act to defend them. They are agents of change, safeguarding democracy and ensuring that it remains open, pluralistic and participatory. They defend the principles of the rule of law and good governance. Without human rights defenders and their invaluable contribution, our societies would be far less free, and far less hopeful.

Prior to my official mission, I was invited by the President of the National Human Rights Commission and the Office of the High Commissioner on Human Rights in Mexico to participate in a forum on the role of human rights defenders in Mexico. At that occasion, I was pleased to hear strong statements by the Minister of Interior¹ and the Attorney General², recognizing and praising the active and positive role played by human rights defenders in the society.

This was a welcome change in the context of reported statements, depicting defenders as enemies of the State or linked to organized crime or not recognizing the positive role played by defenders in Mexico.

Today, I will confine myself to preliminary observations and recommendations on some of the main issues, which will be elaborated in more detail in the report, once I fully review the materials and documents that I have collected during the visit. I will present my final report to the UN Human Rights Council in Geneva, in one of its future sessions.

Legal and institutional framework

Mexico is a federal country integrated by 32 federal entities and Mexico City. Legislative, executive and judicial powers are divided between the federation and the states. Mexico has ratified nine core international human rights treaties. In this regard, I encourage the Mexican State sign and ratify the Optional Protocols to the Covenant on Economic, Social and Cultural Rights, and to the Convention on the Rights of the Child (establishing a communications procedure). I also encourage the Government to recognize the jurisdiction of the Committee on Enforced Disappearances according to articles 31 and 32 of the Convention; and consider withdrawing the reservations and interpretative declarations made to different treaties that can affect the full realization of human rights.

The Mexican Constitution protects human rights enshrined by international treaties at a constitutional level, and the Supreme Court has established that all decisions of the Inter-American Court on Human Rights are compulsory for Mexico. The Constitution provides different mechanisms to guarantee the respect of human rights, including the *amparo* writ, and strongly recognizes social and economic rights. Mexican legislation, especially at state level, still requires to be harmonized in order to comply with international human rights standards.

In recent years, Mexico has made an important effort to transform its legal system in different areas, with substantial participation of civil society organizations, human rights defenders, experts and scholars. In 2008, Congress amended the Constitution, shifting from an inquisitorial written-based criminal justice system to an adversarial oral-based one. This reform, which includes the 2014 National Code of Penal Procedure, entered into force in 2016. This should contribute to a more agile and fair criminal system, reducing delays, abuses against victims and alleged perpetrators of crimes and the use of pre-trial detention. Nevertheless, the full implementation of the adversarial system is said to be facing several challenges.

In 2012, Mexican Congress passed a federal law to protect human rights defenders and journalists, establishing a national protection mechanism to ensure the life, integrity, freedom and safety of defenders and journalists.

In 2013, after a campaign driven by victims groups, the General Law on Victims came into force, leading to the creation of the Executive Commission for the Attention to Victims (CEAV). The implementation of this law has been slow, and victims have denounced obstacles in accessing their rights, including the recognition as victims due to bureaucratic processes. Only 10 states have created their own victims' rights commissions. In 2016, the General Law on Victims was amended to address some of these challenges.

In 2014, after a series of decision by the Inter-American Human Rights Court and the Supreme Court, the Military Criminal Code was amended to ensure that human rights violations and crimes against civilians are investigated and prosecuted by civilian authorities. However, military jurisdiction still prevails for cases of human rights violations committed by members of the army against their own personnel. A new reform adopted in 2016 on the military legislation raises concerns regarding due process safeguards.

In my meetings with Congress, I was informed of the on-going discussions in two chambers regarding the change of article 29 of the Constitution and a new bill on internal security. Some members of Congress and civil society organizations have raised a number of concerns, including that it would normalize the use of the armed forces in public security functions.

Situation of human rights defenders

I have received information from diverse sources indicating elevated levels of insecurity and violence facing defenders in the country. Despite progress made on certain fronts (e.g. reducing murder rates in some states), the level of violence remains alarmingly high and affects the population at large. I am cognizant of the challenges that the geographical position of Mexico entails and the complex dynamics of drug cartels and organized crime in the country. Yet, the use of the armed forces in public security functions and the lack of a timetable for the return to a full-fledged civilian security approach raise a number of concerns in terms of democratic governance. Neither has it provided an end to the violence.

I received a number of testimonies regarding serious human rights violations that have occurred in the past years, in particular of extrajudicial killings, torture and enforced disappearances. These violations are always unsettling due to their gravity. Yet, I am concerned that in many cases transmitted to me, investigations have not yielded results. Human rights defenders seeking justice have faced acts of intimidation or obstruction in their search. Due to their denunciation of these violations, human rights defenders have a heightened risk of being a target of attacks and aggressions. Those who denounce violations by the armed forces, by police as well as from investigative authorities are at a higher risk from reprisals.

Family members of disappeared persons shared moving stories with me about their courage, determination and their tragic circumstances. Besides the harrowing uncertainty of not knowing where their loved ones are, they often face obstacles in their demand for justice and for truth regarding the whereabouts of their relatives. In particular, when visiting the state of Guerrero, I received testimonies of defenders looking for their disappeared family members, following leads to their whereabouts and sometimes carrying out citizen searches at high risk to their own security. Defenders from Chilapa, where collective disappearances appear to have occurred with the acquiescence of authorities, are particularly vulnerable to attacks in the context of the organized crime and corruption. When I visited Escuela Normal Rural Raúl Isidro Burgos in Ayotzinapa, the parents of the 43 disappeared students stressed the importance of being able to keep the work of the follow-up mechanism to the Grupo Interdisciplinario de Expertos Independientes (GIEI) unhindered, as well as that of the NGOs who accompany them in their search for access to justice.

Throughout my visit, I received a number of statements from defenders working on cases extrajudicial killings and excessive use of force, in particular regarding the risks they face in the quest for the perpetrators to be sanctioned. In Oaxaca, I met with victims of the events of Nochixtlán from June 2016 as well as defenders working on their case. For them, the best protection they could have is that justice is served and perpetrators are held accountable. This would also put an end to acts of intimidation being faced by them

Human rights defenders who denounce torture have recently faced a series of virulent attacks against them, falsely accusing them of supporting criminals. Smear campaigns, including through the national

media, have attempted to portray the role of defenders working on torture cases as persons profiting from reparations. Female torture victims, many of who have become courageous human rights defenders, have been subject to sexist defamation and harassment campaigns against them and their families. This has been the case for the women defenders, who have denounced sexual torture in the Atenco case.

