

Working meeting for lawyers and advocates from Latin America and Ukraine on prevention and accountability for enforced disappearances

Bogota, July 8-10, 2025

Organized by Justiça Global and International Renaissance

Foundation

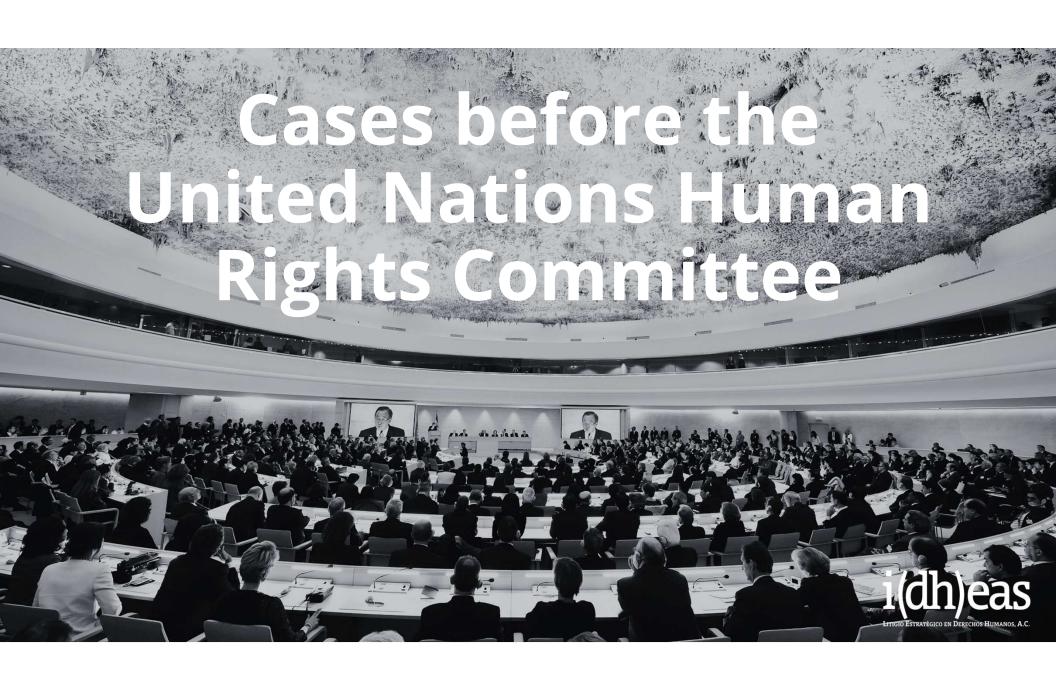
Tatiana Rincon – Juan Carlos Gutiérrez



Idheas

Idheas, Strategic Human Rights Litigation, is a non-profit organization founded on May 2009, whose goal is to defend and promote Human Rights at the national, regional and international levels.





Christian Téllez Padilla's case

On August 5, 2019, the UN issued an opinion regarding the enforced disappearance of Christian Téllez Padilla, which occurred on October 20, 2010, in Poza Rica, Veracruz. The Committee considered that "the events constitute an enforced disappearance." Additionally, it emphasized that, nine years after Christian's disappearance, the investigations carried out had "been unduly prolonged," without the Mexican State justifying the delay. Consequently, it orders the location, investigation, sanction, and comprehensive reparation of the victims.



Jesús Israel Moreno Pérez's case

On November, 2019, the Committee approved the opinion on the disappearance of the young geography student Jesús Israel Moreno Pérez, which took place in the municipality of Chacahua, Oaxaca on July 8, 2011. The Committee concluded that the Mexican State violated the UNAM student's rights and those of his family.



Víctor Manuel Guajardo Rivas´s case

On November 29, 2019, the Committee notified the opinion related to Víctor Manuel Guajardo Rivas, in which it declared his enforced disappearance in Piedras Negras, Coahuila. It considered that more than six years had passed since his disappearance without investigations or proceedings against the perpetrators of the disappearance having advanced significantly and without the Mexican State having justified the omission, negligence, and impunity.





Case before the United Nations Committee on the Elimination of Discrimination
Against Women (CEDAW)



Communications to international bodies

IDHEAS has submitted certain communications to international bodies.

 Recommendation of the Committee on the Elimination of Discrimination against Women (CEDAW) for the case of the enforced disappearance of Ivette Melissa Flores Román.



