

PUBLIC

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26 February 2009

Further Information on UA 272/08 (AMR 41/050/2008, 24 September 2008) Fear for safety and new concern: Harassment

MEXICO

Cristina Auerbach Benavides (f), human rights defender

Cristina Auerbach Benavides, a well-known campaigner with the Catholic organization Pastoral Laboral, has recently been harassed in Mexico City home by men claiming to be police. This appears to be a further attempt to intimidate her and deter her from working on behalf of the families of 65 miners who died in an explosion at the Pasta de Conchos coal mine in Coahuila state.

On 4 February, men in plain clothes who claimed to be Mexico City police officers went to Cristina Auerbach's home and asked to be let in, alleging she had asked for help from the authorities about an incident of domestic violence. No such incident had taken place and Cristina Auerbach had not called the authorities. The men refused to produce official identification or show a warrant to enter her property, and reluctantly left when Cristina Auerbach refused to allow them in. On 10 February, uniformed police officers went to Cristina Auerbach's home and asked if they could enter, but they also did not have a warrant or an adequate explanation for wanting to enter her home. On both occasions, the bodyguard assigned by the Mexico City government to protect her was off duty.

These incidents took place a few days before the third anniversary of the Pasta de Conchos coalmine explosion. Cristina Auerbach believes that these were attempts to intimidate her and deter her from carrying out her work and attending the campaigning events planned for the anniversary.

On 24 February, three uniformed federal police officers stopped outside Cristina Auerbach's home in police vehicles. She was not there, but they told a neighbour that they wanted to speak to her. However, once again there was no notification of a legitimate reason for their visit. Cristina Auerbach has reported the three incidents to Mexico City's Attorney General's Office and Mexico City's human rights commission.

In September 2008, Cristina Auerbach discovered her car's wheels had been tampered with, in an apparent attempt to put her life at risk. In June 2007, her car, in which she had documents relating to the *Pasta de Conchos* case, was stolen at gunpoint. On 4 September 2007, the office of the legal team that represents the relatives of the miners was broken into. One laptop was stolen and all the office's files had been rifled through.

BACKGROUND INFORMATION

Since the explosion in the Pasta de Conchos coalmine on 19 February 2006, Pastoral Laboral has campaigned for the bodies of the miners to be recovered and alleges that the explosion was due to negligence by the company running the mine. In December 2008, the National Human Rights Commission asked the Federal Attorney General's Office (PGR) to reopen the investigation into the disaster in order to establish whether the fire was caused by negligent behaviour. The PGR has refused to do so.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in Spanish or your own language:

- calling on the authorities to ensure continuous and adequate protection measures for Cristina Auerbach are put in place immediately, in accordance with her wishes;

- calling on the authorities to carry out an investigation into the harassment of Cristina Auerbach by local and federal police, and for those responsible to be held to account;
- reminding the authorities that the UN Declaration on the Rights and Responsibilities of Individuals, Groups and Institutions to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms recognizes the legitimacy of the activities of human rights defenders and their right to carry out their activities without obstacles or fear of reprisals.

APPEALS TO:

Minister of Interior

Fernando Francisco Gómez-Mont Urueta
Secretaría de Gobernación
Bucareli 99, 1er. piso, Col. Juárez, Del. Cuauhtémoc, México D.F., C.P.06600, MEXICO

Fax: +52 55 5093 3414
E-mail: secretario@segob.gob.mx
Salutation: Señor Secretario/Dear Minister

Mexico City Attorney General

Dr Miguel Ángel Mancera Espinosa
Procurador General de Justicia del Distrito Federal
Gral. Gabriel Hernández # 56, 5º piso,
Col. Doctores, C.P. 06720, México D.F.
MEXICO

Fax: +52 55 5345-5558
Email: procurador@pgjdf.gob.mx
Salutation: Dear Attorney/ Señor Procurador

Minister of Public Security

Lic. Genaro García Luna
Secretaría de Seguridad Pública
Constituyentes n° 947, edif. "B" planta alta, Col. Belén de las Flores, Del. Álvaro Obregón
México D.F., C.P. 01110, MÉXICO

Fax: +52 55 1103 6026 (if someone answers, say "me da tono de fax, por favor")
Email: genaro.garcia@ssp.gob.mx
Salutation: Señor Secretario / Dear Minister

Attorney General of the Republic

Lic. Eduardo Medina-Mora Icaza
Procurador General de la República
Procuraduría General de la República
Av. Paseo de la Reforma n° 211-213, Piso 16
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México D.F., C.P. 06500, MEXICO

Fax: +52 55 53 46 09 08
Salutation: Dear Attorney General/Señor Procurador General

COPIES TO:

Non-governmental organization

Pastoral De La Comunicación/ Vocería Del Centro De Derechos Humanos Fray Juan De Larios,

E-Mail: comunicacion@diocesisdesaltillo.org.mx

and to diplomatic representatives of Mexico accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 8 April 2009.