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Dear Governor,

THE CLOSURE OF THE SAN JUAN DIEGO MIGRANTS' SHELTER IN LECHERÍA, TULTITLÁN, STATE OF MEXICO

As you know, Amnesty International is a global movement that promotes the protection of human rights enshrined in the Universal Declaration of Human Rights and other international human rights standards.

The reason for this letter is to express the concern of our organization regarding the closure of the San Juan Diego migrants' shelter in Lechería, Tultitlán, State of Mexico, and to bring your attention to the events of 7 July 2012, that led to the decision of those responsible for the shelter to close it. The organization considers it of great importance that the state and federal authorities take all necessary measures to ensure that the humanitarian assistance offered to migrants by the shelter can continue without reprisals.

According to information received by the organization, on 7 July, three vehicles arrived at the shelter with people that were distributing food to migrants. The people were not connected to the shelter and contributed to a conflict that occurred between migrants and residents of the local area. When the confrontation between the migrants and residents of the local area took place, there was no police patrol present. As you know, the permanent presence of security patrols is an obligation of the Mexican State, assumed in line with the precautionary measures ordered by the National Commission on Human Rights.

After the violent confrontation, the residents of the local area began to demonstrate with placards calling for the closure of the shelter, and prevented migrants from accessing it. Two days later, according to information received; the person in charge of the shelter was threatened by some of the neighbours that had closed off the roads. The lack of secure conditions in which they could carry out their work forced those responsible for the shelter to close it.

Amnesty International has documented the pattern of abuses and attacks to which the staff, the volunteers and the migrants in the shelter have been subjected. On many occasions, part of the local population has protested violently against the existence of the shelter. Neither the state nor the federal authorities have provided the necessary protection for the staff and the volunteers at the shelter to be able to carry out their work to defend human rights, nor have they fully supported the humanitarian work of the shelter against the xenophobic attacks that have occurred.

On 3 May 2012, two migrants were threatened by armed men outside the shelter.¹ In December 2011, residents of the local community of Lechería came together to demand the closure of the shelter. They

¹ AMR 41/032/2012 <http://www.amnesty.org/en/library/info/AMR41/032/2012/es>

destroyed temporary huts that had been built by migrants and set fire to some of their belongings.² In August 2011, there was another protest at which the residents of the local community threatened to burn the shelter down if it was not closed.³ In January 2011, the director of the shelter at that time was told about a plan to burn down the shelter, and to kill her and the migrants in the shelter.⁴ In some cases, migrants have been murdered, such as the cases of María Marisol Ortiz Hernández, whose body was found next to the train tracks in October 2011, and the case of Julio Fernando Cardona Agustín, who was found murdered close to the same place in August 2011.⁵ The organization has not received any information that demonstrates that the authorities have investigated these crimes or that it has taken any steps to hold the perpetrators to account.

The violence that occurred on 7 July is only the most recent chapter in a pattern of abuses that has remained in total impunity. The failure of the state and federal authorities to fulfil their responsibility to offer effective protection to the shelter, their staff, the volunteers and migrants, and the fact that the authorities have not fulfilled their obligation to prevent and investigate the harassment, attacks and abuses perpetrated, is a determining factor that has led to the closure of the shelter.

The closure of the shelter could have serious consequences for many migrants in extremely precarious conditions that arrive to the State of Mexico on their journey north. The Mexican authorities have on many occasions recognised the highly vulnerable conditions in which irregular migrants travel through the country. As a result of this, it is essential that civil society actors who offer humanitarian support to migrants receive the necessary recognition and support for them to be able to continue carrying out their important work.

Those responsible for the shelter have asked that the shelter be relocated so that they can carry out their human rights work in safe and adequate conditions. Nevertheless, the authorities have not kept their promise of relocating the shelter, or of protecting migrants and defenders that work in the shelter.

It is for this reason, Dr. Governor, that we urge you to take all necessary measures to investigate the criminal and violent acts mentioned in this letter and to bring to justice all those responsible. Similarly, it is essential that you ensure the effective protection of all migrants at risk and all human rights defenders that work with them, and that you provide the necessary conditions so that the shelter can reopen, guaranteeing its security, either in its current location, or relocating it to another place in Lechería, in consultation with those affected.

Given the importance of this matter, we are making this letter public.

Sincerely,

Javier Zúñiga Mejía Borja
Special Advisor to the Regional Programmes

Cc Minister of the Interior, Alejandro Poiré Romero
 Sub-secretary for Judicial Affairs and Human Rights, Max Diener Sala

² AMR 41/088/2011 <http://www.amnesty.org/es/library/info/AMR41/088/2011/en>

³ AMR 41/051/2011 <http://www.amnesty.org/es/library/info/AMR41/051/2011/en>

⁴ AMR 41/003/2011 <http://www.amnesty.org/es/library/info/AMR41/003/2011/en>

⁵ AMR 41/064/2011 <http://www.amnesty.org/es/library/info/AMR41/064/2011/en>