I also met with human rights defenders who were internally displaced from their communities or places of work and could not return due to a lack of safety. The Government should elaborate policies addressing their particular situation to ensure that they can carry out their human rights work in safe conditions, including through their return.

Criminalization of human rights defenders

During the visit, I have received manifold testimonies that indicate that the situation of human rights defenders in Mexico is conditioned by the criminalization of their activities. This is done through the deliberate misuse of criminal law and the manipulation of the state's punitive power by both State and non-State actors to hinder and even prevent the legitimate right of human rights defender to promote and protect human rights. Criminalization usually takes place through filing of unfounded allegations or complaints based on criminal offenses, which might not conform to the principle of legality or comply with international human rights standards. Subjecting defenders to lengthy legal proceedings is clearly a tool to intimidate them and subdue their human rights advocacy. Courts reportedly impose preventive measures against rights defenders without ensuring their rights and due process guarantees.

Those criminalizing actions are sometimes preceded by statements made by public officials, in which defenders are accused of committing crimes or obstructing national security or development. Such disparaging statements by high-level officials motivate the triggering of prolonged criminal processes against human rights defenders.

Arbitrary arrests and detentions have also been used as a tool to silence dissident voices and curb social movements. Between August 2014 and December 2015, the UN Working Group on Arbitrary Detention issued six official opinions to the Mexican Government, relating to the six cases of human rights defenders and a journalist (Librado Baños, Pedro Canché, Damián Gallardo, Enrique Guerrero, Nestora Salgado, and Members of the Frente Popular Revolucionario), who were arbitrarily detained and whose judicial processes were marred with irregularities. This series of opinions was unprecedented, and marked the first time that the Working Group issued six opinions in a little over a one year period. To date, only two of these have been released, and the full implementation of all Opinions remains pending.

In many cases, defenders are criminalized for reporting violations by public authorities and face indirect retaliation through attacks or criminal proceedings directed towards their families or people who are close to them. The case of Martha Esthela Solorzano from San Luis Rio Colorado, in Sonora is an emblematic one. She has faced repeated threats from municipal police due to her complaints against police for abuse of power, corruption and ill-treatment. In 2012, her son, Jorge Luis Zavala Solorzano, was arrested and sentenced for allegedly committing several serious crimes. In February 2015, after several years of the ordeal, Jorge Luis was released and acquitted by the Sonora Supreme Court due to the clear contradictions between allegations and testimonies used to sustain the initial sentence.

Criminalization of defenders has a chilling effect not only on them but also on broader society. It weakens civil society movements and is one of the main causes preventing the general population from filing police reports on serious crimes. Defenders increasingly have to spend a great amount of time and resources to defend themselves, which weakens their ability to protect more vulnerable individuals in society. Criminalization also undermines the confidence of civil society in the Government, which should instead ensure that authorities and third persons do not manipulate the state and judicial powers to harass defenders for their legitimate activities.

I recommend that laws and policies, whose ambiguity have been used to criminalize human rights defenders for their legitimate work, are revised with a view to bringing their content and execution in compliance with the principle of legality and other international human rights standards.

It appears that criminalization is linked to the actions of both federal and state elements, including the

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 police, the Army, the Navy, government authorities and the judiciary. The exploitation of justice by companies and other interested parties, who initiate the criminal complaints against defenders, the weak independence of the judiciary, and corruption among government authorities all contribute to the criminalization of human rights defenders.

According to international human rights law, both State and non-State actors who are directly or indirectly involved in criminalizing defenders are accountable for these human rights violations.

The freedom of **peaceful assembly** is guaranteed by the Mexican constitution. However, there are concerns about the increased interference and use of force at peaceful protests in the country, especially when protesters raise sensitive issues or oppose large-scale projects.

For example, in 2006 in Atenco, protests against the construction of the Mexico City airport resulted in two persons killed and more than 200 persons detained and criminalized, including a number of women who were victims of sexual torture. Protests against this project continue to this date with protesters facing frequent harassment. In a December 2012 protest in Mexico City, nearly 100 arbitrary detentions and six cases of torture were documented. In some states (e.g. Puebla), local legislation allows police to use firearms or deadly force to break up protests.

Furthermore, the Mexican legislation's use of broad terminology, such as 'attacks on public roadways' or attacks on 'national wealth' has increasingly been applied to curtail peaceful assemblies and social protest. Indigenous communities protecting their traditional lands, eyed for the development of mega-projects and the exploitation of natural resources, have often faced criminal charges for protesting against those projects, even if meaningful and prior consultation with them are clearly lacking. This usually happens in the context of social protest, involving blockade, sit-downs or just participation in protests.

Journalists covering protests often face a pattern of violence, harassment and legal action. For instance, in August 2016, journalist Manuel Morres was arbitrarily detained for 24 hours while covering demonstrations in Chiapas, and two photojournalists observing a traffic incident in Oaxaca were arrested and allegedly tortured.

The **freedom of association** is also constitutionally recognized. Even though very active and diverse, non-governmental organizations sometimes face violence, including threats and assassination. Reports indicate that independent trade unions face interference from government authorities. The right to unionise has come under serious threat from the series of reforms in the education, health and energy sectors, significantly reducing the power of each sector's unions. The reforms have sparked national protests, with civil servants leading major demonstrations.

Despite gradual improvements in the constitutional guarantees of **freedom of expression**, journalists who have voiced dissident or critical voices have often faced intimidation and threats. Mexico has become one of the world's most dangerous places for journalists. Investigative reporting is scarce due to the climate of insecurity. Due to the widespread impunity at the state and municipality levels, self-censorship has become rife. Many newspapers in areas that are prone to violence avoid stories concerning organized crime, drug trafficking or corruption.

Increased use of defamation laws by public officials has undermined the free media. The former governor of Coahuila sued a prominent political journalist for 'moral damages' and filed a civil defamation suit against a newspaper. Other politicians also sued media professionals for 'moral damages'. Also worryingly for the freedom of expression and media, a Supreme Court ruling in May 2016 that, in practice, removed maximum limits on financial penalties that can be issued against journalists in Mexico. While defamation was decriminalized at the federal level in 2007, around a dozen of states still have criminal defamation laws which are used to intimidate journalists.

