



LITIGIO ESTRATÉGICO EN DERECHOS HUMANOS, A.C.

REPORT

2020



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REPORT 2020

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Introduction

IDHEAS, Strategic Human Rights Litigation, is a Mexican non-profit organization. Through human rights strategic litigation and the legal accompaniment to victims of gross violations of human rights (enforced disappearance, torture, and extrajudicial killings), IDHEAS seeks to produce regulatory, procedural, and behavioral changes within the State institutions, to combat impunity and to protect victims and/or their relatives.

IDHEAS's goal is to provide free and high-quality support to the persons and groups of victims that it accompanies, treating them as actors of social change, and ensuring that they are included and can actively participate in all the processes and activities implemented by IDHEAS.

We aspire to become a referent organization for the national and international human rights community, for having contributed, through strategic litigation, to the denunciation of and fight against gross human rights violations and the eradication of impunity in Mexico.

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IDHEAS, Litigio Estratégico
en Derechos Humanos



Our Fight Against Impunity for Gross Human Rights Violations

Mexico is facing a serious human rights crisis, and abuses such as enforced disappearances, torture, extrajudicial executions are committed in a generalized and systematic manner. Daily, these practices affect the lives of people, families, and communities. IDHEAS seeks to address this serious crisis through actions that seek to eradicate schemes of impunity that allow these gross human rights violations to take place in Mexico, mainly through the legal accompaniment of cases at the national, regional, and international levels.

In its work of litigation and accompaniment of cases of gross human rights violations, IDHEAS has noticed many deficiencies in the processes of investigation, such as the absence of an investigation methodology for complex cases linked to macro-criminality, for context analysis, as well as the lack of investigation and sanction of the intellectual authors of crimes, the chain of command, the deficient analysis of proofs, the limitations and obstruction in investigations, the deficiencies in the exhumation, inhumation, conservation, and delivery of human remains, the lack of a gender perspective in the investigation, the re-victimization, the criminalization and the lack of adequate attention for victims.

In this context, in the framework of its working line on gross human rights violations, IDHEAS has sought to promote the application of international standards and gender perspective for an effective investigation of the cases and attention for the victims it accompanies, while also pushing for the authorities' effective compliance with the existing legal framework. IDHEAS also sought to make visible the Mexican human rights crisis at the international level, along with the progress and challenges in this regard, to exercise pressure on Mexican authorities by exposing the situation on the international stage.



International Litigation

Non-governmental organizations in Mexico historically have privileged the use of the Inter-American Human Rights System over the United Nations System. Nowadays, the Commission and Court are facing challenges that arise from the procedural backlog, which has accumulated throughout the years due to the lack of adequate funding. Therefore, IDHEAS has decided to litigate cases before the UN System and to promote its use among NGO's and victims in Mexico to open new paths of justice.

In 2020, IDHEAS kept on consolidating itself as a leading organization in terms of strategic litigation before national and international organizations, not only protect the rights of the victims in the specific case, but also fostering structural changes that contribute to the non-repetition of gross human rights violations in Mexico.



Urgent Actions from the United Nations Committee on Enforced Disappearances for 39 cases of missing persons in Nayarit

Based on IDHEAS and the International Federation for Human Rights' documentation of cases of enforced disappearances in Nayarit in 2019 and 2020, we elaborated a petition for the UN CED to obtain Urgent Actions for 39 cases of enforced disappearances committed in Nayarit between April 2012 and May 2020. The petition was sent on August 15th, 2020, and was signed by IDHEAS and four victims' groups of relatives of missing persons from Nayarit: Familias Unidas por Nayarit, Por nuestros corazones, Renacer por amor a Ellos y En Búsqueda de Verdad y Justicia..

On August 25th,¹ the UN CED accepted our petition for Urgent Actions and requested that the Mexican State take all the necessary measures to search and investigate the cases, as well as to protect the victims' relatives in their search activities. Among other measures, the CED asked the Mexican State to "inform if measures have been taken to investigate members of the Attorney Office and the Police possibly related to crimes committed by the former Attorney General, Edgar Veytia and to the enforced disappearance of the 39 victims". Plus, the CED urged the Mexican State "to ensure that the perpetrators are not in a position to influence the progress of the search and investigation of pressure, intimidation or reprisal aimed at the complainant, witnesses, relatives of the disappeared person" or their legal counselor.

We obtained several positive and early results, since, after three years without going public on the topic of enforced disappearances, Antonio Echevarría, Governor of the State of Nayarit, expressed his solidarity with the families of missing persons, and asked for a "frontal fight with this problem". The President of the Congress of Nayarit publicly committed to considering requesting an audience with the Head of the Prosecutor's Office so that he can explain the little results in the investigations of cases of disappearances.

Besides, as a consequence of the CED's Urgent Actions, the Nayarit authorities advanced in the processes of identification, notification, and restitution of mortal remains of missing persons, whose remains were localized in clandestine mass graves. Since the request of these Urgent Actions, 8 victims have been identified, of whom 3 have been delivered to their families. Besides, after various work meetings held between IDHEAS and the National Search Commission (CNB), and the State Search Commission of Nayarit, the CNB started a context analysis process for the search of missing persons in Nayarit.

¹ <https://www.idheas.org.mx/comunicaciones-idheas/sala-de-prensa-idheas/comunicados/el-comite-contra-las-desapariciones-forzadas-de-naciones-unidas-solicita-la-busqueda-de-39-personas-desaparecidas-en-nayarit-mexico/>

The 39 cases with Urgent Actions from the CED will also be attracted by the Federal Prosecutor's Office of the Republic (FGR), and the State Human Rights Commission of Nayarit delivered two recommendations in relation to about cases of disappearances and against the State Prosecutor's Office of Nayarit ².



Photography: Instagram
@no_me_llamo_2020

² <http://www.cddhnayarit.org/es/rec2020>



Photography: J  r  my Renaux/IDHEAS



Photography: J  r  my Renaux/IDHEAS

IDHEAS accompanied groups of victims which organized a public and symbolic demonstration in front of the State Prosecutor's Office in Nayarit to demand truth and justice, in the context of the International Day of the Victims of Enforced Disappearances celebrated on August 30, thereby shining a light on the UN CED Urgent Actions at the local level.

Accompanying Families of Missing Persons from Morelos to demand the Identification of the Human Remains of the Jojutla Mass Grave

On November 9, 2020, IDHEAS accompanied families of missing persons in the State of Morelos who are demanding the identification of more than 85 human bodies that were discovered in the mass grave of Jojutla³.

IDHEAS accompanied the families to denounce irregularities in the identification of the human remains, and to announce that it would present a communication before the UN Working Group on Involuntary and Enforced Disappearances. More than three years and a half have passed since the bodies have been exhumed, but the families who are looking for a relative have not received any information regarding the identity of the persons who were found back in April 2017⁴.



Photography: Marcela Méndez/IDHEAS

IDHEAS' Director, Juan Carlos Gutierrez, participates in a press conference⁵ with the members of the victims' group Regresando a Casa Morelos

³ <https://www.idheas.org.mx/comunicaciones-idheas/noticias-idheas/denuncian-doble-desaparicion-forzada-de-victim-as-exhumadas-en-morelos/>

⁴ <https://www.idheas.org.mx/publicaciones-idheas/comunicacion-ante-el-grupo-de-trabajo-de-desapariciones-forzadas-e-involuntarias-de-las-naciones-unidas-sobre-la-continuada-actuacion-irregular-de-la-fiscalia-general-del-estado-de-morelos-en-el-manej/>

⁵ https://www.youtube.com/watch?v=OS_8ivlSHQc

Requesting Urgent Actions from the UN CED for the Disappearances of two Trans Women in Jalisco

On September 18th, 2020, Dafne Anahí Vázquez Benity (26 years old) Kenia Duarte Pérez (20 years old), and Karla García Duarte (22 years old), three trans women, disappeared in the State of Jalisco. Thanks to massive communication efforts led by the families, civil society organizations and medias., Dafne Anahí Vázquez Benity was found alive on October 7th, but the whereabouts of the two other women remain unknown.

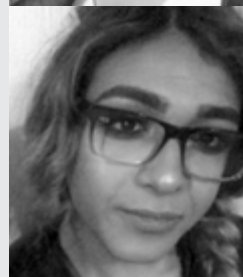
Due to the time that has passed since their disappearance, and given the context of structural gender violence and hate crimes against trans women in Mexico, **IDHEAS decided to present the cases to the United Nations Committee on Enforced Disappearances, to raise the alarm on this situation and push for the victims' urgent localization.**

On October 9th, 2020, the CED issued Urgent Actions requests⁶ in which it asked the Mexican State to take all necessary measures to search for and localize the two victims. This sets an important legal precedent as, **for the first time since its creation, the CED pronounced itself on a case of the disappearance of women from the LGBTTTIQ community.** It has also established an important standard as it forces the Mexican authorities to ensure that the search and the investigation of disappearances both include a gender approach and consider the victims' gender identity.

We hope that the pressure of the UN will lead to tangible results in the authorities' efforts to localize the two victims alive. The Mexican State had until October 2020 to answer to the UN regarding the disappearance of Kenia and Karla ⁷.



Karla García Duarte



Kenia Duarte Pérez



Dafne Anahí Vázquez

⁶ <https://www.idheas.org.mx/comunicaciones-idheas/sala-de-prensa-idheas/comunicados/naciones-unidas-exhorta-al-estado-mexicano-a-buscar-y-localizar-a-dos-mujeres-trans-desaparecidas-en-el-estado-de-jalisco/>

⁷ https://www.animalpolitico.com/2020/10/kenia-madre-de-joven-trans-desaparecida-en-jalisco/?fbclid=IwAR-0WKg3jSAHIZizWkbTF39_x_VUSqW-NsfOXRbzVxcdepyXV-fyAJ7NBek
<https://www.zonadocs.mx/2020/10/11/el-%20Mexican-state-should-implement-urgent-actions-to-locate-alive-kenya-and-karla-missing-trans-women-in-jalisco-ced-committee/>



Internal litigation

Follow-up to the decisions of the UN Human Rights Committee

In Mexico, there is an estimated impunity rate of 99% for crimes. More than 82,000 persons have been officially registered as missing to this day, but only 35 cases have been prosecuted. In this situation, victims often have no other choice than to seek justice before international organizations.

In 2019, IDHEAS obtained the first condemnations by the UN against Mexico in cases of enforced disappearance⁸. However, Mexican authorities have kept on ignoring these decisions and have refused to comply. That is why, in 2020, IDHEAS worked to obtain advances to guarantee victims' rights to truth, justice, and reparation of gross human rights violations, and it also sought to secure Mexican authorities' compliance with international decisions, to open victims' access to international justice mechanisms for cases of gross human rights violations in Mexico.

8 <https://www.idheas.org.mx/>

Our Legal Accompaniment in a Nutshell

In 2020, IDHEAS has provided legal accompaniment to a total of **36 cases**.

