



Resources for the Make-Mexico-Safe Campaign

Table of Contents

- 2 – Introduction: The Make-Mexico-Safe Campaign
- 3 – Background: Political Repression in Oaxaca
- 4 – Background: Canada's Safe Countries List
- 5 – Background: Four Mexican Human-Rights Defenders
- 7 – List of Internet Resources on Human Rights in Mexico

Introduction: The Make-Mexico-Safe Campaign

Mexico, as respected human-rights organizations like Amnesty International report, is a country in which non-violent political organizers are frequently imprisoned, tortured, or kidnapped and secretly killed. Furthermore, death threats against human-rights defenders by paramilitary groups with suspected ties to state agencies are not usually investigated; even paramilitary killings receive at best cursory attention from the Mexican justice system. Yet according to current Canadian policy, Mexico is not only a privileged trading partner but a country invested in the protection of basic civic and political rights, one of a list of safe “Designated Countries of Origin” whose citizens have reduced possibilities to seek asylum in Canada. The Make-Mexico-Safe Campaign aims to challenge this fundamental discrepancy.

At the center of the campaign are the fates of four indigenous human-rights defenders from the Southern Mexican state of Oaxaca: Pablo López Alavez, who has spent the last three and a half years in jail on trumped-up charges and is still waiting for the conclusion of his trial; Carlos René Román Salazar, who, after receiving multiple death-threats, was disappeared in 2011 and is now presumed dead; Rodrigo Flores Peñaloza, who is currently under threat from paramilitary groups with suspected ties to Mexico’s governing party; and Raúl Gatica Bautista, who has lived in Canadian exile since 2004 after suffering decades of abuses, including arbitrary imprisonment, torture, and assassination attempts. These men highlight the absence of elementary guarantees of rights and justice faced by thousands of political organizers in Mexico today.

The Make-Mexico-Safe Campaign is designed to put pressure on the Mexican government to free Pablo López Alavez; to investigate the fate of René Román Salazar; to protect the life of Rodrigo Flores Peñaloza; to offer guarantees of protection that will allow Raúl Gatica Bautista to return to his native country; and to take concrete steps, such as those suggested by Amnesty International in recent reports, to put an end to the human rights violations routinely committed by its own security forces.

The campaign also calls on the Canadian government to recognize the gravity of the threats faced by Mexican human-rights defenders. Concretely, we demand that Mexico be removed from the list of safe countries or “Designated Countries of Origin” established in 2012 by the Canadian government.

Mexico is not a safe country and Mexican refugee seekers ought to receive the fullest consideration under Canadian asylum law.

Background: Political Repression in Oaxaca

The four human-rights defenders at the center of the Make-Mexico-Safe Campaign are from Oaxaca, a state in Southern Mexico with a large indigenous populations where political elites have long employed violence against those who campaign for a democratic political process. While opposition against the one-party dictatorship of the PRI, or Party of the Institutionalized Revolution, has existed since the party's formation in the 1920s, in Oaxaca such opposition has above all come together in a number of social movements since the 1970s. Since then, these movements have persistently challenged the PRI's monopoly of power, abusive social policies, and systematic human-rights violations. The Oaxacan democratic teacher's union and a variety of indigenous organizations have been at the forefront of that struggle and, as a result, have been principal targets for a campaign of intimidation, arbitrary arrest, torture, and assassination. CIPO-RFM, the indigenous group of which Raúl Gatica, Carlos René Román Salazar, and Pablo López Alavez are members, and with which Rodrigo Flores Pañaloza is affiliated, has been one of the most visible of those human rights organizations, and it has been one that has most suffered from state repression. Since the organization's foundation in November 1997, its members have been imprisoned for their political activism in 306 cases and kept in prison under false charges in 137 cases. 9 CIPO-RFM member have been assassinated.

In 2006, the accumulation of government abuses prompted a popular uprising in Oaxaca. When the police brutally evicted a protest camp put up by the teachers' union in Oaxaca City, Oaxacans from all walks of life took to the street in support of the teachers and drove the police out the city's historic center. For the next five months, civil-society organizations, including CIPO-RFM, constituted themselves into the "Popular Assembly of the Peoples of Oaxaca" (APPO), called for the ouster of Oaxaca's repressive governor Ulises Ruiz Ortiz, and attempted to form an alternative government in the state. During the uprising, state-affiliated paramilitary groups assassinated various protesters, and the uprising was eventually put down by Mexico's national military police. Altogether, more than two dozen protesters lost their lives during the uprising, and dozens more were imprisoned and tortured in its wake.