The establishment of the Special Prosecutor for Crimes against Freedom of Expression to investigate cases involving journalists has been a welcome step in protecting freedom of expression in Mexico. However, civil society has criticized the office of the Special Prosecutor for failing to make significant progress in investigations. Since its creation in July 2010 and till November 2015, the FEADLE reported only 31 investigations into homicides and 25 disappearances of journalists and with no reported prosecutions in the end.

Access to the Internet became a human right after article 6 of the Constitution was amended in 2013. Mexico created access to information legislation in 2002. It also adopted in 2015 the general

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2015. Mexico enacted **access to information** legislation in 2002. It also adopted in 2015 the general law of transparency and public information access, through broad participation of civil society organizations.

From the discussions with the Government, I was informed how the progressive legislation seeks to establish the principles and procedures to guarantee the right of access to information in the possession of any authority of the legislative, executive and judicial branches and to develop homogenous conditions in relation to transparency and information access in the sphere of the Federal government, states and municipalities. The new National Transparency and Access to Information and Protection of Personal Data Institute (INAI) has been granted with constitutional and specialized autonomy to guarantee the exercise of the rights of access to information and the protection of personal data. Concerns have been raised as to the impact of the new Archives Law on access to important data related to serious human rights violations, and its impact on rights to truth and memory of victims and the society as a whole.

Despite the legislative achievements, actual access to public information remains problematic, particularly at the state and local levels. Human rights defenders fighting impunity have also faced challenges in accessing public information in the possession of the armed forces. Civil society has also raised concerns about seeming incompatibility of access to information legislation with the national security law, given that the latter defines what constitutes 'national security'. This is despite the provisions of the access to information legislation stipulating that gross human rights violations and crimes against humanity may not be classified as 'reserved'. In such cases, the scarce data released by the authorities obstruct investigations into criminal accountability of the military command, enforced disappearances and summary executions in the context of military operations related to public security and organized crime.

There are also concerns about the lack of a specific law requiring public officials to disclose their assets and conflicts of interest, as well as weak judiciary oversight of gathering, storing and sharing of personal data obtained in the context of digital surveillance. Human rights defenders have also been alarmed about a bill in Congress aimed at broadening the protection of personal data in certain cases, which may be in variance with the right to access to public information or with the handling of personal data obtained under surveillance.

Intimidation

The majority of rights defenders I have met during this visit have reported some sort of intimidation linked to their human rights work, driven by both State and non-State actors.

Human rights defenders have received threats by SMS, phone calls or verbal assaults. They also reported a number of threats through digital communications, whether through social media or by email. In the majority of cases, the messages consisted in 'warnings' about their life and security, if they were to continue their human rights work. Some defenders thought that digital threats, despite not being considered by authorities as 'real' threats, may lead to physical aggressions. Women defenders have been particularly targeted by anonymous groups, whose objective is to spread rumours on social media or call for attacks against them. Some of the messages call for 'corrective rapes' or violence against women.

I am also extremely worried by the number of smear, name-calling campaigns against defenders, whether they are led by politicians or media. These campaigns mainly seek to undermine the work done by rights defenders and to alienate part of the population. Defenders have been presented as being anti-development or members of criminal groups. They are also portrayed as people who help criminals, rather than those who try to rectify human rights violations. I am particularly concerned by the situation of organizations such as the Centro Prodh, Tlachinollan and the Comisión Mexicana that have been targeted for their work on enforced disappearances, extrajudicial killings or torture. Such organizations are also accused of using victims to make profit, promoting impunity or destabilizing society.

These campaigns may have a strong gender-based component, when aimed at women human rights defenders. They may include insults, depicting women as prostitutes or those without moral values. Harassment can also target family and community members as a way to indirectly intimidate defenders, forcing them to choose between protecting their relatives and continuing their human rights work.

I am also deeply concerned by information received on the act of reprisal against a human rights defender, who met me during the visit. Messages on social media appeared threatening the defender, mentioning our meeting. I strongly condemn this act of reprisals as it undermines the basis for the right of everyone to cooperate with international organizations.

New and sophisticated techniques of intimidation have been recently used to discourage human rights work in Mexico. Journalists and defenders working on freedom of expression, impunity, and corruption have reported cases of digital surveillance and attacks related to cybercrime, including malicious software and DoS attacks (denial of service attacks). For instance, the website of the Más de 131 has been attacked by DoS a number of times. A number of defenders also reported interference with their computers by malware, which seek to spy and search for critical information on the computer.

I am concerned by the legal loopholes that allow broad surveillance powers without judicial oversight and accountability and often presented as measures of national security without adequate safeguards. I have been informed of the reported purchase of surveillance software by the Government, which is alleged to be used with questionable judicial oversight. I encourage the Mexican authorities to develop a strong legal framework to ensure the legitimate and legally prescribed use of such software.

Defenders from indigenous or rural communities shared with me examples, which indicate a deliberate attempt by authorities and companies to apply 'divide and rule' strategies to achieve the approval of large-scale projects. I am concerned about pressure put on community members to accept projects, in exchange of money or social projects. Defenders opposing these projects are often projected by companies or local authorities as a minority, who acts against the general interest. The divisions caused by these projects have profound and negative effects on the affected communities, in which there is usually a strong culture of consensus and collective solidarity.

Widespread impunity

According to several reports, approximately 98 percent of crimes committed in Mexico remain unresolved. Given the high number of serious human rights violations, the negligible rate of successful investigations and prosecution of crimes committed against human rights defenders has engendered the sense of widespread impunity. The failure to investigate and sanction aggressors has signalled a dangerous message that there are no consequences for committing such crimes. This creates an environment conducive to repetition of violations.

Impunity has become both the cause and the effect of the overall insecurity of human rights defenders in Mexico. Impunity feeds criminalization of defenders linked to their legitimate human rights activities, which in turn fuels fear among broader civil society, undermining the general aspirations for human rights and the rule of law. By dissuading defenders from filing complaints and the survivors of violations from seeking the support of defenders to advocate for their cause, impunity erodes the rule of law in the country and encourages the commitment of further violations.

I am seriously concerned about the snowball effect of impunity for criminalizing and feeding violence against human rights defenders. I urge the Government to urgently reverse the trend of growing and deepening impunity in Mexico.

Human rights defenders at specific risk

During the visit, I had an opportunity to observe multiple risks and threats facing specific groups of defenders. The large groups of **women human rights defenders** I have met here in Mexico remind us that women are often at the forefront of human rights battles, even if their work may remain invisible.