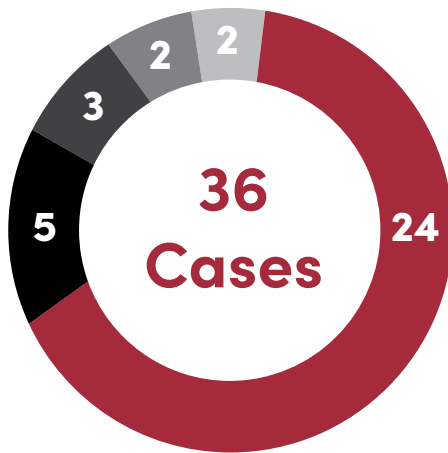


71
direct victims
(57 men and
18 women)



123
**indirect
victims**

IDHEAS accompanies:



- 2 cases of kidnapping (2 men)
- 24 cases of enforced disappearances and disappearances by private individuals (57 men and 14 women)
- 5 cases of torture (3 men and 2 women)
- 3 cases of human rights defenders (1 man and 2 women)
- 2 cases of journalists (2 women)

The Mexican State recognized its International Responsibility in the UN Human Rights Committee's views for Enforced Disappearance cases

On December 9, 2020, in an historical event, the Mexican State recognized its international responsibility established in the UN Human Rights Committee's views on three cases of enforced disappearances, presented by IDHEAS in 2015.⁹ In 2019, the UNHRC Committee established the violation of the International Covenant on Civil and Political Rights and the responsibility of the Mexican State in three individual cases for the enforced disappearance of Christian Téllez Padilla (disappeared in Veracruz in October 2010), Jesús Israel Moreno Pérez (disappeared in Oaxaca on July 8, 2011) and Víctor Manuel Guajardo Rivas (disappeared in Coahuila on July 10, 2013). These three UNHRC views are a historic precedent that could open access to international justice for victims of disappearances and their families in Mexico.

In this event, the Federal Interior Ministry, represented by the Subsecretary for Human Rights, Alejandro Encinas, as well as representatives of the Federal Government and the three State governments, presented public apologies to the families of the three victims, as part of the full reparation of the cases. It is the first time that the Mexican State recognizes its responsibility in a case of enforced disappearance. It is the first step to advance towards the compliance with UNHRC Committee's decisions.



⁹ <https://www.idheas.org.mx/comunicaciones-idheas/sala-de-prensa-idheas/comunicados/el-estado-mexicano-no-reconocera-la-responsabilidad-internacional-en-tres-decisiones-emitidas-por-el-comite-de-derechos-humanos-de-la-onu-por-desaparicion/>

We published and transmitted the live event, along with the stories of the three victims ¹⁰, as well as a speech of Hélène Tigroudja, Expert and member of the UN HRC Committee ¹¹. Segob also broadcast the event¹².

For the Committee it is of the outmost importance to fight against enforced disappearances, but it is also important to investigate the facts. For these three cases, Mexico has the obligation to provide an effective remedy which that requires a full reparation of damages suffered, in such a grave context. The main way to bring a full reparation is to shine a light on the facts and establish the criminal responsibilities.” - Hélène Tigroudja, Expert and member of the UN HRC Committee.

The event has had various repercussions in the press¹³.

“What I want is that the authorities explain to my grandchildren why their father is not at home with them, because I don’t have words anymore” - Ms Hortensia Rivas, mother of Víctor Manuel Guajardo Rivas.



Alejandro Encinas

¹⁰ <https://www.youtube.com/watch?v=nVYTfh1IDDE&t=14s>

¹¹ <https://www.facebook.com/idheasdh/posts/4043245892356931>

¹² https://www.youtube.com/watch?v=cRfLROqGPrl&feature=emb_title&fbclid=IwAR3dvm1RA0cms7i_qZi-xp-po7ErzOrQXvBBhYF_kSi23YaDtK4nviMw-U

¹³ https://www.eluniversal.com.mx/nacion/disculpa-publica-estado-mexicano-ofrece-por-desaparicion-forzada-de-tres-jovenes?fbclid=IwAR2X4UCoa5CGNj6yOGb20YjVCEsekVhbc9o_E4eoWLw9J_nsuxVF_bfM2xA

"I come, in the name of the Mexican State, to offer public apologies and assume the Mexican State's responsibility for the gross human rights [violations [committed in] the enforced disappearance of Christian Téllez Padilla, (...) Jesús Israel Moreno Pérez, (...) and Víctor Manuel Guajardo Rivas. (...) I want to repeat, as well, our commitment to keeping on fighting together with organizations to eradicate this undesirable and contemptible practice, ensuring the State's will to comply with its duty to provide full reparation to victims, through the coordinated work of all authorities involved, and with the accompaniment of the United Nations Human Rights Committee and of the Inter-American Human Rights System and all the international and national organizations of defense of fundamental rights. (...) This is a public apology that we assume with all the necessary responsibility and with the conviction that it is only the first step to guarantee the full reparation that includes truth, justice, and guarantee of non-repetition" - Alejandro Encinas Rodríguez Subsecretary of Human Rights, Population and Migration, Interior Ministry.

Estado mexicano ofrece disculpa pública por desaparición forzada de tres jóvenes

La disculpa pública fue realizada por Alejandro Encinas, subsecretario de Derechos Humanos de la Secretaría de Gobernación por hechos ocurridos en 2010, 2011 y 2013



Alejandro Encinas

Photography: El Universal



GOBIERNO DE
MÉXICO

GOBERNACIÓN

SECRETARÍA DE GOBERNACIÓN



Mexico's Supreme Court of Justice Will Examine the Binding Nature of the Urgent Actions of the UN Committee on Enforced Disappearances

El The UN CED has requested 414 Urgent Actions to Mexico - of which IDHEAS has presented 190 cases - for the search and investigation of cases of disappearances, as well as for protection measures for their families. However, the Mexican State, in its three levels of government, has systematically failed to fully comply with its international human rights obligations, thus preventing families to know the whereabouts and fate of their missing loved ones.

In the beginning of 2021, the Supreme Court of Justice of the Nation, will decide whether the Mexican State is obliged to comply with the Urgent Actions requested by the UN CED for the search of missing persons. The Supreme Court will examine more particularly the binding nature of urgent actions, a humanitarian mechanism established under article 30 of the International Convention for the Protection of All Persons from Enforced Disappearance (ICPPED), ratified by Mexico in 2010, through which the CED can request the State party to launch immediate actions for the search and localization of missing persons.



**LAS ACCIONES URGENTES
DEL COMITÉ DE LA ONU SON
OBLIGATORIAS Y TIENEN UN
CARÁCTER VINCULANTE
PARA EL GOBIERNO DE
MÉXICO.**

#MÉXICOANTELAONU

The discussion in the Supreme Court has started due an amparo (legal defense request) presented by IDHEAS in the enforced disappearance cases of **Víctor Álvarez Damián**¹⁴ against the State Prosecutor's Office of Veracruz. Victor was forcibly disappeared along with 6 other young men in 2013, in the district Formando Hogar in Veracruz. Because of this authority' and the district judge's failure to recognize the binding nature of the CED's Urgent Actions, we asked for this matter to be referred to the Supreme Court. IDHEAS and organizations of the civil society, public human rights institutions and scholars, presented a series of Amicus Curiae to the Supreme Court, in order to express their technical opinion and arguments.

This decision would allow for the reaffirmation of Mexican authorities' obligation to comply with international decisions of the treaty bodies in cases of gross human rights violations, such as enforced disappearances. It could set an important precedent that could open the way for many victims of disappearances in the country, as it would allow them to make justiciable the decisions of UN bodies in Mexico.



Photography: i(dh) eas

IDHEAS launched a specific website **#MéxicoAnteLaONU**¹⁵, in which it explains the decision that the Supreme Court will take regarding the compliance with the UN CED Urgent Actions. As part of the campaign, IDHEAS tried to make visible Mexico's obligations to comply with UN decisions for the search of missing persons, including the decisions and views of the UN Human Rights Committee.

¹⁴ <https://www.idheas.org.mx/casos-derechos-humanos/desaparicion-forzada-y-de-particulares/formando-hogar/>

¹⁵ <https://www.idheas.org.mx/especiales/amicus/index.html>

Jesús Israel Moreno Pérez case– pushing for the Mexican State’s compliance with international decisions

Due to the Prosecutor’s Office of Oaxaca’s failure to comply with the view of the UN Human Rights Committee on the disappearance of the student Jesus Israel Moreno Pérez, which occurred in Chacahua, Oaxaca, in 2011, and as nine years have passed since his disappearance, and as a results of IDHEAS’ advocacy, we obtained that, on July 28, 2020, the members of the Congress of the parliamentary group of the MORENA party signed an agreement declaration asking for an audition of the head of the State Prosecutor’s Office of Oaxaca, Rubén Vasconcelos Méndez, so that he can answer for State’s in compliance with the UN decision ¹⁶ in the case of the disappearance of Jesus Israel Moreno Perez¹⁷. However, the members of the Congress of Oaxaca voted against the audition of the Head of the State Prosecutor’s Office. Despite this refusal, the initiative of some members of the Congress of Oaxaca sets an important precedent I term of political control and pressure that can be exercised against the authorities’ negligence to comply in good faith with their national and international obligations regarding human rights, and more particularly it shines a light on the negative behavior of civil servants which compromises the Mexican State international responsibility ¹⁸.



Carlos Moreno

Carlos Moreno, father of Jesús Israel, in the event of recognition of responsibility of the Mexican State on December 9, 2020.

¹⁶ <https://www.idheas.org.mx/comunicaciones-idheas/sala-de-prensa-idheas/comunicados/congreso-de-oaxaca-obstaculiza-cumplimiento-de-la-decision-de-la-onu-por-la-desaparicion-del-joven-jesus-israel-moreno-perez/?fbclid=IwAR35SYTxY9FbbalvFquq7hJDz3dzWE5M0CiEP00rAlwVkZ-6V0Yr6qS-w0E>

¹⁷ <https://www.idheas.org.mx/comunicaciones-idheas/sala-de-prensa-idheas/comunicados/congreso-de-oaxaca-cita-a-comparecer-al-fiscal-ruben-vasconcelos-mendez-para-responder-por-el-incumplimiento-de-la-decision-de-la-onu-en-el-caso-de-la-desaparicion-de-jesus-israel-moreno-perez/>

¹⁸ <https://www.proceso.com.mx/nacional/estados/2020/9/15/congreso-de-oaxaca-obstaculiza-orden-de-onu-en-caso-jesus-israel-moreno-perez-idheas-249405.html>



Jesús Israel

Besides, on September 18, 2020, a judge admitted the defense request (amparo) presented by IDHEAS against the Federal Prosecutor's Office for its failure to comply with the General Law on Disappearances and the UN HRC decision in the case of Jesús Israel. IDHEAS, in the representation of the family of Jesús Israel, asked the Federal Prosecutor's Office (FGR) to attract the investigation of the case, since this authority is obliged to do so on the basis based on of the General Law on Disappearances, which establishes that individual cases with an international decision should be investigated by the FGR¹⁹.

¹⁹ <https://www.idheas.org.mx/comunicaciones-idheas/sala-de-prensa-idheas/comunicados/juzgado-admite-demanda-de-amparo-contrala-fgr-por-incumplir-la-ley-de-desaparicion-y-decisiones-de-la-onu-en-el-caso-de-estudiante-de-la-unam/?fbclid=IwAR0W1IsapkKbQM3iry5QBJlac4DhTq5CxBjVJPC2UGLe0zOGRZnz21z1TIU>

Advancing towards the investigation, sanction, and reparation of the enforced disappearance of the Marín Yan family

On July 21, 2015, David Mendoza Marín, Margarita Marín Yan y Alfredo Elías Marín Bustos left their home and were detained by police officers from the town of Ahome, Sinaloa. On September 22, 2015, IDHEAS, with the young people's family, presented their cases to the UN Committee on Enforced Disappearances (CED) to demand Urgent Actions due to the absence of progress in the investigations. The Urgent Actions requested by the UN CED fostered the interinstitutional cooperation between the authorities in charge of the search of the victims, which ultimately led to the localization of the victims, without life, in November 2018.