Ivette Melissa Flores Román's Case

The United Nations Committee on the Elimination of Discrimination Against Women (CEDAW) ruled about Ivette Melissa Flores Román´s disappearance, who is missing since October 24, 2012. For the first time, the Committee CEDAW addressed the impact of enforced disappearances of girls, young women, and women, as well as the role that gender-based violence plays in these cases.

The Committee reiterated that women disappearances are one of the most brutal manifestations of gender-based violence. This refers to violence directed against a woman because she is a woman, or violence that disproportionately affects women. The Committee highlighted that disappeared women suffer particular harm due to their gender and are disproportionately subjected to sexual violence and other forms of gender-based violence.



Ivette Melissa Flores Román's case

The opinion declares that the Mexican State, the Republic's General Attorney Office, and other authorities violated Article 2 of the Convention on the Elimination of All Forms of Discrimination against Women by not conducting an immediate, non-delayed, and gender-sensitive search. It is emphasized that all stages of the search must be carried out with a gender perspective and by appropriately trained personnel, thereby denying access to justice.

As representatives of the victim, at Idheas, we celebrate the Committee's recommendation by recognizing institutional errors and negligence, and we urge the authorities to comply with each of the recommendations outlined in communication 153/2020.





Case before the United Nations Committee against Enforced Disappearance (CED-UN)



Yonathan Isaac Mendoza Berrospe's Case

On May 3, 2023, the United Nations Committee against Enforced Disappearance (CED-UN) issued its first opinion against Mexico. The case refers to the enforced disappearance of Yonathan Isaac Mendoza Berrospe, whose family approached the UN with representation from IDHEAS, Strategic Litigation in Human Rights A.C.

The Committe, In its decision, considered that according to the evidence demonstrated, the disappearance of Yonathan Isaac took place within the context of security operations carried out in the state of Veracruz on December 2013, involving agents from the Navy Ministry (SEMAR) and state police.



Yonathan Isaac Mendoza Berrospe

Furthermore, the Committee highlighted severe omissions and irregularities on behalf the General Attorney´s Office of the Republic and its counterpart in the State of Veracruz. At the present time, they haven´t identified any responsible parties nor managed to determine Yonathan´s whereabouts. The Committee observed impunity in the case and concluded that the Mexican State forcibly disappeared the young man as the authorities have not conducted a thorough and impartial investigation into Yonathan's disappearance.

As a result, the Committee ordered the Mexican State to guarantee an effective search for Yonathan Mendoza, as well as the prosecution of those responsible, including the command chain. Additionally, they ordered reparations for the victims and the necessary measures to ensure non-repetition.

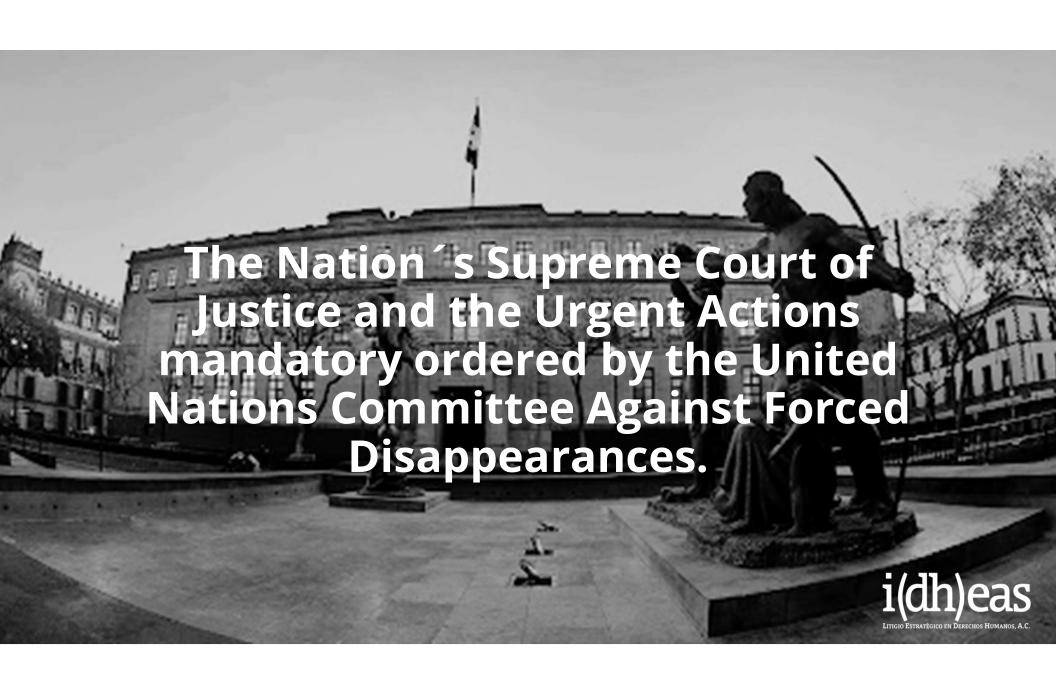
Individual Communications and Urgent Actions