Between 2010 and 2016, according to reliable reports, 38 women human rights defenders and journalists were killed in Mexico. The majority of women defenders face risks not only because of their work but also due to the gender. They may suffer from sexual violence, threats on social media or smear campaigns based on gender stereotypes. In the context of widespread violence against women and "femicides", some women have become vocal in their search for truth, justice and reparation. This is, for instance, the case of Maria Luisa Garcia Andrade who has received countless threats and attacks in Ciudad Juarez for her work against impunity.

Because they challenge patriarchy and misogyny, women defenders may also face violence and

Because they challenge patriarchy and misogyny, women defenders may also face violence and discrimination within their own families and communities, as their advocacy is often considered as less important or in discrepancy with the role they were socially and culturally assigned. The psychosocial impact of violence have profound consequences on the social fabric and can take a variety of forms, ranging from post-traumatic stress syndrome, guilt, the deterioration of their economic situation to social isolation.

Facing so many challenges, I want to publicly recognize and support the work led by networks such as the National Network of Women Human Rights Defenders, which has been crucial to help women break the circle of violence and stigmatization and has offered many opportunities for self-protection and capacity-building trainings.

I was struck by the number of women defenders, who have experienced either discrimination by State agents or difficulties when requesting protection measures. I also encourage Mexican authorities to widely circulate the 2013 UN General Assembly resolution on women human rights defenders.

Journalists also constitute one of the main groups at risk in Mexico. According to the statistics, Mexico has become one of the most dangerous countries for journalists. Between 2000 and 2016, at least 120 journalists were killed mostly in the states of Veracruz, Oaxaca, Tamaulipas, Guerrero and Chihuahua. They may face violence during the coverage of protests, threatened by the organized crime or harassed by authorities, when they investigate stories related to corruption. It was the case of Carmen Aristegui, who was abruptly dismissed in 2015, shortly after reporting on corruption scandals involving high-level politician.

For journalists, fleeing dangerous states such as Veracruz, Mexico City is often seen as a safe city where they feel more protected. However, the murder in July 2015 of the photojournalist Ruben Espinoza along with four women (Nadia Vera, a woman rights defender, Alejandra Olivia Negrete Avilé, Yesenia Quiroz and Mile Virginia Martin) marked a worrying precedent for the whole community of media workers.

The definition for journalists used by the Mexico City Law on the protection of journalists and human rights defenders does not provide protection for all types of journalists. The on-going threats and attacks has created a climate of self-censorship and undermined freedom of expression in the country. Many journalists, due to the lack of resources and the specific nature of their work, do not dedicate resources to their own protection, which may increase their vulnerability and isolation.

I have also been alerted by the risks faced by female journalists. According to reports, between 2010 and 2016, 11 female journalists have been murdered in Mexico and between 2012 and 2016, out of the 232 journalists who were protected by the National Protection Mechanism, 86 were women. The consequences of attacks against female journalists can lead to the termination of their professional activity and more broadly to a shrinking space for women in newsrooms and media.

During the meeting with the Supreme Court, I shared my concern over its recent decision declaring a narrower definition of journalists used in Mexico City as constitutional. The universally recognized definition of human rights defenders should encourage Mexican authorities to include bloggers and all media workers in the definition of journalists and human rights defenders.

One of the most criminalized groups of defenders, facing most court proceedings and arbitrary detentions in Mexico, are those who protect and promote **economic, social and cultural rights**, particularly activists who defend the rights of indigenous peoples and communities and the rights to land, water and safe environment. This takes place in the context of extractive, energy and infrastructure megaprojects. On occasion, defenders told me environmental impact assessments were not made available to the affected communities. The language of the assessments is overly technical or not made available in the language of the community. I am concerned that the number of conflicts related to the protection of land and environmental rights will only keep growing, as long as the issue of the model of development and its sustainability is not addressed and broadly agreed with the communities affected by these projects.

Human rights defenders from indigenous communities are among the most at risk groups of defenders working on economic, social and cultural rights. The situation of **indigenous human rights** is extremely worrying and those who defend the rights of these communities face increased risks. In states such as Oaxaca, Chihuahua, Guerrero, Estado de Mexico and Chiapas, the multiplication of development projects and land grabbing lead to the escalation of conflicts as indigenous communities

refuse to lose their ancestral lands. Often, these communities have a specific world's conception, in which soils, forests, water, wind are essential to their very existence and to the protection of their ancestral cultures. This was evident to me during my visit to the community of San Francisco Xochicuautla, which is engaged in a struggle for preserving their traditional land in the context of highway construction.

I have heard many moving testimonies from humble and courageous communities who speak out against the violence of armed groups, who operate in collusion with local authorities and companies. Along with discrimination practices that may affect the capacity of defenders from indigenous communities to request and effectively benefit protection measures (for linguistic or geographical reasons), they face repression that can range from harassment, arbitrary detention to torture, murders and enforced disappearances.

In all the states I visited, I was dismayed by the number of on-going conflicts that are the direct consequences of the lack or misuse of consultations processes with indigenous communities. In many occasions, consultations are a simple formality for projects that have already started to be implemented. I strongly encourage the Mexican authorities to guarantee the free, prior and informed consent of indigenous communities as stated in ILO-convention 169. Consultation processes should be meaningful in order to guarantee the protection and respect of the rights of indigenous communities, in full compliance with United Nations Declaration on the rights of indigenous peoples.

Community leaders, **land and environmental rights** defenders who oppose large-scale projects face violence from individuals who are connected to companies participating in those projects, which often goes unpunished with tacit or explicit support of local authorities. According to reports received, human rights defenders are pressured to desist from their activities through the use of the criminal justice system to prosecute indigenous leaders, farmers and opposing environmentalists for ordinary crimes. I have received numerous testimonies of cases when indigenous and environmental rights defenders have been targeted in relation to their work. Civil society organizations documented at least 109 cases of attacks against environmental rights defenders in 23 Mexican states within one year, between May 2014 and June 2015.

During my visit to Chihuahua, I became acquainted with the situation facing human rights defenders, who protect the rights of the Raramuri indigenous population, in particular the risks caused by organized crime and their lack of protection from the authorities. On 19 January, I publicly condemned the killing of environmentalist defender Isidro Baldenegro López by an armed person. His murder shows the precarious situation of human rights defenders in the region. In 2010, Ernesto Rábago Martínez, also defender of the land and territories of the Raramuri people, was murdered. To date, there are no convictions for this killing. I call upon both the federal and state authorities to ensure that all crimes against defenders of the rights of the peoples of the Sierra Tarahumara are duly investigated.