Marín Yan family

In 2020, IDHEAS implemented a litigation strategy to advance towards the apprehension and sanction of those responsible for the crime. On March 17, 2020²⁰ the judge of the Fifth district of Los Mochis examined the legal defense request (amparo 64/2018) presented by IDHEAS and ordered to the State Prosecutor's Office of Sinaloa to execute immediately the arrest warrants against three police elements of Ahome – arrests warrants that were published on April 15, 2016. The tribunal also requested the State and Federal authorities to effectively comply with the measures requested by the UN CED. It is an important achievement for IDHEAS, to advance towards truth and justice for the Marín Yan family, since this ruling reaffirms the urgency to comply with the Urgent Actions ordered by the UN CED for this case, and as it obliges the State authorities to speed up the execution of the arrest warrants. The authorities of Sinaloa have acted irregularly and in an omissive throughout the investigation of the case. The State Prosecutor's Office of Sinaloa has refused indeed to comply with a judicial order requesting the immediate execution of arrest warrants.

20 <https://www.idheas.org.mx/comunicaciones-idheas/sala-de-prensa-idheas/comunicados/a-5-anos-de-la-desaparicion-forzada-de-3-jovenes-el-estado-mexicano-continua-incumpliendo-las-decisiones-del-comite-contra-las-desapariciones-forzadas-de-naciones-unidas-la-comision-interamericana-d/>

During the first semester of 2020, IDHEAS, in the representation of the victims, also presented the victims' request to launch a process- friendly solution before the Inter-American Human Rights Commission (CIDH). IDHEAS elaborated a proposal for the full reparation for the damaged suffered, with the support of a psychologist, which will be presented before the CIDH. On July 10, 2020, the UN CED²¹ sent a recommendation to the Mexican State, requesting information on the actions realized in investigation and sanction of those responsible in this case, and for the full reparation for victims.



Justice for the crimes of the past - Aurora de la Paz Navarro del Campo

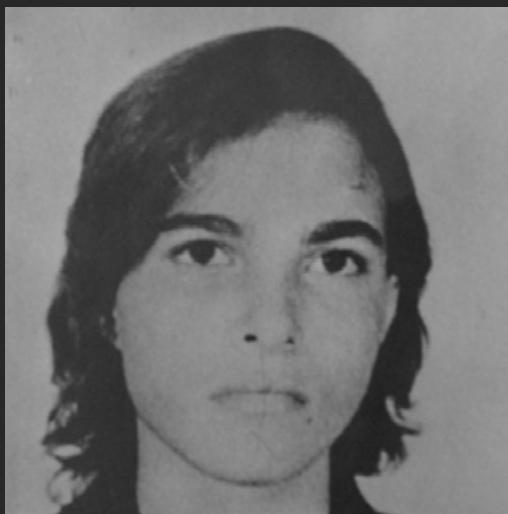
IDHEAS accompanies the case of Aurora de la Paz Navarro del Campo, who was forcibly disappeared by agents of the Mexican State in February 1976. She was a leader of the Revolutionary Armed Forces (FAR), an opposition-armed group with revolutionary objectives. To this day, the whereabouts of Ms. Aurora Navarro remains unknown. The last time she was seen, she was under the custody of the military police.

El IDHEAS advocates for the authorities that have been signaled as those responsible for the enforced disappearance of Aurora, to give priority to the investigation of all the gross human rights violations committed during the "Dirty War" ("Guerra Sucia"). This investigation has not been done in the last 50 years.

In 2020, IDHEAS followed up on the recommendation (30VG/2019) of the National Human Rights Commission (CNDH), directed at the National Defense Secretary (SEDENA), and the Interior Ministry (SEGOB), for the arbitrary detention and enforced disappearance of Aurora de la Paz and Carmelo Cortés which occurred in February 1976 ²². Aurora and Carmelo both actively participated in revolutionary movements during the Dirty War.

²¹ <https://www.idheas.org.mx/comunicaciones-idheas/sala-de-prensa-idheas/comunicados/a-5-anos-de-la-desaparicion-forzada-de-3-jovenes-el-estado-mexicano-continua-incumpliendo-las-decisiones-del-comite-contra-las-desapariciones-forzadas-de-naciones-unidas-la-comision-interamericana-d/>

²² <https://www.idheas.org.mx/laciones-derechos-humanos/aurora-de-la-paz-y-carmelo-cortes/>



Aurora de la Paz



Carmelo Cortés

On February 19, 2020, in a ruling on the legal defense request litigated by IDHEAS in this case, the Collegiate Court in Criminal Matters of the First Circuit recognized that the enforced disappearance committed during the Dirty War constitutes a crime against humanity²³. The Court concluded that the authorities in charge of the investigation of the case failed to investigate the case diligently and did not take into account the historical context of gross human rights violations.

The ruling acknowledges the gross human rights violations committed by the Federal Prosecutor's Office, for their failure and omissions in implementing an objective, efficient, complete, and impartial investigation, to know the whereabouts and fate of the victims and sanction those responsible for the enforced disappearance. The Court called on the head of the Commission executive for the Attention to Victims (CEAV) to recognize the quality of victims of gross human rights violations for the relatives of the two victims. The Prosecutor's Office has been given ten months to comply with the sentence. If it fails to comply, the case will be transferred to the Collegiate Court or the Supreme Court of the Nation.

23 <https://www.idheas.org.mx/comunicaciones-idheas/sala-de-prensa-idheas/comunicados/tribunal-colegiado-senala-que-desaparicion-forzada-ocurrida-durante-la-guerra-sucia-es-un-crimen-de-lesa-humanidad/>



Victims and IDHEAS come to National Human Rights Commission (CNDH) to denounce the Executive Commission for the Attention of Victims (CEAV) for negligence and human rights violations

Due to the profound and structural institutional paralysis of the Executive Commission for the Attention of Victims (CEAV)²⁴ IDHEAS advocates promoting the institution's compliance with international decisions and recommendations of the CNDH, particularly the reparation of damages to victims.

More particularly, IDHEAS sought the reparation of damages for the three cases of enforced disappearances for which the UN Human Rights Committee has established the responsibility of the Mexican State (the cases of Christian Téllez Padilla, Jesús Israel Moreno Pérez y Víctor Manuel Guajardo Rivas). Nevertheless, we noticed a lack of political or institutional will to comply with these decisions.

Relatives of victims of enforced disappearance and IDHEAS, as its legal representative, **presented on October 22, 2020, the complaints to the CNDH against the CEAV for its failure to comply with the recommendations of the CNDH in which it orders the full reparation for victims.**

This is because they have acted negligently in the full reparation of damages in the cases of the forced disappearance of Aurora de la Paz and Carmelo Cortés²⁵ (which occurred in 1976, during the so-called «Dirty War») and of Paolo Cano²⁶ (which occurred in 2010).

24 <https://www.eluniversal.com.mx/nacion/comisionada-incumple-amparos-y-critica-victimas>

25 <https://www.idheas.org.mx/casos-derechos-humanos/aurora-de-la-paz-y-carmelo-cortes/>

26 <https://www.idheas.org.mx/casos-derechos-humanos/desaparicion-forzada-y-de-particulares/paolo-cesar-antonio-cano-montero/>



Our fight violence against women

Litigation of cases of missing women and gender violence

In 2020, IDHEAS accompanied new cases of missing women in the State of Mexico. In total, IDHEAS accompanied 14 cases of missing women, including two trans women, as well as a case of torture committed against a woman.

Among others, we have chosen to highlight the following results achieved in 2020:

- **As part of our litigation activities, we were able to locate a missing woman, but unfortunately, she was found dead.** This has been achieved by pushing for good coordination practices among authorities involved in the search of the victims, which could be applied to other cases in the future. We accompanied the family during the delivery of the remains, thereby helping the family to start its grieving process. We advanced towards the prosecution of the case, which is rarely launched for cases of disappearance by private individuals, especially for cases of missing women.
- **We have documented omissions and irregular practices in the work of the States Prosecutor's Offices,** which allowed us to prevent the repetition of such practices in the other cases of missing women that we accompany. In particular, we noticed the recurrent "filtration of files" in the cases in order to make them more "manageable", which leads to losing important information.
- **We intervened in the disappearance case of Fátima Cecilia, a 7-year-old girl** who disappeared in Mexico City in February 2020, and who was unfortunately found without life. We intervened to denounce omissions from civil servants in charge of the search and investigation and for the opening of sanction processes against civil servants from Mexico City who failed to implement effective diligences to localize the victim.²⁷ We denounced that, in the City of Mexico, families are still asked to wait 72 hours before denouncing the disappearance, while the General Law on Disappearance specifically established that the search should be immediate.
- **We followed up on the admission of the first case of a missing women to the CEDAW Committee of the UN²⁸,** to shine a light at an international level on absence of a gender perspective in the search and investigation of cases of missing women in the context of organized crime.

²⁷ <https://twitter.com/idheasdh/status/1229928741041627136>

²⁸ <https://www.idheas.org.mx/comunicaciones-idheas/sala-de-prensa-idheas/comunicados/idheas-presenta-caso-ante-el-comite-de-la-onu-para-la-eliminacion-de-la-discriminacion-contra-la-mujer/>



Advocacy and monitoring of the impact of the Alert for Gender Violence for the disappearances of women in the State of Mexico

Part of the objectives of IDHEAS is to document and make visible situations of serious human rights violations to create social awareness and promote solutions to fight against impunity surrounding these cases. Due to the alarmingly high figures of missing women and girls in the State of Mexico, IDHEAS, in its working line on gender violence²⁹, elaborated a Diagnostic on Missing women and girls in the State of Mexico in 2017³⁰, which led to the launch of the Alert Against Gender Violence (AVGM) for the disappearance of women in 2017³¹, which allowed the issuance of the Gender Violence Alert against Women (AVGM) for disappearance of women on September 20, 2019³², and whose implementation and impact continue to be monitored by IDHEAS to date. We continue to analyze the crisis in the entity and seek to evaluate the effectiveness of the actions implemented so far under the AVGM, to identify the main shortcomings in the search and investigation of cases of women, girls, and adolescents.

In 2020, IDHEAS held various meetings with authorities in the State of Mexico, along with the other CSOs which have co-requested the launch of the AVGM. IDHEAS was one of the main organization which pushed for the inclusion and engagement of the National Commission for the Prevention and Eradication of Violence Against Women (Comisión Nacional para Prevenir y Erradicar la Violencia Contra las Mujeres-CONAVIM) in the implementation of the Alert, along with the Government.

In this order, in December 2020 we held a **virtual meeting with Guillermo Fernandez, a representative in Mexico of the Office of the United Nations High Commissioner for Human Rights (OHCHR)**, civil society organizations and, victims, in which IDHEAS presented the serious situation of violence against women, in particular the situation of the disappearance of girls, adolescents, and women in the State of Mexico.

29 <http://idheas.org.mx/especiales/cronologia-alerta-genero/>

30 <https://www.idheas.org.mx/publicaciones-idheas/diagnostico-mujeres-desaparecidas-en-el-estado-de-mexico/>

31 <https://www.idheas.org.mx/publicaciones-idheas/diagnostico-mujeres-desaparecidas-en-el-estado-de-mexico/>

32 <https://www.idheas.org.mx/comunicaciones-idheas/sala-de-prensa-idheas/comunicados/segob-emite-alerta-de-violencia-de-genero-por-desaparicion-de-ninas-adolescentes-y-mujeres/>



Accompanying human rights defenders, victims' groups, and journalists at risk

Mexico is one of the most dangerous countries in the world for the journalists and human rights defenders. In 2020, at least 6 journalists were killed, and 24 human rights defenders –7 women and 23 men– were killed in Mexico³³. IDHEAS has established an institutional objective to **defend groups in situation of vulnerability**, such as women, LGBTI populations, and victims of gross human rights violation, **in a transversal approach**.