- Submitting Individual Communications: This mechanism allows individuals to bring specific human rights violations to the attention of UN treaty bodies.
- Requesting Urgent Actions from the Committee on Enforced Disappearances (CED): For States parties to the Convention on Enforced Disappearances, individuals can request urgent actions. So far, Mexico has had the most **urgent actions** granted by the CED.



Advocacy for the Application of Article 34 of the Convention on Enforced Disappearances:

- Alongside organizations like FIDH (International Federation for Human Rights), there's been advocacy for the CED to apply Article 34 of the Convention concerning Mexico's situation.
- The CED's decision to activate the Article 34 mechanism for Mexico was adopted during its 28th session (March 17 to April 4, 2025).
- Mexico must send the requested information to the CED by September 18 of this year.
- This information will then be reviewed by the Committee during its next session (September 22 to October 3, 2025).



Legal Remedy 1077/19

On June 17, 2021, the Supreme Court of Justice of the Nation ruled that compliance with Urgent Actions issued by the United Nations Committee Against Enforced Disappearances is mandatory for the authorities of the Mexican State.

IDHEAS, Strategic Litigation in Human Rights A.C., on behalf of Víctor Álvarez Damián and his mother Perla Damián, filed the Amparo 1077/19 under review on 2018 for Victor, who was a forced disappearance victim that occurred on December 11, 2013, in the Port of Veracruz.

The Nation's Supreme Court of Justice's decision expands the protection for relatives of disappeared individuals, emphasizes that authorities are obligated to guarantee the search for disappeared individuals, and recognizes the binding nature of urgent actions issued by the United Nations Committee against Forced Disappearances.

Communications to International Bodies

- Working together with FIDH and EMAF, we submitted complementary information report and follow-up to the visit report 25 Period of sessions of the Committee on Enforced Disappearances.
- Working together with FIDH and EMAF, we submitted a report in advance of the 88th session of the Committee CEDAW regarding compliance of the Convention by México.
- We submitted a communication to the Commission on the Status of Women (CSW), documenting seven of women's disappearances cases in the state of Guerrero.
- We issued a short-term contribution of México's enforced disappearances experiences. This will be included in a collaborative statement by the CED and the Working Group on Enforced or Involuntary Disappearances (WGEID) addressing this topic.



Alternative Reports and Country Visits

- Submitting Alternative Reports: Civil society organizations can submit shadow or alternative reports to various UN committees:
 - During the pre-sessional working group (when lists of issues are drafted).
 - During sessions reviewing state reports (e.g., Human Rights Committee CCPR, Committee on Enforced Disappearances CED, Committee on the Elimination of Discrimination against Women CEDAW, Committee Against Torture CAT, Committee on Economic, Social and Cultural Rights CESCR). This ensures that the committees receive a broader perspective beyond the official government reports.



Advocacy for Country Visits by Treaty Bodies:

- Civil society organizations can advocate alongside other groups for country visits by UN treaty bodies.
- A significant example is the request and advocacy by civil society organizations for the CED to visit Mexico under Article 33 of the Convention.
- The CED had been requesting a visit to Mexico since 2013. The visit finally took place from November 15 to 26, 2021.



CED's Findings and Ongoing Engagement

- Key Findings from the CED's Visit to Mexico:
- In its report on the visit and its findings, the CED expressed its "deep concern that a widespread situation of disappearances persists in a large part of the national territory, in the face of which an almost absolute and structural impunity prevails" (para. 24).



Thank for your attention.

For more information and details, please visit our website <u>idheas.org.mx</u> and our social media.

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