The search of families and victims of **the disappeared** is one of the most difficult human rights issues that is currently being witnessed in Mexico. Many families who do not obtain responses on the situation of their missing relatives have been developing their own investigations. Their search for truth and justice has led them to face countless risks and threats as they often uncover stories of collusion between State agents and organized crime. They also become vulnerable because they carry out investigations and advocate against human rights violations. Attacks against human rights defenders seeking justice can have a chilling effect on the public.

I have been deeply moved by the testimonies of courageous mothers, fathers, sisters, sons, who have become human rights defenders out of necessity. For me, these families are true human rights defenders, as many of them have found the strength to overcome the permanent suffering they feel and the fear for their own lives in order to help other families in their searches. Their voice should be recognized as a part of the human rights defenders community. This is the case, for instance of the national brigades for the search of disappeared persons. Thanks to their commitment and sacrifices and that of the broader movement of families of the disappeared, they have helped prevent many disappearances. Other families who were before in despair have now someone to turn to. I also pay tribute to the human rights defenders who have been looking for their disappeared family members for decades, since the so-called "Dirty War".

Another group of defenders that is particularly at risk are **whistleblowers**. International human rights laws recognize and guarantee for anyone the freedom of expression and the right to access

information. Current legislations also protect the right of journalists to inform the general public on cases that could hamper fundamental rights. However, this is not the case for those who, by the nature of their work, may have access to information related to cases such as corruption, health, security or environmental issues. Currently, there is no legal framework in Mexico that defines, recognizes and protects ordinary citizens or public servants when disclosing information. On the contrary, informants may be prosecuted, especially if they reveal information related to transnational or state-owned companies. Nevertheless, I would like to recall the recommendations of the United Nations Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression on the issue of whistleblower. In his report presented to the UN General Assembly in 2015³, the Special Rapporteur encouraged the States to “adopt or revise and implement national laws protecting the confidentiality of sources”, “to adopt and implement national legal frameworks protecting whistleblowers.”

During my visit in Mexico, I have also engaged with religious groups of defenders. Many of them have become rights defenders as the result of the widespread violence against rural and indigenous communities and migrants in the country. In many occasions, these men and women have been the only support disenfranchised groups could find on the ground. They have developed activities to accompany communities; they have been providing humanitarian support in extremely isolated areas. For their human rights work, these defenders have been affected by intimidation acts, threats, assaults, burglaries and sometimes killings. They have also shared the lack of support of their religious hierarchy who fail to recognize and support their human rights commitment.

I am also worried by the risks faced by defenders working on **migrants’ rights**. As Mexico has become both a country of destination and transit for thousands of people coming from Central America, the work led by defenders has increasingly become vital in the protection of these populations. Defenders who provide humanitarian assistance to migrants, those who work along the route of the ‘Beast’ train route face particular risks, mainly due to the criminal activity of armed groups who target both migrants and human rights defenders through extortion, rape, kidnapping and murder.

In recent months, defenders of **LGBTI** rights have also faced a strong public campaign against them, which has increased the climate of fear in which many of these defenders live. Attacks against LGBTI activists are usually related to the promotion of a bigger recognition of their rights. Prejudices based on sexual orientation and gender identity by police officers and prosecutors seem to affect the effectiveness of investigation of these attacks. Assassinations of activists are not investigated as possible hate crimes nor related to their work on defence of LGBTI people human rights. Moreover, authorities often denigrate the victim in an attempt to reduce the attacks to private issues. Transsexual human rights defenders often face more risks as a result of the high levels of sexual violence among transsexual communities. In many states, defenders of LGBTI rights face problems to organise themselves, use public space, access resources and are not taken into account by local and state authorities. I also heard testimonies of defenders working on LGBTI rights who may feel isolated from the broader community of defenders.

I also met with defenders working on issues such as education, children’s rights, labour rights and access to health. I heard moving testimonies of defenders facing reprisals because of their work against child abuse or facing stigmatization for working on access to healthcare for HIV-AIDS patients. In many cases, they were aware of the different existing protection mechanisms and tools.

Some universities have faced retaliation for their human right work. I have the opportunity to meet with scholars coming from more than ten universities and higher education institutions and they shared their important work for the promotion and protection of human rights in Mexico. In the context of the serious human rights challenges that Mexico is facing, it was compelling to see the commitment of these scholars and at the same time surprising to see the low level of involvement of most Mexican universities with regards to human rights’ needs.

I heard many examples on how universities can directly contribute to access to justice through legal clinics; how they support victims of disappearances rights through forensic work and investigation contributing to right to truth. I was appalled to learn that some scholars and universities have been suffering retaliation for their human rights work. It was also sad to observe that even within the academic communities women are vulnerable to sexual violence by their peers or teachers, and that there is a lack of institutional answers to protect the brave women who decide to denounce. More generally, the different testimonies mention is the lack of institutional support to promote the

involvement of universities on human rights issues as part of their academic activities. Universities also have the duty to promote an auspicious environment for everyone that within their communities want work on human rights issues.

National protection mechanism for defenders and journalists

The National Protection Mechanism for Human Rights Defenders and Journalists has been established since 2012, to address the security concerns in the situation of human rights defenders in Mexico due to persistent attacks against them and to ensure their safety and enabling conditions for their work. To date, the National Mechanism has given protection to 386 human rights defenders and 260 journalists. The National Mechanism, the cooperation it fosters between authorities and civil society, its decision-making procedures and the recent improvements in its day-to-day operations have been seen as a good practice for countries, where the right to defend human rights continues to be a high-risk endeavour. It undoubtedly sends a message that human rights defenders and journalists play a valuable role within society and require the State's action in their protection.

In the same way that human rights defenders are important to society, the National Mechanism is also crucial. It deserves all the support from stakeholders, while the situation of risk of defenders continues.

Despite the fact that the National Mechanism's existence has contributed to preventing certain violations against human rights defenders, it has not been sufficient as a public policy tool in transforming the environment in which human rights defenders operate. Its nature, to date, has been more reactive, rather than preventive. Its focus has been on delivering piecemeal security measures, rather than adopting a more holistic approach to protection. It has not sufficiently looked into the root causes at the source of the risk. This not only undermines the effectiveness of its protection measures, but also exposes the National Mechanism to straining its capacity due to a large number of cases which continue unresolved.