This year, **we accompanied 3 cases of at-risk human rights defenders** who are at risk for their work. We accompany them before the National Mechanism of Protection of Human Right Defenders and Journalists and have reacted against attacks that they have suffered. We accompany, particularly women, leaders of victims' groups, and human rights defenders. These women, due to their work as leaders of victims' groups and for searching for their loved ones, have suffered various attacks which have put their lives and the ones of their loved ones at risk.

IDHEAS also accompanies **two cases of journalists**, to improve their protection, and promote the investigation, sanction, reparation of violations committed against them. Besides, it is highly important to support and accompany human rights organizations and victims' groups at the local level, to strengthen their abilities in legal accompaniment and strengthen their protection and security as human rights defenders.

In this report, we present some of these cases of defenders, journalists, and local groups accompanied by IDHEAS, all of which reflect the authorities' omissions and failures to protect them, as well as **the danger that these activists face due to their work**.

33 <https://www.contralinea.com.mx/archivo-revista/2021/02/03/mexico-24-defensores-y-6-periodistas-asesinados-en-2020/>

Araceli Salcedo, human rights defender in Veracruz

The life of Araceli Salcedo Jiménez³⁴ changed completely when her daughter, Fernanda Rubí, was disappeared at the age of 21 years old, in September 2012, in Orizaba, Veracruz. Due to her daughter's disappearance, whose case is being accompanied by IDHEAS, Araceli started fighting to learn the fate and whereabouts of her daughter and created the victims' group "Colectivo de Familias de Desaparecidos Orizaba- Córdoba A.C.", which was created as a consequence of the injustice suffered by Araceli and the parents looking for their daughters and sons in Veracruz.

For her denunciation of abuses and for defending human rights, Araceli has been threatened, persecuted, and attacked – not only by members of the organized crimes groups, but also by the authorities themselves. In 2020, we followed up on the complaint presented against the Federal Police before the National Human Rights Commission for the arbitrary detention of Araceli in 2019.

On October 26, 2020, we denounced aggressions perpetrated by civil servants against members of the victims' group Colectivo Orizaba-Córdoba and Araceli Salcedo, during a peaceful memory march for the memory of 13 persons who disappeared in Ixtaczoquitlán, Veracruz³⁵.



Araceli Salcedo

³⁴ <https://www.idheas.org.mx/especiales/victimias-defensoras/araceli-salcedo.html>

³⁵ <https://twitter.com/idheasdh/status/1321277570600652802>

We provide technical assistance to local human rights organizations and victims' groups

In august 2020, IDHEAS assisted the organization Centro de Justicia para la Paz y el Desarrollo A.C. (CEPAD)³⁶, in Jalisco, in to obtain 34 Urgent Actions from the UN Committee on Enforced Disappearances (CED), for the disappearances of several young people in the context of a demonstration in Jalisco. On June 4, 2020, groups of people went to demonstrate in front of the Governor's Office in Jalisco to protest against the arbitrary detention, torture, and alleged extrajudicial execution of Giovanni López. On May 4th, 2020, Giovanni had been detained by police officers of the town of Ixtlahuacán de Los Membrillos for not wearing a face mask during the pandemic.

In the following days, all the young people came back safe. However, the local organizations involved in the action, including CEPAD, were victims of threats and attacks in the following days. IDHEAS and CEPAD, presented information to the UN CED for the aggressions they suffered, effective protection by the State was requested.

Legal accompaniment of the journalist Emir Olivares

Emir Olivares has worked as a journalist for the newspaper La Jornada for more than 20 years. In the last few years, he particularly worked on human rights issues and started to do an investigation on drugs sale within the Autonomous University of Mexico (UNAM) and on its campus. Because of this investigation, he suffered death threats in 2017 as well as an entry into his domicile, and he now has to censor his work since he needs to work anonymously.

Emir faced a raid on his apartment and threats, which are a direct affront to his journalistic practice and, are one of many, of a series of aggressions to which he has been subjected since 2017, when he decided to publish information about the sale of drugs at UNAM³⁷.



Emir Olivares

³⁶ <https://cepad.org.mx/>

³⁷ <https://cepad.org.mx/>

IDHEAS represents Emir before the National Mechanism of Protection for Human Rights Defenders and Journalist and before the Specialized Office for the attention of crimes related to freedom of expression (FEADLE). Today he is fighting for his access to justice, since, despite the existence of two case file for the attacks he suffered, the FEADLE tried to close the investigation, arguing that the attacks Emir suffered were not linked to his work as a journalist. The judge is examining the case and will hopefully order to localize the possible suspect who committed the attacks, and prevent the closure of the case. IDHEAS and the organization ARTICLE 19 have warned that there will not be integral protection for Emir Olivares as long as the FEADLE do not investigate exhaustively the events objectively and impartially and do not guarantee his access to justice through a thorough investigation. The case of Emir is **another paradigmatic example of the risky situations in which the journalists work in Mexico, and the impunity that surrounds the threats and attacks committed against them.**

“From Victims to defenders”: shining a light on the fights of women human rights defenders

Besides the legal accompaniment for the protection of human rights defenders, IDHEAS seeks to shine a light on their fight through communication activities. On August 20, 2019, during the International Day Enforced Disappearance, IDHEAS launched its campaign #DeVíctimasADefensoras (From Victims to defenders), which continued in 2020. On May 10, 2020, during Mexican Mothers' day, we launched the special website “Mexican mothers are still searching” («Las Madres de México Seguimos Buscando»³⁸), as part of this campaign.

Every 10th of May, thousands of women march together in the streets and public squares of the country to recall to the authorities and society that they do not celebrate Mother's day and that the Mexican State has an enormous debt towards them and Mexico's thousands of victims of disappearance. They are the ones who are leading the fight for Mexico's missing persons, and who recall that disappearance in our country is not an isolated phenomenon.

In 2020, the pandemic meant that the March for national dignity could not be held, which is why we elaborated a communication campaign in social networks to shine a light on the fact that the search of thousands of missing persons, led by the victims' mothers, keeps on.



38 <https://www.idheas.org.mx/especiales/victimas-defensoras/index.html>

In the website, we told the stories of 6 members of the victims' groups Colectivo Solecito de Veracruz and Colectivo Familiares de Desaparecidos Orizaba-Córdoba, Araceli Salcedo, Rosalía Castro, Eloísa Campos, Maye Mora, Laura Hernández and Rosario Pérez, who, in the search of their loved ones, have become human rights defenders³⁹.



Rosalía Castro

“Being a defender is a responsibility, but it is a work that I do with a lot of love”



Eloísa Campos

“The time that I walked alone, I did not succeed in many things, and I exposed myself too much. When I entered the victims' group, when I took part in activities, I started to go to classes, workshops, and what I have learned has helped me learning to use my voice, know my rights, and defend myself”

39 <https://www.youtube.com/hashtag/dev%C3%ADctimasadefensoras>

IDHEAS represents victims of torture

The case of Manuel Ramírez Valdovinos⁴⁰

On May 26, 2000, teacher Manuel Germán Ramírez Valdovinos was detained by Judicial Police agents from the State of Mexico while he was at his home with family and friends. Eight agents entered his home violently, pointed guns at the assistants, and took him away with blows. He was accused of the crime of homicide based on a confession taken by torture, being sentenced to a penalty of 40 years, 7 months, and 15 days in prison, this is why he is deprived of his freedom.



Manuel Ramírez

During 2020 i(dh) eas continued monitoring the case of Mr. Manuel Ramírez Valdovinos, among the actions carried out, a Specialized Medical / Psychological Opinion from an independent expert was submitted for Cases of Possible Torture and Abuse (Istanbul Protocol), it was analyzed by the Human Rights Commission of Mexico City, therefore it will be a shred of suitable evidence to demonstrate that Mr. Valdovinos was a victim of torture.

From I(dh) eas we continue to promote and work on the determination of the complaint initiated before the State Commission for Human Rights of the State of Mexico (CODHEM), to issue the pertinent recommendation, which addresses the acts of torture of those that Manuel was a victim and that an investigation is ordered, to urge the authorities to reopen the criminal case, which has unjustly sentenced him.

Until today, Manuel remains deprived of his liberty for a crime that he did not commit, in addition to his torture, Professor Valdovinos trial was full of irregularities, evidence in his favor was disappeared and the chain of custody was affected, all of this was denounced and supported by various legal remedies without observing due attention to the case neither the professor's claims of innocence, who also continues from jail demanding better detention conditions.

Among other elements of doubt regarding the facts, it must be pointed out that the homicide's victim allegedly murdered by the professor is alive and resides in the United States, or that in the forensic identification process of the alleged homicide victim, there are differences from several bones of the corpse that do not coincide with the person who allegedly attacked the teacher, in addition to these elements that seriously affect the chain of custody and that according to various testimonies provided by the teacher's defense reporting his innocence, have never been investigated by the ministerial neither by judicial authorities.

In the absence of a response from the authorities, I(dh) eas accompanies an international lawsuit in the Inter-American Commission on Human Rights, in which we allege various violations of the American Convention Act and the standards of the Inter-American Court. In 2020 we presented a communication before the IACHR to initiate a friendly settlement process, which is still pending response from the State.

⁴⁰ <https://www.idheas.org.mx/casos-derechos-humanos/tortura/manuel-ramirez-valdovinos/>

IDHEAS presented the case of James Wooden to the United Nations Committee against Torture

Ronald James Wooden was detained and tortured by municipal police from Taxco, Guerrero⁴¹. James, along with his wife, rented a house as a craft workshop. Under instructions of his neighbor, Raúl Flores Arizmendi, a former ministerial, with whom they had had coexistence problems, town hall police accompanied by hitmen, took Wooden away, letting him know that they were members of the “Guerreros Unidos” gang.

Since 2017, IDHEAS accompanied the case and the various complaints filed with the FGR and the Guerrero Prosecutor’s Office, instances that have not found the municipal police as responsible for torture. Even though the Guerrero State Human Rights Commission (CDHEG) recognizes that James was a victim of torture.

Exhausted all internal instances and given the prevailing impunity, I(dh)eas presented an individual communication before the Committee Against Torture denouncing Mexico for violating the United Nations Convention, a decision that we are waiting for in 2021.

Because of the victimizing act, Ronald James and his wife Carmen had to move from their place of residence in Guerrero, as staying there implicates risk to their physical integrity. In the face of this, during 2020 IDHEAS has insisted that CEAV recognizes the quality of victims of the crime of torture and displaced persons, so they could be granted comprehensive and differential care, a situation that has not happened to date.



James Wooden

41 <https://www.idheas.org.mx/casos-derechos-humanos/tortura/james-wooden/>

The case of Nancy Saavedra Rebollo⁴²

On Sunday, July 8, 2018, Nancy Saavedra Rebollo was a victim of Torture by Elements of the Auxiliary Police of the State of Mexico (CUSAEM), because she was falsely accused of stealing a wallet while she was shopping at the Abasto Central in Ecatepec in the State of Mexico.

IDHEAS accompanies her case in various instances. In 2020, the Public Ministry of the Torture Prosecutor's Office in the State of Mexico was asked to carry out various proceedings to prove the torture of which Nancy was a victim. Likewise, IDHEAS filed a complaint at the Human Rights Commission of the State of Mexico (CODHEM), for torture and omissions of the Prosecutor's Office in the investigation of the facts.

On November 12, 2020, a lawsuit for patrimonial liability was filed against the auxiliary security forces of the State of Mexico (CUSAEM) and the Secretariat of Public Security of the State of Mexico for the damages that, due to the irregular activity of Illegal deprivation of liberty, threats, beatings, and torture, caused to Nancy Saavedra. In the same request, a reference to the measures of compensation, satisfaction, rehabilitation, and guarantees of non-repetition was made.