Since the repression of the uprising in November 2006, Oaxacans, and particularly Oaxacans active in civil society or human rights organizations, have been living in a climate of fear and intimidation. Carlos René Román Salazar, Pablo López Alavez, and Rodrigo Flores Pañaloza are all victims of state-sponsored attacks in the wake of the uprising, while Raúl Gatica has been barred from returning to Oaxaca by continued threats against his life. Although the Oaxacan state government – like the Mexican national government before it – finally, and for the first time in living memory, switched hands in 2010, the parties in the current ruling coalition have done nothing to stop the systematic human-rights violations committed by state police forces and paramilitary groups, or the massive corruption in the judicial system. Indeed, in recent years the assassination of social and political campaigners has picked up in pace; it is currently impossible to engage in organized criticism of Oaxaca's political elite without fearing for one's life and freedom. In this, Oaxaca exemplifies, in extreme form, a trend that is felt throughout Mexico, where a putative process of democratization has failed to deliver effective legal reforms or official respect for the basic political, civil, and human rights of Mexican citizens. For thousands of social organizers, grassroots politicians, and human-rights defenders, Mexico is very far from being a safe country.

Background: Canada's Safe Countries List

Euphemistically called the 'Designated Countries of Origin' (DCO) List, the safe countries list was established by the Harper government in 2012. The list was immediately decried by the Canadian Association Of Refugee Lawyers as "Arbitrary, Unfair, And Unconstitutional."¹ According to their own website, the government claims that 'DCO's or safe countries "will include countries that do not normally produce refugees, but do respect human rights and offer state protection."² Yet, this list includes Mexico, a country known the world over for a sharp and horrifying increase in violence, including massacres and executions by groups and individuals linked to the state itself.

In fact, the intention of the creators of the list is not to ensure anyone's protection, but to reduce the load on the Immigration and Refugee Board by making the initiation and processing of claims largely inaccessible. Intended to reduce abuse of the refugee system, the DCO policy means that claimants from 'safe countries' like Mexico will:

- Be given less time to prepare their claims before a hearing.
- Have no opportunity to appeal a negative decision before the new appeal division within the Immigration and Refugee Board.
- Will have only 45 days until their hearing if they make a claim at the border; 30 days if they make an inland claim.
- Be subject to much faster removal times once a claim is rejected.
- Will be allowed to appeal for a judicial review if their claim is rejected, but they could be deported before that.
- Like all failed claimants will not be allowed to appeal on humanitarian and compassionate grounds, or ask for a pre-removal risk assessment, until one year after their claim is rejected, by which time they would likely be deported.
- Will not be eligible for basic and emergency health care (other than the treatment of conditions raising public health or safety issues).³

While new additions to the DCO list are supposedly countries that are "democratic, with an independent judiciary," countries are added to the list simply by decree of minister Jason Kennedy. Furthermore, the decision that a country is 'safe' appears to rest not on its democratic or legal performance but on whether it has a history of 'bogus' claims. Mexico appears on the list although its state institutions are regularly condemned for the perpetration of human-rights violations, including torture and assassination, by international human-rights organizations.

¹ <http://www.carl-acaadr.ca/our-work/issues/DCO>

² <http://www.cic.gc.ca/english/refugees/reform-safe.asp>

³ <http://www.cbc.ca/news/politics/kenney-names-27-countries-as-safe-in-refugee-claim-dealings-1.1128135>

Background: Four Mexican Human-Rights Defenders

Carlos René Román Salazar, an indigenous Mixtecan from the town of Huajuapam, is a member of CIPO-RFM and the Oaxacan teachers' union who was disappeared on March 14th, 2011. Román Salazar spent more than 25 years working as a school teacher and as an educator in Oaxaca's teachers' training program. He also realized academic studies in the area of educational science.

In the teachers' union he belonged to the Educational Studies and Development Center, which developed proposals for education reform that went counter to the reform proposals pushed forward by the state government at the time. He was also active in the struggle against patronage and political interference in union affairs. Within CIPO-RFM, he was responsible for negotiations with Oaxaca's state government regarding the return to Oaxaca of fellow-CIPO member Raúl Gatica Bautista from Canadian exile. In the period leading up to his disappearance Román Salazar received multiple death threats. On the night of his disappearance his last communication was with his wife, to whom he sent a text message that he was on his way home after attending a meeting. Although his ultimate fate and whereabouts are unknown, he is presumed dead. No report of the police investigation into his disappearance was ever made public.

Pablo López Alavez is a farmer and community leader from San Isidro Aloapam in Oaxaca's Sierra Norte and a member of CIPO-RFM. He is an environmentalist who, as a member of San Isidro Aloapam's town government, played an important part in the community's struggle with a neighboring town – San Miguel Aloapam – over a forested area that San Miguel is exploiting for its wood. In that struggle, authorities in San Miguel have long been allied with Mexico's old ruling party, the PRI, and have resorted both to paramilitary violence and to legal harassment of their adversaries.