As part of adopting a more preventive approach to protecting defenders, the National Mechanism should look into enhanced cooperation schemes to ensure that protection measures adopted go hand-in-hand with prompt and exhaustive investigations. If cases of attacks against human rights defenders continue to be mired in impunity, no protection scheme will be sufficient to send the clear message that committing human rights violations against them is not condoned by the State.

Promoting the role of human rights defenders should be a central aspect of the work of the National Mechanism. National campaigns and different ways to recognize their role, both at federal and state-level, should be carried out to ensure that public awareness of their role is enhanced.

The UN Declaration on Human Rights Defenders encompasses a broad definition of who is a defender. In this vein, the National Mechanism should implement wide criteria in determining who qualifies for protection (e.g. accepting persons who work in autonomous human rights bodies when they are at risk and indigenous communities demanding their rights). Digital attacks against defenders are as much of a risk to defenders, as other types of physical acts of intimidation.

Despite the progress achieved in developing methodology to assess the risks of groups of defenders or women, the National Mechanism still requires strengthening and mainstreaming a differential approach vis-à-vis human rights defenders. In particular, a gender-specific approach (including gender identity and going beyond women human rights defenders) needs to include a comprehensive review of the different stereotypes and types of violence they face. The National Mechanism needs to ensure female staff members are available for risk analysis and they are properly trained.

Integrating a multi-cultural and collective approach when carrying out a risk analysis of an indigenous community or human rights defender should contribute to adopting protection measures that are relevant and effective in their settings. Rural or remote settings require different approaches from urban ones. The catalogue of existing protection measures should reflect this. For instance, panic buttons and satellite phones are not always tailored for the needs of those defenders working in rural areas. Policies in line with the UN Guiding Principles on Internal Displacement should be adopted to cater for the needs of displaced defenders. The possibility that family members and in particular children be considered within the risk analysis should be offered to human rights defenders, both men and women. User-friendly manuals containing security assessment methodology, procedures and existing guidelines should be placed online to ensure access to information for human rights defenders

The National Mechanism's governing board is composed of four government entities, including the Office of the Attorney-General and the Federal Police. I call upon the Office of the Attorney-General to take steps so that its participation at the National Mechanism is instrumental in ensuring that all crimes against defenders are duly investigated. This also applies to cases involving digital aggressions and smear campaigns through social networks, which require specialized investigations. The Federal Police should guarantee that, at all times, an adequate number of police members, including female police, are available for protection needs of the Mechanism and that these are properly trained. The National Mechanism should also cooperate with other security actors, such as the Army and the Navy, to inform them of the existence of protected human rights defenders.

Cooperation and coordination with states also needs to be bolstered, especially considering that the majority of attacks against human rights defenders originate at a state-level. These authorities should receive clear messages on the policy of zero-tolerance towards attacks against defenders. The National Conference of Attorneys should consider adopting specialized protocols (*protocolos homologados*) for the prevention and investigation of aggressions against defenders.

Two early-warning system (*alertas*) have been issued in two states (Veracruz and Chihuahua) jointly by the National Mechanism and state authorities. To date, these early-warning mechanisms have yet to deliver results. However, they could represent an interesting tool to address structural issues relating to the environment in which defenders and journalists operate.

If protection mechanisms for defenders are established at the state-level, these should be adequately resourced, have proper guidelines and have participation mechanisms for civil society. I noted with satisfaction the information on the implementation of the Protection Mechanism of Mexico City, following a law adopted in 2015, which included good practices such as providing access to economic and social rights.

Although there have been efforts to strengthen the situation of the staffing at the National Mechanism, this aspect needs to be reinforced. Staff should be given appropriate contracts and selection criteria should ensure sensitivity to human rights. Training programmes have been delivered and have yielded some results, yet the turnover in staff undermines their effects. Future trainings should also include the handling of confidential information regarding the identity of those protected and additional training for those supervising risk assessments. Security measures should be installed during risk assessment in certain locations so as not to endanger the lives of the Mechanism's personnel during their work. Management tools should be put in place to assure timely implementation of protection measures.

The budget of the National Mechanism should be ensured in future years to ensure its financial sustainability.

National and state-level human rights institutions

I believe National Human Rights Institutions are a key partner on protection of human rights defenders and promotion of the right to defend human rights. They are also human rights defenders that sometimes face risks and attacks for doing their work.

I am glad to see that Mexico has a complete system of human rights institutions, with the National Human Rights Commission (CNDH) and the 32 state-level Human Rights Commissions. I would also recommend the state-level Human Rights Commissions to fully comply with the Paris Principles.

I strongly believe human rights institutions should be more vocal in their support of human rights defenders, and their condemnations of attacks against them. They also need to be closer to human rights defenders in order to increase their support in a range of forms.

In line with international standards, human rights institutions must apply broad definitions of human rights defenders and journalists, and work to ensure that government authorities and society are aware of the important role of defenders.

I note that the National Human Rights Commission has increased its use of its constitutional power to challenge the constitutionality of laws, and I would like to encourage the Commission to continue on

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this path. I would also recommend state-level Human Rights Commissions to review and challenge laws that can restrict the recognition and effective enjoyment of human rights.

I was surprised by the low number of recommendations issued in some states, despite the evidence I received of serious human rights violations against human rights defenders. Human Rights Institutions should also be more active in issuing recommendations, including reparation of victims. I recognize the importance of general recommendations by the Commission and call for this practice to be replicated at state levels.

Role of non-State actors

The importance of non-state actors to ensure the effective enjoyment of human rights has been increasingly acknowledged by the international community.

Business enterprises

I note that Mexico is currently working on a national plan on business and human rights. I hope that this plan will incorporate a strong component on the responsibility of business to support human rights defenders, and avoid criminalization or other forms of weakening human rights defenders activities, including indigenous and community human rights defenders. This plan should include human rights defenders during its design, implementation, monitoring and evaluation.

I received information on the impact that the actions of many companies have had on communities across the country, and how some companies could have adversely affected the efforts of human rights defenders. I have received reports that companies (in particular those working in mining, construction, infrastructure, energy, telecommunications, private security, transport, and media) are hindering human rights defenders efforts.

Public and private companies must respect human rights, the internationally recognized principles on business and human rights, including the United Nations Guiding Principles on Business and Human Rights. They should publicly recognize and respect the positive role of human rights. Companies must refrain from actions that can negatively affect the enjoyment of human rights in any way.