The claim seeks to visible the irregularities of the private security company CUSAEM since this is not the only case of responsibility attributable to it. In addition, it allows us to plead the State responsibility for delegating security functions to private companies without exercising any control or monitoring over their activities.



Nancy Saavedra

⁴² <https://www.idheas.org.mx/casos-derechos-humanos/tortura/nancy-saavedra/>

The case of José Valdemar Saucedo Huitrón

On June 16, 2009, José Valdemar went to the Public Ministry to report an assault of which he had been a victim the previous day in Ciudad de Champotón, Campeche, where he was on vacation with a friend. A man- made him go in to take his statement and after a few minutes a group of men in civilian clothes returned, carrying long guns; they grabbed him by the hair and shirt, threw him on the floor, and took off his clothes, leaving him completely naked. Saucedo Huitrón was beaten in the face and kicked in the side of his body; he was taken behind a fence inside the same public prosecutor's office, interrogated and threatened.

IDHEAS is currently monitoring compliance with the recommendation issued by the Campeche State Human Rights Commission, which recognized that José Valdemar was a victim of serious human rights violations of torture and improper exercise of Public Function by the Campeche State Attorney General's Office.

CODHECAM ordered the State Attorney General's Office to fully repair the victim's damage, including compensation, publicity of the Recommendation through its Official Internet Portal, as an act of satisfactory acknowledgment of responsibility, among other actions. All of which remain unfulfilled.



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National and international advocacy to denounce gross human rights violations and promote the respect of human rights



On September 18, 2020, Mexico recognized the competence of the UN Committee on Enforced Disappearances to receive and examine individual petition for cases of disappearances⁴³.

After years of advocacy led by victims and NGOs, including IDHEAS, the recognition of the competence of the CED is a big step for victims as it opens the possibility for the UN to pronounce itself against Mexico for these crimes, and request the investigation and sanction of those responsible.

However, IDHEAS recalled that we should not be triumphalist since the Mexican State has systematically failed to comply with decisions of other international bodies of equal importance until today⁴⁴. In order to analyze the real impact of this recognition for victims of enforced disappearance in Mexico, IDHEAS, the International Network for Human rights (RIDH), the FIDH, and the National Movement for our Disappeared persons Mexico organized the webinar “Mexico before the Committee on Enforced Disappearance of the UN: impact of the recognition of its competence”⁴⁵, on September 24, 2020.

43 <https://embamex.sre.gob.mx/francia/index.php/es/comunicados/805-el-gobierno-de-mexico-reconoce-formalmente-la-competencia-del-comite-contrala-desaparicion-forzada-de-la-onu-mpetencia/>

44 <https://www.jornada.com.mx/ultimas/politica/2020/08/27/llama-idheas-a-no-sobreestimar-reconocimiento-de-mexico-al-ced-3312.html>

45 <https://www.idheas.org.mx/comunicaciones-idheas/noticias-idheas/webinar-mexico-ante-el-comite-contrala-desaparicion-forzada-de-la-onu-impacto-de-la-aceptacion-de-su-competencia/>

For the first time experts of the Committee on Enforced Disappearances, of the UN Human Rights Office, Mexico's Federal government, victims and victims' groups discussed on the meaning of this recognition of the CED's competence.



te invita al webinar:



24 de septiembre
10:00 hora México



live: idheasdh

México ante el Comité contra la Desaparición Forzada de la ONU

Impacto de la aceptación de su competencia

#JuntasContraLaImpunidad
#MéxicoAnteLaONU

Coconvocantes:



Actividad realizada en el marco del proyecto #JuntasContraLaImpunidad, financiado por la Unión Europea



The webinar had 7 900 reproductions on Facebook and 1 300 interactions.⁴⁶

⁴⁶ <https://www.youtube.com/watch?v=rwHqu3BAKUg>

Advocacy for the elaboration of institutional guidelines for Mexican authorities' compliance with international decisions

We consider it essential to advance towards the effective implementation of international standards and decisions related to human rights violations, which allow for the expansion of mechanisms for full access to justice for victims and their families.

That's why we improve an advocacy strategy, with the first work meetings held with the Interior Ministry (SEGOB) and other NGOs in 2020, to push for the elaboration of institutional guidelines for the authorities' compliance with international decisions.

IDHEAS managed to be the initiator and coordinator of this process. These institutional guidelines—which must be approved— would initiate the compliance of authorities with the decisions of the Human Rights Committee of the UN, and could open victims' access to justice and promote a stronger use of international justice mechanisms in Mexico.

IDHEAS' recommendations included in the new Homologated Search Protocol for Missing Persons

In response to the call issued by the National Commission for the Search for Persons (CNB), IDHEAS presented an analysis and detailed observations to the draft of the Homologated Protocol for the Search for Disappeared and Missing Persons (PHB).

We sent our contributions to the CNB and disseminated them on social networks, through a series of infographics with the main observations⁴⁷.

IDHEAS' recommendations were included in the Final Protocol for the Search of Missing and Not Localized Persons⁴⁸, approved on October 6, 2020.

More particularly, the Final protocol mentioned the **need to search and investigate cases of enforced disappearance that occurred in the past**, more particularly committed during the call of "Dirty War" (research in archives; obligation of those who have custody of the archives to collaborate in the search activities; etc.) and it also mentions the need to investigate this historic and systemic pattern of disappearance (section 3.3.1. of the Protocol).

Besides, we suggested redoing completely the former section of the draft Protocol on the **benefits mechanisms for effective collaboration**, since the section did not apprehend the issue deeply, despite the real efficiency of this mechanism in the legal comparative experience in other countries. As a result of our recommendation, this section was completely modified (Section 2.6).

⁴⁷ <https://www.idheas.org.mx/publicaciones-idheas/publicaciones-idheas-litigio-estrategico/observaciones-al-proyecto-de-protocolo-homologado-para-la-busqueda-de-personas-desaparecidas-y-no2-localizadas-phb/>

⁴⁸ <https://www.idheas.org.mx/comunicaciones-idheas/sala-de-prensa-idheas/recursos-en-derechos-humanos/observaciones-al-protocolo-homologado-de-busqueda-de-personas/>

Finally, **the final Search Protocol includes IDHEAS' recommendation to clarify that the decisions of the Inter-American Human Rights System, as well as those of the treaty bodies of the UN,** should be addressed by the authorities involved in the search of missing persons. The 10th section of the Protocol, titled "Follow up on international decisions" clarifies the responsibilities of authorities in this regard.

The Homologated Protocol for the Search of Missing and Not Localized Persons is one of the main instruments for the search of missing persons, and its compliance is mandatory for all authorities whose collaboration is necessary for the search of persons. That is why, we hope that the technical work of IDHEAS contributed to strengthening the Protocol as well as victims' access to truth and guarantee the right to be searched.

1 Búsqueda inmediata y búsqueda individualizada

10 observaciones al proyecto de Protocolo Homologado de Búsqueda de Personas (PHBP)

El proyecto del PHBP hace una distinción entre búsqueda individualizada y búsqueda inmediata:



Búsqueda individualizada

Se caracteriza por la planificación específica y diferenciada



Búsqueda inmediata

Se caracteriza por la urgencia



¿QUÉ PROPONEMOS?

Sugerimos eliminar esta diferencia, ya que los dos tipos de búsqueda necesitan una ruta específica y diferenciada, y las dos pueden requerir ser detonadas de forma urgente.

Podrían utilizarse los términos "búsqueda inmediata" y "desarrollo y profundización de la búsqueda" a medida que ésta avance.

¿Qué más hace falta?

- ▶ Atendiendo al contexto generalizado de desapariciones en México, reconocer que la búsqueda individualizada debe darse en todos los casos.
- ▶ Distinguir con claridad cuáles son las autoridades que intervienen
- ▶ Eliminar el límite de tiempo para la búsqueda inmediata (cinco días), ya que ésta puede implicar operativos continuos de semanas o meses y no deja de ser inmediata si la autoridad tiene conocimiento posterior a los hechos
- ▶ Hacer mayor énfasis en la activación de redes de solidaridad y apoyo con los vecinos en las comunidades, barrios y colonias donde ocurren las desapariciones.



2 Búsqueda en lugares de detención

10 observaciones al proyecto de Protocolo Homologado de Búsqueda de Personas (PHBP)

El proyecto del PHBP no contempla como escenarios de búsqueda los lugares de detención, tales como cuarteles militares, estaciones de policía u oficinas del Ministerio Público, y casas de seguridad.



¿QUÉ PROPONEMOS?

Atendiendo al contexto de **desaparición forzada** en México, es necesario hacer explícito que las búsquedas pueden llevarse a cabo en estos lugares, o bien, en “lugares de privación de la libertad”, según se define este concepto en la Ley General para Prevenir, Erradicar y Sancionar la Tortura.

¿Qué más hace falta?

Precisar que se debe permitir el acceso a estos lugares a las autoridades responsables de la búsqueda en cualquier momento que lo requieran y sin necesidad de aviso previo.



3 Atribuciones de las comisiones de búsqueda

10 observaciones al proyecto de Protocolo Homologado de Búsqueda de Personas (PHBP)

La búsqueda de una persona desaparecida debe realizarse de manera conjunta, coordinada y simultánea por la Comisión Nacional de Búsqueda y las comisiones locales.

En el proyecto del PHBP no queda claro:

- ▶ Cuándo y en qué grado interviene cada una de ellas
- ▶ En qué casos la CNB asume la responsabilidad de la búsqueda individualizada y cómo se coordina con las comisiones locales
- ▶ Cuándo la comisión nacional detona la búsqueda inmediata y cuándo es auxiliar de las comisiones locales (y en qué grado debe prestar apoyo)



El proyecto también establece que la autoridad que primero notifique a las demás asumirá la competencia primaria de la búsqueda, lo que podría desincentivar el actuar de las autoridades.



¿QUÉ SUGERIMOS?

Que la competencia primaria la asuma la autoridad con mayor personal y/o capacidad operativa en la zona, o bien, la más cercana a las víctimas.

Organization of the Forum “Effective Cooperation in penal law and its role in a guaranteeing criminal system” with the Senate

In December 2020, and as a result of various work meetings, IDHEAS jointly organized with the Senate of the Republic, a forum on the mechanism of effective collaboration.

We presented its reform proposal of the Criminal Processes Code⁴⁹, to include benefits for collaboration in cases of disappearances. The creation of such a mechanism foster structural changes in the search of missing persons, since it would **allow obtaining key information from prosecuted and incarcerated persons, on cases of disappearances, and thus advance in the and investigation and search of the truth for the thousands of disappearance committed in Mexico.**

FORO VIRTUAL

LA COOPERACIÓN EFICAZ EN EL DERECHO PENAL Y SU ROL EN UN SISTEMA PENAL GARANTISTA

14 de diciembre de 2020

10:00 México 13:00 Argentina 17:00 Italia

Dr. Eugenio Raúl Zaffaroni
Jefe de la Corte Interamericana de Derechos Humanos

Dr. Jacopo Paffarini
Docente e investigador de la Universidad de Perugia (Italia), Instituto Lattes de San Pablo (Brasil)

Dra. Natalia Salvo
Abogada y docente de la Universidad de Buenos Aires, Universidad Nacional de José C. Paz (Argentina)

Dr. Miguel Ángel Aguilar López
Magistrado de circuito del Poder Judicial de la Federación, fundador de Instituto HEBG

Dra. Karina Ansolabehere
Investigadora titular "C" del Instituto de Investigaciones Jurídicas de la UNAM

Juan Carlos Gutiérrez
Director de IDHEAS

Citlalli Hernández Mora
Periodista, activista y servidora con licencia

María Celeste Sánchez Sugía
Senadora

Luis Fernando Molina Onofa
Moderador

LIBRE ACCESO

Logos: CELESTE, i(dh)ecas, UNAM, FLACSO, IDHEAS, fidh

The event got more than 6.500 reproductions on Facebook.⁵⁰

49 <https://www.idheas.org.mx/publicaciones-idheas/publicaciones-idheas-litigio-estrategico/estudio-introductorio-sobre-la-figura-de-los-beneficios-por-colaboracion/>

50 <https://www.facebook.com/SenadoMexico/videos/134051988347258>

International advocacy: shine a light on Mexico's failure to comply with UN international decisions

On September 9, 2020, during an international event on the next elections for the new members of the UN Human Rights Council, Mexico publicly presented its pledge for human rights defenders, in case of being re-elected to the Council.

