AMNESTY INTERNATIONAL

EFFECTIVE PROTECTION REMAINS AN ILLUSION FOR MEXICAN DEFENDER AT RISK

"They don't let me live freely here"

Obtilia Eugenio Manuel

Indigenous rights defender Obtilia Eugenio Manuel has been subject to death threats and acts of intimidation since 2005 and some of her colleagues have been killed because of their work. Despite the life-threatening conditions in which she works, the authorities have failed to provide her with effective protection. Human rights defenders in Mexico are urging the government to fulfil its overdue promise to adopt and implement an effective protection mechanism for all human rights defenders at risk.

Obtilia Eugenio Manuel is a long-standing campaigner for the rights of Indigenous people. She is the founder and president of the Me'phaa Indigenous People's Organization (OPIM) in the Mexican state of Guerrero. With more than 200 active members, OPIM runs small-scale economic and social development projects to improve the living conditions of Mepha'a Indigenous communities. "We have organized ourselves because we don't have medicines [...] or good roads to transport our relatives when they get ill. There is never a doctor in the community", says the 32-year-old human rights defender. They also promote Me'phaa cultural traditions and practices, including bi-lingual education.

As the OPIM leader, Obtilia Eugenio Manuel has accompanied those who have been brave enough to denounce abuses by state and non-state agents. She has supported two Me'phaa Indigenous women in their quest for justice after they were raped by soldiers in 2002. Obtilia Eugenio Manuel has also denounced the politically motivated prosecution of several OPIM members who were targeted because of their legitimate activities on behalf of the organization. Five of them were arrested on 17 April 2008 and four subsequently released. Prisoner of conscience Raúl Hernández, also a human rights defender, remains in prison at the time of writing.

Obtilia Eugenio Manuel has been the target of numerous threats, acts of intimidation and surveillance since the OPIM was founded in 2002. On a number of occasions she has identified the assailants as supporters of a local political boss or *cacique*. The severity and frequency of the threats led the Inter-American Commission on Human Rights to urge the state to grant Obtilia Eugenio Manuel protection measures in 2005. Despite this, the intimidation against her has continued unabated. In February 2009, two of Obtilia Eugenio Manuel's colleagues, Raúl Lucas Lucía and Manuel Ponce Rosas, were killed and in March she received further death threats. This time it was the Inter-American Court of Human Rights which ordered the authorities to protect her but the state's response was slow and inadequate. The protection measures agreed between the authorities and Obtilia Eugenio Manuel were not fully in place until December 2009, ten months after they were initially requested.

On 6 March 2010, Obtilia Eugenio Manuel received a written death threat at the OPIM office. The note read: "Obtilia, calm down you fucking bitch. Don't go around making denunciations against the

government. I know you're presenting complaints at every level. Calm down. When we want to we can get you. Don't believe you're made of iron, bullets still go through. We are protected by the government – federal, state and local. We are close by." Later that day she was followed by a man. Obtilia Eugenio Manuel contacted the authorities the following day to request further protection. She did not hear back from the authorities and, fearing for her life, decided to leave her home town and go into hiding with her partner and their three children. It was not until 29 April that additional protection measures were implemented. However, Obtilia Eugenio Manuel and her family remain in hiding at the time of writing.

"The government has been slow to implement protection measures, we have had to fight to get them"
Obtilia Eugenio Manuel

Defending human rights in Mexico is a life-threatening activity. Attacks are compounded by the failure of the authorities to grant defenders effective protection measures in a timely manner. In the vast majority of the cases, including that of Obtilia Eugenio Manuel, the authorities have also failed to investigate the attacks and to bring those responsible to justice.

The 2008-2012 National Human Rights Programme acknowledges the need to address the situation of human rights defenders in the country. It commits the government to establish a mechanism of protection for defenders at risk and calls on the Federal Attorney General's Office to adopt a specific protocol for the investigation of this kind of attacks. In February 2009, Mexico yet again agreed to "set up structural measures" to address the issue at the UN Human Rights Council's Universal Periodic Review. More recently, on 21 January 2010, the Ministry of the Interior issued a statement which reiterated its commitment "to work jointly with civil society organizations in the design and execution of a mechanism for the protection of journalists and human rights defenders." Despite these commitments, the protection mechanism and the investigation protocol remain paper promises.

THE MINISTER OF THE INTERIOR MUST APPROVE AND IMPLEMENT AN EFFECTIVE AND COMPREHENSIVE PROTECTION MECHANISM FOR HUMAN RIGHTS DEFENDERS AT RISK.

- The mechanism should be discussed and agreed with human rights defenders and civil society organizations;
- It should have adequate human, budgetary and logistical resources for the effective and timely implementation of protection measures nationwide;
- It should provide clear direction on when and how protection should be provided;
- There should be effective coordination and accountability between federal and state authorities for the application of protection measures;
- There should be constant evaluation and monitoring of the protection measures granted and the steps taken to investigate attacks;
- The Minister should ensure that the protection mechanism and the investigation protocol are consistent with the principles of the 1998 UN Declaration on Human Rights Defenders.

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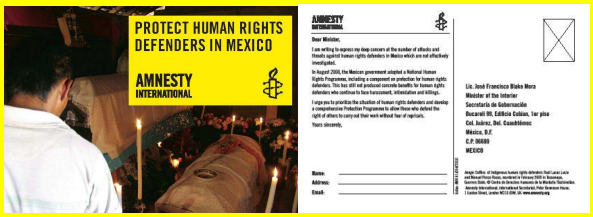

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