Companies should advocate for prior and meaningful consultation with communities when they have the intention to participate in a project that can affect indigenous communities. They should refrain from taking actions that can affect these consultation processes, including those that can contribute to the division of communities. They should offer all the relevant information to the affected people by the projects in an accessible and culturally appropriate way.

I am concerned by the information received on the role that some companies in possession of private data (including human rights defenders data). Some telecommunications companies are providing authorities with personal data, without ensuring due diligence.

Employees of security firms in different states (protecting primarily on infrastructure projects and railroads) act against victims of human rights violations and their defenders, such as migrants' rights defenders and indigenous rights defenders. As far as I understand, all these attacks remain unpunished and these firms are not facing sanctions due to their use of force.

According to the information received, in some states media companies receive a big share of their income from official sources. In cases of threats and attacks against journalists who have been critical of authorities, they are reportedly left alone by their companies as the former put at risk the revenues of the companies or as a way to put pressure for them to change their line of work.

Religious groups

Defenders of LGBTI rights and sexual and reproductive rights have reported how religious groups have at times undermined their efforts to ensure wider recognition of these rights. In addition, the latter's actions and declarations have generated a climate of harassment against those advocating for these rights. This has been done, for example, through statements accusing women who have had abortions of committing murder.

Some testimonies also indicated that the secular nature of the State is not respected due to the proximity between certain religious groups and political and economic powers allow these groups to

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 proximity between certain religious groups and political and economic powers allow these groups to exerted undue influence over authorities favouring the adoption of decisions, including legal amendments, which can adversely affect the enjoyment of human rights, or contributing to isolate human rights defenders.

Due to the patriarchal structure of some religious groups, women rights defenders working within these groups suffer even bigger invisibility and obstacles despite their central role to promote human rights in different spaces.

Criminal groups

Mexican authorities have recognized the challenge that the country is facing due to high levels of violence and criminal activities. In this context, a growing number of human rights defenders have faced threats and attacks by criminal groups. Sometimes defenders, like families searching for disappeared, are confronting criminal groups or authorities that have ties with criminal groups. I have also received allegations of how other perpetrators are hiring criminal groups to attack defenders that oppose their interest. Collusion among criminal groups and authorities is one of the most disturbing elements contributing to attacks against human rights defenders in Mexico. Despite the risk they face, a number of human rights defenders and journalists have denounced the infiltration of state institutions by criminal groups, especially prosecutors' offices and police corporations.

Community of human rights defenders

On this topic, I would like to share my observations with Mexican civil society.

In my meetings with human rights defenders, I stressed that they themselves, have a role to play in contributing to a safe and enabling environment. They are responsible for doing their work professionally, in a peaceful and non-discriminatory manner, and with due respect for international human rights principles.

I have consistently reiterated that formal and informal networks that connect defenders and supporters to each other are a key factor in protection. Such networks help defenders share information, coordinate actions, express solidarity, pool resources and provide psychosocial support. Strong relationships allow rapid mobilization in times of crisis, and can mitigate the risks of threats and attacks.

During the course of my visit, I have been privileged to meet with over 800 dedicated and courageous rights defenders from 24 Mexican states. I am pleased to encounter such a vibrant bouquet of lively national networks as the Network of Human Rights Organizations (Red TDT), Red Nacional de Defensoras de Derechos Humanos en México, National Network of Women Human Rights Defenders in Mexico (RNDDHM), Civil Society Organizations' Space (Espacio OSC), Frente por la Libertad de Expresión y la Protesta Social and Network for the rights of the children (REDIM). I have also met with state-level networks such as the Network of Civil Organizations of Guerrero (Red Guerrerense de Organismos Civiles de Derechos Humanos). There are also more focused networks of defenders, for example, on the issue of enforced and involuntary disappearances – Movimiento Nacional por Nuestros Desaparecidos en México, and Campaña Nacional contra la Desaparición Forzada.

In spite of this, some defenders I have met felt isolated and not sufficiently connected to broader networks due to the specific nature of their work or their remote location. It is important that Mexican human rights movement works towards strengthening networks outside capital and metropolitan cities and reach out to defenders working in isolation or in remote areas, which are often more exposed to risks. In order for networks to remain inclusive, civil society organizations should regularly assess the extent to which they connect to and support the work of marginalized, stigmatized and geographically isolated defenders. I strongly urge human rights defenders to work together through networks and have a unitary strong voice.

It has also become apparent that human rights networks are justifiably pre-occupied by the immediate threats and risks facing their members. Despite this, it is critical that they also focus their attention on comprehensive assessment of their safety and security, including through the analysis of root causes for insecurity, risk assessment and stakeholder mapping.

It is also essential that defenders make full use of international and regional human rights mechanisms, including UN special procedures, treaty bodies, the IUPR and the Inter-American System

Conclusion and recommendations

As I recalled during our discussions with the Government of Mexico, my mandate has been established by the United Nations to support all efforts made by all government to improve the full recognition and the protection of human rights defenders. It is in this spirit that I have conducted my visit to Mexico. I have been stunned by the extreme violence in the country, the high rate of impunity amounting to 98% and the allegations of corruption and infiltration of the prosecutor's offices and security forces by criminal elements. But at the same time, I have been struck by the resilience of human rights defenders and their hope that their quest for truth, for justice, for reparation will be soon answered.

I am convinced that the protection of human rights defenders and their quest for justice will remain a persistent problem, as long as impunity remains rife in the country. And the fight against impunity will never been won, without addressing the challenges of corruption, money-laundering and organized crime.

I was pleased with the strong commitments made by the Minister of Interior and the Attorney-General in support of human rights defenders at the international forum dedicated on the protection of defenders on 13 January. Similar strong messages should now be conveyed by all government and judicial actors, showing that the protection of human rights defenders is now a national priority for the country. Without a strong mechanism to protect them, the vicious circle of violence will continue.

What is now needed is a comprehensive, systemic and participatory approach to the protection of human rights defenders. The Government should address the roots causes of defenders' risks, and strongly commit at the highest level to the fight against corruption and impunity.

Before I conclude, I would like to stress that specific recommendations will not bring desired results if they are not considered as part of a system by which all actors, the Government, state governments, institutions, human rights commissions, the diplomatic community and human rights defenders themselves come together and join efforts.

In December 2018, the international community will celebrate the 20th anniversary of the UN Declaration on Human Rights Defenders. This should be an opportunity for Mexico to send a strong signal in support of human rights defenders and unite all actors at a national summit dedicated to the protection and empowerment of human rights defenders.