The UN Human Rights Council is the most important body for the protection of human rights in the world. During the live event, we directed some questions to the Mexican Ambassador in Geneva, Ms. Socorro Flores Liera, on the human rights crisis that Mexico is facing, and the authorities' failure to comply with the views of the UN Human Rights Committee expressed in 2019 for the three cases of enforced disappearances litigated by IDHEAS.

We also published a series of questions⁵¹. in social media, under the hashtag #HRCpledging on the serious crisis of gross human rights violations in Mexico and impunity. In a press interview, we explained that the new election of Mexico as a member of the UN Human Rights Council means the State should comply with these international decisions⁵².

#HRCpledging

En 2019 el Comité de Derechos Humanos de la ONU emitió tres decisiones en contra de México en casos individuales de desapariciones forzadas. De acuerdo con los representantes de las víctimas, hasta el momento éstas no han sido cumplidas de manera efectiva e integral. ¿Nos puede explicar por qué? ¿México tiene un mecanismo de implementación de las decisiones de la ONU? ¿De qué manera se está trabajando en el cumplimiento de estas decisiones?

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51 <https://twitter.com/idheasdh/status/1303702224346976257>

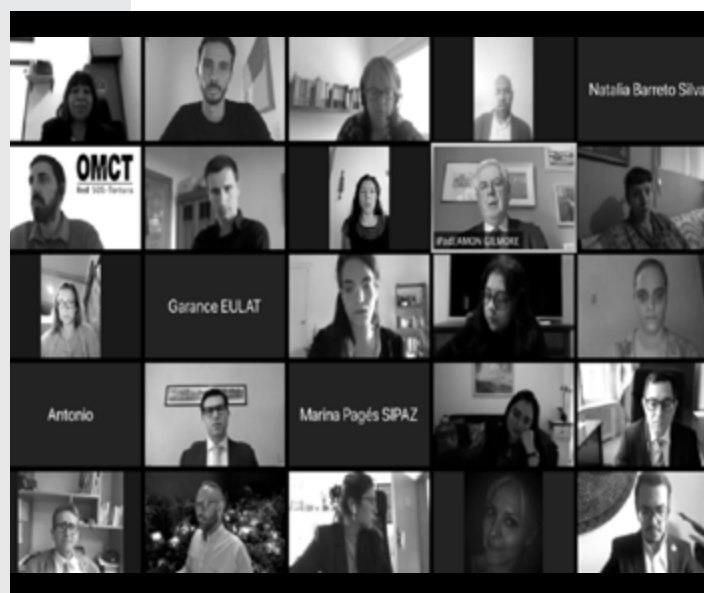
52 <https://www.jornada.com.mx/ultimas/politica/2020/09/14/estado-debe-explicar-casos-de-desapariciones-si-as-pira-a-onu-dh-ocs-3370.html>

Participation in the VII Seminar of Civil Society and the European Union in Mexico

On July 9, 2020, IDHEAS and the International Federation for Human Rights (FIDH) participated in the seventh Seminar of Civil society within the High-Level Dialogue on Human Rights between the European Union and Mexico. Previously, we participated in the elaboration of the Diagnostic about human rights in Mexico⁵³, which was delivered to Mr. Eamon Gilmore, the special representative of the European Union for human rights and Mexican authorities.

This Diagnostic analyzes the important challenges regarding human rights promotion in Mexico, as well as recommendations that were presented to the Mexican State and European Union institutions.

In this process, IDHEAS and the International Federation for Human Rights (FIDH) actively participated in the preparation of the chapters on Rule of Law, disappearances, and women's rights.



53 <https://www.idheas.org.mx/publicaciones-idheas/publicaciones-idheas-litigio-estrategico/diagnostico-sobre-situacion-de-derechos-humanos-en-mexico-y-recomendaciones-dirigidas-al-estado-mexicano-y-a-la-union-europea/>

Fighting against impunity and crimes against humanity

Due to the generalized impunity in Mexico, international justice is the last option that the victims of serious crimes have to access truth, justice, and full reparation. The International Federation of Human rights (FIDH), The Colombian Collective of Lawyers José Alvear Restrepo (CAJAR) and IDHEAS, have decided to join forces to contribute to the fight against impunity for extrajudicial executions and enforced disappearances in Colombia and Mexico.

The Colombian Collective of Lawyers José Alvear Restrepo (CAJAR) and IDHEAS, have decided to join forces to contribute to the fight against impunity for extrajudicial executions and enforced disappearances in Colombia and Mexico.

After one year of monitoring the functioning of the new mechanisms of justice and attention to victims that were recently created in the two countries, we jointly organized the webinar “And the impunity? Situation in Mexico and Colombia”⁵⁴, during which we highlighted the main obstacles to investigate and sanction cases of extrajudicial executions and enforced disappearances in Colombia and Mexico, in a discussion with NGOs, victims as well as a representative from the International Criminal Court (ICC).



54 https://i.ytimg.com/an_webp/_c99ZRk5778/mqdefault_6s.webp?du=3000&sqp=COuz7_4F&rs=AO4n4CLB48M-coCJrHinIjyH7iQNZ1ra43U

Besides, we published the note “The situation of impunity in Mexico”⁵⁵, in which we highlighted that, currently, the Mexican Prosecutor’s Offices lack effective investigation methodologies in the study of the hypothesis of the events, which prevents from finding those responsible for crimes against humanity. Due to the structural and almost absolute impunity in Mexico, we ask the Mexican State to refer the situation of Mexico to the ICC, so that these crimes against humanity can be investigated.

We highlighted that, with the opening of a preliminary investigation, it would make it easier for Mexico to improve investigation methodologies for the cases that are committed in contexts of structural violence, generalized and systematic attacks against the civilian population, as well as a space for justice for the victims of crimes against humanity. We also held a meeting between the FIDH, CAJAR, and representatives of the ICC on November 24, 2020, in which IDHEAS presented the context of gross human rights violations and impunity in Mexico and Nayarit.

Victims’ rights

Mexico is facing a serious situation of violence and gross human rights violations since 2006, the victims –especially state’s ones–, NGOs and experts, have implemented various social, legal and political actions, as well as direct or non-violent civil disobedience actions, which led to secure significant reforms and the approval of new legal, and institutional framework. This could contribute to addressing the numerous existing challenges, and allow the victims of violations to become rights bearers, and thus obtain the guarantee of due process and access to justice.

The direct and indirect victims of crimes and violations of human rights are learning on their own how to fight for justice in Mexico. That is why one of the strategies of IDHEAS is to strengthen the organizational process of victims’ groups and advocate to improve the respect and protection of victims’ rights.

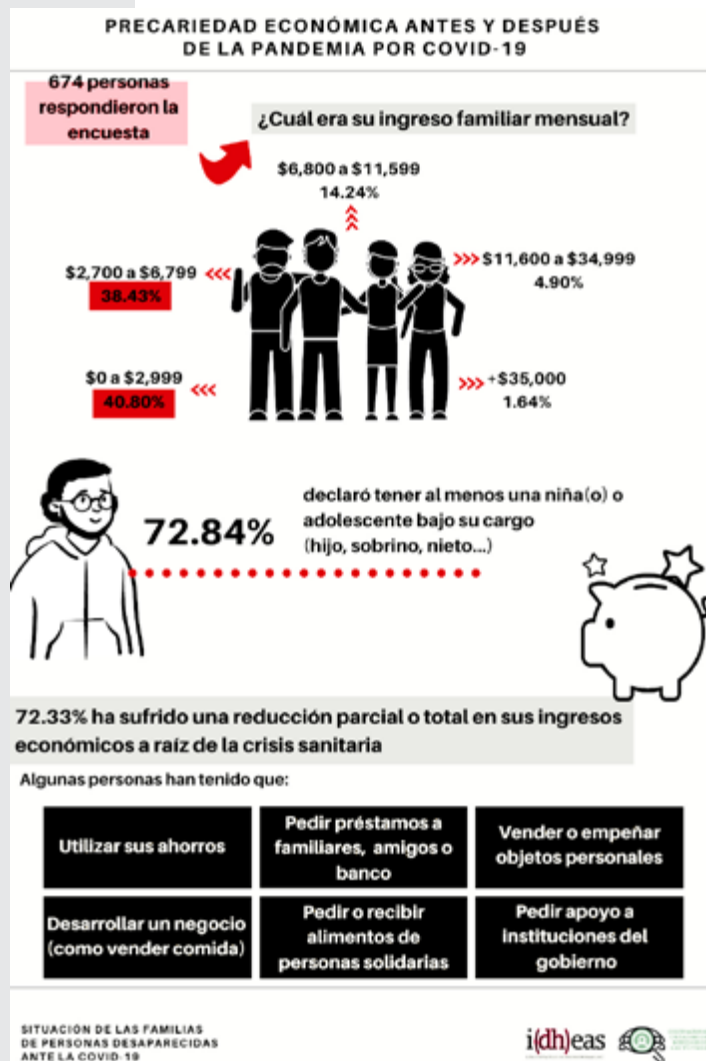
Alerting the Inter-American Commission on Human Rights on Mexico’s failure to protect and guarantee the rights of relatives of missing persons during the COVID-19 pandemic

In May 2020, IDHEAS launched an anonymous survey with almost 700 relatives of missing persons and persons localized without life, which was titled “Opinions of relatives of missing persons on the impact of the health crisis of the Coronavirus COVID-19 and the response of the Mexican State”.

⁵⁵ <https://www.idheas.org.mx/publicaciones-idheas/publicaciones-idheas-litigio-estrategico/situacion-de-impunidad-en-mexico/>

The results led to the elaboration of a report on the impacts of the COVID-19 health crisis on families of missing persons and persons localized without life in Mexico⁵⁶, and showed the preexisting challenges that derive from social inequalities in Mexico have worsened during the pandemic, and that the Mexican State failed to comply with its duty to promote, respect, protect and guarantee the rights of the relatives of missing persons and/or persons localized without life during the pandemic more particularly their economic, social and cultural rights, as well as their right to justice.

Based on these findings, we elaborated infographics⁵⁷, and a report and we presented these findings⁵⁸ to Commissioners of the Inter-American Human Rights Commission, and to the Experts of Special Procedures for their next thematic reports that will be presented to the UN Human Rights Council and the UN General Assembly. Besides, we disseminated results in an op-ed on our report's key findings that were published in the newspaper *Animal Político*⁵⁹.