In August 2010 López Alavez was kidnapped by armed and hooded men while in the presence of his family. A day later he appeared in a state prison and was charged with homicide. Oaxaca's Human Rights Commission has found grave irregularities in the process against Pablo, which amounted to "violations of the human rights of [Pablo López Alavez]." Judicial officers have repeatedly stalled the process and key witnesses of the prosecution have still not appeared in court. Four years after his kidnapping and arrest, López Alavez still awaits the outcome of his trial. He remains in prison today.

López Alavez was the main breadwinner of a large family that includes three small children, a wife, and a sick father.

Rodrigo Flores Peñaloza is a community activist from the Isthmus of Tehuantepec and a leading member of the Assembly of Indigenous Peoples of the Isthmus in Defense of the Land and the Territory. Peñaloza has been prominently involved in the struggle against the Mexican company

Demex, a branch of the Spanish Renovalia Energy, which has used dishonest and illegal means to alienate land from local communities in order to install wind parks.

The wind-parks project on the Isthmus of Tehuantepec is one of the largest of its kind in the Americas and is already causing high levels of environmental damage, including the pollution of valuable farm lands. The project has been supported by politicians of Mexico's old governing party, the PRI, and has also been encouraged by Oaxaca's governor, Gabino Cue Monteagudo, who called the project's opponents "enemies of progress and of Oaxaca." Opposition to the project is widespread and has been the target of paramilitary intimidation and violence.

Flores Peñaloza has received multiple death threats. In a tactic commonly used against community organizers in Oaxaca, he has also been charged with various crimes by a local federal court, but has been refused access to his judicial file. Armed men have repeatedly attempted to track him down, possibly with the intent to kill him, and his wife has been harassed and threatened on various occasions. He now lives in hiding.

Flores Peñaloza has worked as a primary-school teacher in various parts of Mexico for more than twenty years. He is married and has various children.

Raúl Gatica Bautista is an Oaxacan school teacher and writer who has lived in Canadian exile since 2005 and was granted the status of a political refugee in 2006. An indigenous Mixtecan, Gatica Bautista began his activities as a community organizer and human-rights activist in the early 1980s in the teacher's union and in various indigenous organizations. He also held various communal government posts in his hometown of Tlaxiaco.

As a result of his political work, Gatica has been a victim arbitrary imprisonment, death threats, beatings, and other intimidation tactics. He has survived torture and two assassination attempts, in one of which he was gravely injured, and he continues to suffer from health-problems as a result. Before being granted asylum in Canada he was forced to live in hiding.

In Canada, Gatica has worked for the Agricultural Workers' Union, hosted a radio show, edited and contributed to a cultural magazine, and published various books of poems and stories. He has received the Queen Elizabeth II Diamond Jubilee medal for his distinguished service to Canadian communities. A founding-member of both CIPO-RFM and CIPO-Vancouver, he has attempted to keep up the struggle for rights and accountability in his homeland from abroad. He has various children in Mexico.

List of Internet Resources on Human Rights in Mexico

English

Amnesty International

“Human Rights Challenges Facing Mexico: Amnesty International Memorandum to President Enrique Peña Nieto,” 2014, available at <http://www.amnesty.org/en/library/asset/AMR41/004/2014/en/d6822d92-93f7-417a-8ce7-38c137c9f8d4/amr410042014en.html>

“Torture in Mexico,” 2014, available at <http://www.amnesty.org/en/library/info/AMR41/015/2014/en>

“Mexico: Indigenous Land Activists Threatened,” 2014, available at <http://www.amnesty.org/en/library/info/AMR41/007/2014/en>

“Annual Report 2012: Mexico,” available at <http://www.amnesty.org/en/region/mexico/report-2012>

Human Rights Watch

“Mexico’s Disappeared,” 2013, available at <http://www.hrw.org/reports/2013/02/20/mexicos-disappeared>

“World Report 2014: Mexico,” available at <http://www.hrw.org/world-report/2014/country-chapters/mexico>

Peace Brigades International

“Worrying wave of violence against human rights defenders in Oaxaca,” 2013, available at [http://www.pbi-mexico.org/field-projects/pbi-mexico/news/news/?no_cache=1&tx_ttnews\[tt_news\]=3951&tx_ttnews\[backPid\]=88&cHash=471f653f398d6e9644e01ee1889f9a4a](http://www.pbi-mexico.org/field-projects/pbi-mexico/news/news/?no_cache=1&tx_ttnews[tt_news]=3951&tx_ttnews[backPid]=88&cHash=471f653f398d6e9644e01ee1889f9a4a)

Spanish

Naciones Unidas: Oficina del Alto Comisionado para los Derechos Humanos México

“Informe sobre la situación de las y los defensores de derechos humanos en México: actualización 2012 y balance 2013,” available at http://hchr.org.mx/files/doctos/Informe_defensoresDH_2013_web.pdf