I would like to conclude by sharing my preliminary recommendations with various stakeholders.

The Government of Mexico is recommended to:

- Ensure prompt and impartial investigations into alleged threats and violence against human rights defenders and bring to justice direct perpetrators and those that participated in the commission of crimes. Reparations should also be provided;
- The Office of the Attorney-General should consider the creation of specialized areas to investigate attacks against human rights defenders. The working methods, jurisdiction criteria and results of the Office of the Special Prosecutor for Crimes against Freedom of Expression should be reviewed to strengthen the impact of the Office;
- Strengthen the rule of law in the country, especially in terms of full implementation of writs of *amparo* and other judicial resolutions which have a direct impact on the enjoyment of rights of human rights defenders;
- Publicly recognize, both at federal and state-level, the pivotal role played by human rights defenders and journalists in democratic societies and condemn any public expressions discrediting them and human rights violations committed against them;
- Fully implement international resolutions, recommendations and precautionary or urgent measures relating to human rights defenders, issued by UN treaty bodies and special procedures (in particular the Working Group on Arbitrary Detention and the Committee on Enforced Disappearances) as well as the Inter-American Commission and Court on Human Rights;
- Ensure that human rights defenders are adequately consulted during legislative debates affecting human rights and that their views are given due consideration. This is particularly applicable to the general bills on torture, disappearances and on internal security;
- Avoid adopting legislation and revise laws that restrict the right to freedom of association,

expression and assembly at a state-level, including by establishing ambiguous definitions of related crimes such as "attacks against public peace". Bills on the use of force within the context of protests should consider this a resort of *ultima ratio* and always adhere to international principles;

- Elaborate and adopt comprehensive public policies looking at preventing human rights violations against defenders, as well as measures that address structural causes contributing to the situation of risk of defenders, adapted to the needs of different groups, such as indigenous peoples and women defenders;
- Adopt public policies for the protection of internally displaced human rights defenders;
- Guarantee sufficient budgetary resources for the functioning of the National Protection Mechanism, including for the implementation of measures;
- Ensure meaningful consultation processes on projects that may affect indigenous peoples' rights, with broad participation at all stages of human rights defenders;
- Ensure that the planned national action plan on business and human rights is developed in full transparency and with meaningful participation.
- Ensure that investors and business enterprises uphold their human rights responsibilities and sanction those companies associated with violations against defenders, both at home and abroad;
- Carry out a cross-regional study of good practices in the national protection mechanisms and share the results within Mexico and across the region;
- Integrate gender perspective in all its policies relating to the protection and empowerment of human right defenders;
- Develop legislative framework concerning the protection of whistleblowers;
- Guarantee the future Archives Law include full access to information related to serious human rights violations;

The National Human Rights Commission and state-level commissions are recommended to:

- Take advantage of the 2018 anniversary of the UN Declaration on Human Rights Defenders to launch a public campaign on HRDs, with a vocal role of the Government and support of other human rights institutions;
- Include within their programme of work specific activities on the protection and promotion of human rights defenders. Statistics on the number of complaints received, cases monitored and recommendations adopted on this issue should be compiled;
- Establish a focal point for human rights defenders, with decision-making power, in each institution;
- Consider, at a state-level, the creation of HRD awards as means of recognition and protection;

UN organizations and agencies are recommended to:

- Support and reach out to human rights defenders working on women's rights, migrants and refugees, children and youth, labour rights and indigenous peoples;
- Formulate and implement strategies and action plans to strengthen the participation and protection of defenders, and to prevent violations against them, including in the framework of the SDGs and the Human Rights Up Front initiative;
- Monitor, document and respond to the cases of alleged acts of reprisals against human rights defenders for cooperating with UN agencies and its human rights mechanisms.

Universities are recommended to:

- Include in their programmes and activities the promotion of human rights and engage in actions to address the serious human rights challenges faced by Mexico;

Business enterprises and other non-State actors are recommended to:

- Respect ethical and legal obligations (such as Guiding Principles for Business and Human Rights and the Voluntary Principles on Security and Human Rights), including human rights due diligence, and perform human rights impact assessments for every project, ensuring full participation by and consultation with affected communities and environmental human rights defenders;
- Refrain from verbal, physical or legal intimidation and attacks against environmental and indigenous human rights defenders directly or through the use of police or private security firms;
- Disclose information related to planned and ongoing large-scale development projects in a timely and accessible manner to affected communities and environmental human rights defenders as well as establishing complaint mechanisms;
- Ensure that subcontractors respect the rights of indigenous peoples and affected communities and establish accountability mechanisms for their grievances;
- Religious groups should refrain from stigmatizing human rights defenders, and recognize the important role of faith-based human rights defenders, especially women human rights defenders;

The international community in Mexico is recommended to:

- Facilitate and host events to enhance visibility and recognition of human rights defenders at risk;
- Support and provide temporary shelter to human rights defenders and their families at risk;
- Raise awareness of the positive role of human rights defenders and share good practices that have been effective in the protection of human rights defenders;
- Regularly meet and support human rights defenders, especially with those living in rural or remote areas;
- Publicly scrutinize and condemn violations of the rights of human rights defenders;
- Provide technical assistance to enhance the protection of human rights defenders;

Civil society is recommended to:

- Ensure that self-protection measures are strengthened and made accessible to the defenders most at risk;
- Address the issue of discrimination against women and LGBTI defenders within their movements;
- Take full advantage of UN and regional mechanisms for the promotion and protection of human rights defenders.

Notes:

1. *"(...) I know that the work you carry out is not out of personal interest, but rather out of a commitment to service others and that you face difficult conditions, being far away from your families and many times, facing risks. But your commitment to defend those who have suffered abuses or human rights violations is firm. From this stems the wide acknowledgment that the government of the Republic does of the valuable work that you carry out. Without your actions [of human rights defenders] and those of the defenders who came before you, we could not have the country of greater freedoms that we have today."* Miguel Angel Osorio Chong, Secretario de Gobernación (13/01/2017)

2. In a statement Raúl Cervantes Andrade, Attorney General (PGR), stressed that it is up to the federal and state governments to investigate violations of human rights defenders, as well as to establish what should be the best model of justice in the country. He called for the collaboration of all sectors in the construction of strengthened institutions in order to generate and strengthen the methods and protocols that work in the protection of human rights defenders.

3. A/70/361

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