56 <https://www.idheas.org.mx/publicaciones-idheas/publicaciones-idheas-litigio-estrategico/informacion-sobre-el-impacto-de-la-crisis-sanitaria-por-la-epidemia-del-covid-19-sobre-las-y-los-familiares-de-personas-desaparecidas-y-personas-localizadas-sin-vida-en-mexico/>

57 <https://www.idheas.org.mx/comunicaciones-idheas/sala-de-prensa-idheas/recursos-en-derechos-humanos/situacion-de-las-familias-de-personas-desaparecidas-ante-la-covid-19/>

58 <https://www.idheas.org.mx/comunicaciones-idheas/sala-de-prensa-idheas/comunicados/alertan-a-la-cidh-sobre-la-omision-del-estado-mexicano-en-proteger-y-garantizar-los-derechos-de-las-familias-de-personas-desaparecidas-en-el-contexto-de-la-pandemia/>

59 <https://COVID-19.evidencia.org/precari%C3%A9dad-de-familiares-de-personas-desaparecidas>

Monitoring of the harmonization of the General Law on Disappearance

Through the citizen initiative “Citizen Observatory on Victims’ Rights”⁶⁰, coordinated by IDHEAS, we published the results of our monitoring on the progress and challenges in the harmonization and implementation of the General Law on Disappearance.

As part of the monitoring, we reviewed the progress in the federal entities regarding the creation of search commissions, specialized prosecutors for the investigation and prosecution of the crimes of enforced disappearance of persons and disappearance committed by individuals, the state-citizen councils, and the special declaration of absence.

The findings can be consulted on Observatory’s Website⁶¹, where we published maps on the progress in each federative entity.

Advocacy to promote the respect of victims’ rights and monitoring the new mechanisms of attention to victims.

Through the Citizen Observatory on Victims’ rights, IDHEAS permanently monitored and evaluated the functioning of the Executive Commission of Attention to Victims (CEAV) at the Federal and State levels. In 2020, IDHEAS elaborated a document⁶² and a video⁶³, presenting a technical analysis, observations, and suggestions on the Institutional Program of the Executive Commission for the Attention to Victims 2020-2024.

Our constant monitoring has been taken up on different occasions by the media⁶⁴.

60 https://www.youtube.com/watch?v=ESMbJdfe_4c&feature=emb_title&ab_channel=IDHEAS%2CLitigioEstrat%C3%A9gicoenDerecho

61 <http://www.derechosdelasvictimas.org.mx/ley-general-en-materia-de-desaparicion-forzada-de-personas-desaparicion-cometida-por-particulares-y-del-sistema-nacional-de-busqueda-de-personas/>

62 <https://www.idheas.org.mx/comunicaciones-idheas/sala-de-prensa-idheas/comunicados/comentarios-sobre-el-programa-institucional-de-la-comision-ejecutiva-de-atencion-a-victimas-2020-2024/>

63 https://www.youtube.com/watch?v=jjnYD3G-r_E&ab_channel=IDHEAS%2CLitigioEstrat%C3%A9gicoenDerechosHumanos

64 <https://www.eleconomista.com.mx/politica/Imperan-omisiones-en-sistema-de-atencion-a-victimas-20200927-0004> and <https://www.eleconomista.com.mx/politica/Necesitamos-contar-con-un-pacto-federal-de-respeto-a-los-derechos-humanos-Juan-Carlos-Gutierrez-20200927-0005.html>

In June 2020, we signed the joint press release “Attention to Victims: austerity and budgets are the top of the iceberg of the structural problems that have flawed the CEAV since its creation”⁶⁵, to raise the alarm on the necessity of the CEAV to have an operational budget that allows for its functioning. The current crisis in the CEAV reflects deep structural deficiencies and historical, as well as the lack of coordination of the institutions that are part of the National System of Attention to Victims.



Training and empowerment of victims and victims' groups

In a context of violence and institutional inertia, it is common that the direct and indirect victims of gross human rights violations learn alone on their path to seek truth and justice and they regularly face re-victimizing practices, stigmatizing or bureaucratic processes which impedes their access to justice. It is though especially important to strengthen the organizational process of victims' groups and offer them training spaces so that they gain knowledge and tools to demand the respect of their rights. Through the organization of training workshops, IDHEAS seeks to contribute to the empowerment of relatives of missing persons, to strengthen their knowledge and capacities so that they can actively participate in the criminal proceedings, and demand the respect of their rights before competent authorities.

Besides, IDHEAS seeks to contribute to the organizational process of victims' groups, so that they can advocate for better compliance of their rights to truth and justice, at the Federal and State level.

⁶⁵ <https://www.idheas.org.mx/comunicaciones-idheas/sala-de-prensa-idheas/comunicados/atencion-a-victimas-austeridad-y-presupuesto-son-la-punta-del-iceberg-de-los-problemas-estructurales-que-ha-arrastrado-la-ceav-desde-su-creacion/>

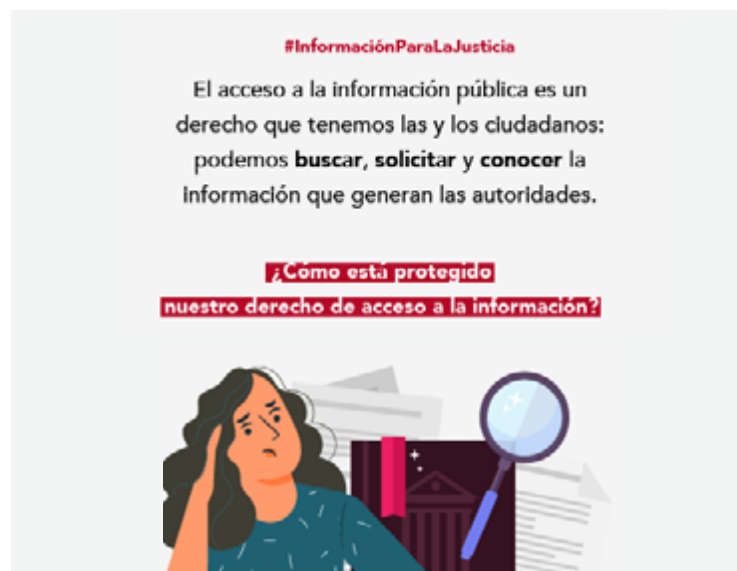
In 2020, we organized 20 presential and virtual training workshops, directed to relatives of missing persons and persons localized without life in clandestine mass graves. A total of 206 persons from 12 States benefited from these workshops (State of Mexico, Nayarit, Guerrero, Coahuila, Colima, Veracruz, Ciudad de México, Morelos, Guanajuato, Jalisco, Oaxaca, and Puebla).

The workshops focused on the following topics: legal tools for victims, General Law on Disappearances, political advocacy, full reparation, and the Mechanism of Urgent Actions of the UN Committee on Enforced Disappearances.



Workshops with families of victims in Nayarit and Mexico City.

We also organized digital trainings, and workshops on the right to access public information, which we represented both as an individual right and as a tool for social change. We published a series of infographics under the hashtag #InformationforJustice⁶⁶, to promote the use of this right by relatives of missing persons in their fight for truth and justice.



➡ En México, está garantizado en el **artículo 6° de la Constitución Política** y en la **Ley General de Transparencia y Acceso a la Información**.

➡ Además, es reconocido en los principales **instrumentos internacionales** de derechos humanos:

- ▶ La Declaración Universal de Derechos Humanos (Artículo 19)
- ▶ El Pacto Internacional de Derechos Civiles y Políticos (Artículo 19)
- ▶ La Convención Americana sobre Derechos Humanos (Artículo 13)

¡Conocer nuestros derechos nos permite exigirlos!

66 <https://www.idheas.org.mx/comunicaciones-idheas/sala-de-prensa-idheas/recursos-en-derechos-humanos/informacionparalajusticia/>

Apart from the workshops, we provided psychosocial accompaniment, with the support of a psychologist, to more than 10 relatives of missing persons, for more than 93.5 hours during the year.

More particularly, we focused on the accompaniment of three families of victims to advance in the elaboration of a project of full reparation for the damage suffered for the disappearance of their relative.

Finally, in 2020, IDHEAS provided support to three victims' groups in three Federal States to support their internal and organizational consolidation: Familias de Acapulco en Busca de sus desaparecidos Guerrero), Nos queremos Vivas Neza (State of Mexico) and Solecito de Veracruz (Veracruz).

Las víctimas indirectas de desaparición en México tenemos el mismo derecho que cualquier ciudadano a **solicitar información pública** a las autoridades...



Y podemos usarlo para **defender nuestros derechos y los derechos de nuestros familiares desaparecidos.**

Tener información pública nos permite vigilar y evaluar el trabajo de las autoridades encargadas de la búsqueda e investigación.

Ejemplos de información podemos solicitar para exigir justicia:

- 1 El CV de un funcionario, para saber si tiene el perfil adecuado
- 2 El presupuesto destinado para la búsqueda de personas desaparecidas en una entidad
- 3 Las evaluaciones de las actividades de una institución, como la CEAU
- 4 El número de sentencias por desaparición

Podemos pedir cualquier registro de actividad gubernamental o gasto de dinero público y las autoridades están obligadas a darnos esa información.

¿Qué no podemos pedir?

Información que incluya **datos personales** (ejemplo: número de celular personal de un gobernador) o sobre **casos específicos de víctimas de desaparición**, ya que se trata de procesos penales abiertos.

#InformaciónParaLaJusticia

#ProcedeINAI2020

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INAI

PROSEDEINAI

Shining a light on gross human rights violations and revendicate the fight and memory of victims

The new political national context finally allows to advance towards the construction of collective memory, built with and for victims, and fulfill the human need to conscientize, collect, and materialize the narratives of violence, such as crimes against humanity, to ensure the non-repetition of these crimes in the future. It is a fundamental component of the victims' access to truth, justice, and reparation. It is urgent to implement actions that preserve the collective memories of these violent events, through acts such as the publication of texts the assignation o public spaces, and symbolic places where theses gross human rights violations have been committed, to remember the missing persons and recognize the fight of their families. These memory actions are necessary to advance in the social reconstruction and healing of the communities that have been affected by the crime of enforced disappearance. These processes of memory are related to other fundamental rights such as the right to truth, justice, and full reparation of the damage suffered. They should be implemented by the victims themselves as part of a healing process. **These processes can empower the victims, presenting their voices and demands in the political agenda, so that they can finally be heard and their rights respected.**

IDHEAS sought to contribute to the construction of collective memory through actions and campaigns of communication to revendicate the fight of the relatives of missing persons, especially one of women and local victims' groups,, and implemented memory exercises.

Documentary “Open the Earth”

In 2019, IDHEAS produced the documentary short film “Open the Earth”⁶⁷ directed by the movie director Alejandro Zuno, to dignify the fight of the mothers of victims of enforced disappearances, and to fight against the normalization of violence. The documentary short film tells the story of Perla, the mother of Víctor Álvarez Damián, who, along with other young people, was detained by the police in a security operation in Veracruz on December 11, 2013. Six of them are still missing to this day. “Open the earth”⁶⁸.

In 2020, the short film had an impact at the national and international level, as it won the awards for Best Documentary in the “Literally Shorts Film Festival” festival in Houston, Texas, and of the Festival “Shorts Mexico”. It was nominated for the Ariel competition (award of the Mexican Academy of Arts and Cinematographic Sciences) in the category “Best short movie documentary”, and it has been officially selected in various film festivals, such as the International Festival of Cinema of Morelia.



“Our nomination for the Ariel 2020, alongside big movie directors and bid documentaries is already a triumph in itself. Ant this triumph is dedicated to Perla, to the young victims of enforced disappearances in Veracruz, to their mothers who are searching for them tirelessly.” - **Alejandro Zuno, Director of “Open the earth”.**

67 <https://www.idheas.org.mx/especiales/documental-abrir-la-tierra/>

68 <https://vimeo.com/365909288>

Gazette “Truth in Voices: Nayarit’s nightmare continues”, a memory exercise for victims of enforced disappearances in Nayarit

With more than 998 persons officially reported as missing, the State of Nayarit faces alarming levels of enforced disappearances and a preoccupying situation of corruption and institutional paralysis, which prevents victims from accessing truth and justice.

Impunity in Nayarit has been invisible, isolating the victims and their families in situation of high risk, who fear denouncing gross human rights violations to authorities, since these same authorities are involved with criminal organizations. Besides the litigation and documentation of cases, IDHEAS and families of missing persons of Nayarit elaborated a memory exercise for the victims of enforced disappearance.

On December 10, 2020, on International Human Rights Day, we published the Gazette “Truth in Voices: Nayarit’s nightmare continues”⁶⁹



Based on victims, witnesses, and survivors' testimonies, this Gazette tells the serious crimes committed by authorities in Nayarit, and their fight to search for their loved ones and truth and justice.

The Gazette seeks to honor the memory of the victims of this State crime, and recall the names of the people who have been localized without life in Nayarit. It is a memory exercise to tell the reality of enforced disappearances and impunity, based on the voices of victims, to prove that this crime has not stopped, and to keep demanding truth, justice, dignity, and full reparation.

The testimonies are categoric: staff from the State Prosecutor's Office and police of Nayarit disappeared tens of people, especially in 2017. Edgar Veytia, former Head of the State Prosecutor's Office in Nayarit, is being prosecuted in the United State of America for narcotrafficking and money laundering. For years, he and his close team committed an infinity of gross human rights violations, while they were hiding the official crimes figures.

Apart from telling the story of how the crisis of enforced disappearances and impunity began in Nayarit, the Gazette also includes testimonies of victims on their search for their loved ones in clandestine mass graves and the processes of exhumation and identification of localized persons. The team of IDHEAS travelled to Tepic, Nayarit, where it launched its memory activity with the relatives of missing persons⁷⁰ in which members of victims' groups -mothers, fathers, and sisters who search for their loved ones- disseminated the Gazette to citizens and civil servants, while telling their personal stories on their search for justice in a State where their voices and demands have not been heard.

We wanted to include some of their testimonies after this memory exercise in this annual report:

10 DE DICIEMBRE
VERDAD A VOCES
Colusión en los más altos niveles
EL DIABLO QUE SEMBRÓ TERROR EN NAYARIT

Quiénes alguna vez entraron a la oficina de Edgar Veytia Cambero cuentan que en una cómoda tenía un San Judas Tadeo, una Virgen de Guadalupe y un Cristo. Y tenía siempre una pistola en el escritorio. 'El Diablo', como se le conoce al exfiscal de Nayarit, llegó a usar esa arma para amenazar a quienes acudían a la fiscalía a hacer alguna denuncia. '¿No tiene miedo de que se la cargue la chingada?', preguntó alguna vez a una madre que buscaba desesperadamente a su hijo desaparecido, mientras agarraba su pistola y la sacaba.

Desde antes de que se convirtiera en fiscal general Veytia comenzó a sembrar terror entre los nayaritas. Una ola de secuestros y asesinatos se desató cuando fue Secretario de Seguridad Pública del municipio de Tepic, a partir de agosto de 2010. Entonces ya operaba para los mayores cárteles del narcotráfico, pero su voracidad y poder crecieron cuando su amigo y jefe de siempre, Roberto Sandoval, llegó a la gubernatura el 19 de septiembre de 2011 y lo nombró fiscal general del estado de Nayarit poco tiempo después, con apoyo del congreso local.

Mientras que públicamente sostenía que su trabajo estaba centrado en el combate a la corrupción y a la impunidad, y que su objetivo era garantizar la tranquilidad de los

nayaritas, Edgar Veytia convertía al estado en un centro de operación para la elaboración y tráfico de drogas, y usaba el poder que tenía para cometer toda clase de delitos y crímenes graves, apoyado siempre de sus policías y de su red mafiosa. El narcotráfico era juez y parte en el combate a la inseguridad, no sólo contrabandando droga, sino que construyó un mecanismo basado en amenazas, privación ilegal de la libertad y tortura para apoderarse de casas, terrenos, negocios y comercios en todo el estado, lo que le permitió acumular una fortuna valorada en 250 millones de dólares.

Hubo voces de víctimas y medios locales de comunicación que valientemente denunciaron, pero el gobierno de Nayarit ocultaba los hechos tras boletines de prensa que magnificaban el trabajo del gobernador y sus funcionarios. Mediante una política del terror este gobierno de la apariencia desmentó que los y los nayaritas denunciaran y alzó todas las voces que hicieron contrapeso. 'Con decisión y responsabilidad el gobernador Roberto Sandoval enfrenta a la delincuencia, hemos logrado mantener a Nayarit en el segundo estado más seguro del país y con menor incidencia delictiva', declaró Edgar Veytia en diciembre de 2013.



Además del personal de la Fiscalía General del Estado de Nayarit, Edgar Veytia tenía bajo su control a toda la policía nayarita y a los policías municipales de 19 de los 20 municipios de Nayarit en el marco del mando único.

"As I was disseminating it, I emotionally felt that the people were becoming aware of what was happening, that the people felt the same powerlessness and anger that I and my family of the victims' group have been living. I felt that all the persons were sensitive to my pain". **Imelda I.**

"As I was reading the Gazette, I first felt a lot of anger as I learned all the atrocities that have been committed in the past sexennal, but, afterward, I thought about my son who has just been disappeared this year and we remain in the same situation. They do not only disappear people; they also mistreat and torture them; and I ended up crying from pain, rage and powerlessness, and frustration." **Efigenia S.**

"This Gazette was necessary so that more people would become aware and know from whom they should protect themselves. The people reacted very well: for example, I entered in a pharmacy and I only explained what I was doing to the woman who received



me, and she started crying and she hugged. Thank you IDHEAS". **Guadalupe N.**

"The delivery of the newspaper has had a strong impact. We could tell these people that a lot of us are missing a relative: a disappeared son, husband, brother, and that those responsible are still here and that there are still disappearances. With real testimonies, we could demonstrate that we live in an insecure State. The people listened to me and told me: "I admire you and respect what you are going through" For me, it was a moment of dignity to be the voice of my husband" **Alma R.**



"My friends of the victims' group had an experience they will never forget since it gave them voice and they screamed more strongly the voice of their relative. They faced the worst fear that is the social stigmatization, and the fact of going out and see that not everyone was rejecting them was phenomenal" **Alejandra P.**

You cannot and should not forget us – honoring the anniversaries of victims

All year long, IDHEAS honored the memory of the victims whom it accompanies. We made visible their cases, fight for their families, and the obstacles that they face to access justice.

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INSTITUTO DE DEFENSA HUMANA, A.C.

10 AÑOS DE IMPUNIDAD

**CHRISTIAN TÉLLEZ
PADILLA**

**DETENIDO-DESAPARECIDO
POR LA POLICÍA
INTERMUNICIPAL DE POZA
RICA, VERACRUZ.**


2010



**LAS AUTORIDADES
CONTINUÁN IGNORANDO LA
DECISIÓN DEL COMITÉ DE
DERECHOS HUMANOS DE LA
ONU, QUE EN 2019
SENTENCIÓ A MÉXICO POR
SU DESAPARICIÓN
FORZADA.**

2020

#JUSTICIAPARACHRISTIAN



#TEBUSCAMOSMÓNICA

**MÓNICA ESTÁ DESAPARECIDA DESDE EL 21 DE
OCTUBRE DE 2019; LA ÚLTIMA VEZ QUE SE
SUPO DE ELLA SE ENCONTRABA TRABAJANDO EN
UNA EMPRESA UBICADA EN EL ESTADO DE
MÉXICO.**

**A UN AÑO DE SU DESAPARICIÓN SU FAMILIA Y
REPRESENTANTES LA SEGUIMOS BUSCANDO Y
EXIGIMOS VERDAD Y JUSTICIA.**

**MÓNICA RUTH ROJAS LUNA
31 AÑOS**



On July 8, 2020, for the 9 years of the disappearance of Jesús Israel Moreno Pérez, we organized a press conference⁷¹ to shine a light on Federal and State authorities of Oaxaca's failure to comply with their national and international obligation to search and localize the victim.

We are demanding truth and justice for every of them.

PABLO DARÍO MIGUEL HERNÁNDEZ, DESAPARECIDO EL 6 DE DICIEMBRE
 JOSÉ ARMANDO CORTÉS ARRIJOJA, DESAPARECIDO EL 6 DE DICIEMBRE
 JOSÉ IGNACIO CRUZ GONZÁLEZ, DESAPARECIDO EL 6 DE DICIEMBRE
 RICARDO ADRIÁN GARCÍA CRUZ, DESAPARECIDO EL 9 DE DICIEMBRE
 YONATHAN IZAC MENDOZA BERROSPE, DESAPARECIDO EL 11 DE DICIEMBRE
 VÍCTOR ÁLVAREZ DAMIÁN, DESAPARECIDO EL 11 DE DICIEMBRE
 MARCO ANTONIO RAMÍREZ HERNÁNDEZ, DESAPARECIDO EL 11 DE DICIEMBRE

¡LOS SEGUIMOS BUSCANDO!

i(dh)eas
INSTITUTO DEMOCRÁTICO DE DEFENSA Y PROMOCIÓN, S.C.

⁷¹ <https://www.youtube.com/watch?v=2d8CoX3zgBE&t=272s>



Institutional Consolidation

During the year 2020, IDHEAS took significant actions for its institutional consolidation:

- IDHEAS has an institutional manual as well as a new Manual for administrative, accountability, financial, processes and human resources, as well as a manual for digital policies as well as new security logs to improve the physical and digital security and to face the new challenges of virtuality during the COVID-19 pandemic.
- IDHEAS strengthened its digital security protocols during the implementation of tools trained by its personal. At the same time, we sought to attend and strengthen the new guidelines, especially in the safeguarding and proceeding of sensitive information, both physically in our offices, as well as digitally, to improve the protection of our team of human rights defenders, in a context where human rights defenders are facing high risks and vulnerability in Mexico.
- IDHEAS is in the process of demanding its accreditation to become an organization officially able to certify and evaluate competencies before the National normalization and certification of labor competencies of the Secretary of Public Education (CONOCER-SEP) in human rights issues (enforced disappearances, Istanbul protocol, torture, victim's rights, gender violence, and extrajudicial executions) to contribute to the promotion, development, and consolidation of the New National Competency System. In 2020, IDHEAS developed its online training course for staff of the justice system on the General Law on enforced disappearances and disappearances by private individuals and the National Search System, which contains 9 class units.
- In 2020, IDHEAS increased its outreach capacities and the quality of its communication products, with the elaboration of small specific websites, videos, and numerous infographics. The activities implemented by IDHEAS have been covered by national and international medias, such as Foro TV, Animal Político, La Jornada, Proceso, El Universal, AJ+, Pie de Página, among others. We want to highlight the coverage in local press, in Nayarit, Morelos, Jalisco, Coahuila and Oaxaca. We had 214 press mentions and have reached 21,280 followers on Facebook, and 12,475 followers on Twitter, with an 18% increase in the numbers of our followers on Twitter in one year.

We thank the work team, the collaborators and former collaborators, and the people and institutions who have trusted in our work. In particular, to the embassies and funding and cooperation agencies that selflessly support us so that we can continue to defend the rights of many people free of charge and professionally. We especially thank the people who have trusted us to accompany their claim for justice. In 2021 we will continue to walk firmly, demanding justice, truth, and reparation, and supporting the construction of a social and democratic state of the law in Mexico.

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Itzel Hernández Romero

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