



CONSEJO CIVIL MEXICANO PARA
LA SILVICULTURA SOSTENIBLE, A.C.



Defending human rights strengthens democracy and should not be criminalized

- **Indigenous defenders who oppose mega-projects are subject to aggression, intimidation, threats and in some cases are killed.**
- **Civil society organizations respond to the accusations made by the President against them at the morning press conference on Friday, August 28.**
- **Dissent in a democracy is legitimate and desirable; international cooperation for development is legal and the government itself is the beneficiary.**

In response to the accusations made by the Mexican President, Andrés Manuel López Obrador, and by Jesús Ramírez Cuervas, General Social Communication Coordinator of the Presidency of the Republic, against the indigenous defenders and the social organizations that subscribe to this communiqué, we wish, first of all term, to thank the many expressions of solidarity and support we have received from individuals and organizations at the national and international level.

We would also like to respond to the following:

Dissent is legitimate and desirable in a democracy, within an institutional framework of mutual respect. Any Mexican individual who considers that an act of authority violates his or her human rights, is entitled to exercise his or her right to legitimate legal defence, either individually or collectively. These and other rights are not only enshrined in the Federal Constitution but, in addition, are international commitments assumed in a free and sovereign manner by Mexico and which this administration has the legal obligation to comply with and respect.

Mega-projects have exploited and destroyed indigenous peoples' territories, reducing their autonomy, their ecosystems and the enjoyment of their human rights. Indigenous individuals and groups who have opposed mega-projects have been the object of multiple aggressions and intimidations that in some cases have led to imprisonment and even execution, as has been widely documented.¹

¹ Global Witness in 2018 alone has documented the murder of 18 environmental defenders in Mexico. Report available at <https://www.globalwitness.org/es/defending-tomorrow-es/>

The Mayan Train is a megaproject² that entails serious risks and environmental, social, economic and patrimonial impacts, as has been noted by communities, scholars, organizations, and even by agencies of the federal government itself. Likewise, it was not decided by the Mayan people, nor by any other Mexican indigenous people, but instead a consultation was organized without complying with international human rights standards³; the project's very name seeks to appropriate itself the indigenous cultural denomination of the Mayan people, with the purpose of making it more friendly. In the face of these human rights violations, various indigenous communities, in exercising their right to defend their territory, have decided to challenge this project, with the accompaniment of civil organizations.

In light of the free exercise of the right to access justice, the federal government has initiated a campaign to delegitimize the work of civil organizations through aggressions to defenders and indigenous organizations, and most recently, through a media campaign seeking to frame international cooperation as illegal. The Attorney General's Office and other institutions have received on August 17 a complaint against organizations that have critically demonstrated against the Mayan Train project⁴.

Attacking the work of human rights organizations not only implies a serious violation of the universal right to defend human rights, but also aims at rendering invisible the fact that it is the members of the communities themselves who oppose a project that will irreparably impact their territory and way of life. We reiterate that the *amparos* filed against the Mayan Train project by indigenous people from various communities in the Peninsula constitute a path within the institutional framework to oppose a project that violates the human rights to the territory, to a healthy environment, to water, to free, prior and informed consent, to health, to housing and habitat, and to life.

As people from diverse social sectors, particularly indigenous defenders and human rights defenders from rural areas, as well as civil society organizations, we have faced attacks, persecutions, criminalization, executions, aggressions, as well as attempts of delegitimization and stigmatization. CEMDA has documented more than 500 aggressions between January 2012 and December 2019⁵. In this context, we regret that the current administration criminalizes the work of defenders and civil society organizations.⁶

² The development project called Mayan Train ("Tren Maya" in Spanish) proposes the construction of road infrastructure and railroad as a motor for real estate, commercial and tourist development in the Yucatan Peninsula. The project includes, among others, 1,460 kilometers of medium speed railroad (its maximum speed will be 160 km/h for passengers and 120 km/h for cargo), several railroad stations, road infrastructure, aqueducts, gas pipelines and new population centers and development poles.

³ Press Release from the Office in Mexico of the United Nations Office of the High Commissioner for Human Rights (OHCHR) "The indigenous consultation process for the Mayan Train has not fulfilled all relevant international human rights standards: UN-HR", 19 December of 2019.

⁴ Information visible at

<https://www.facebook.com/comitecalakmulprodefensa/posts/128686482266068>

⁵ Information visible at <https://www.cemda.org.mx/wp-content/uploads/2020/03/informe-personas-defensoras-2019.pdf>

⁶ The Inter-American Commission on Human Rights has noted that "public officials should refrain from making statements that stigmatize defenders or suggest that organizations are acting improperly or illegally, just because they work in the promotion and defense of human rights" (IACHR, 2019).

We want to emphasize that our work over decades has been for human rights, the well-being of peoples and communities, and of all living beings with whom we coexist on this planet, many of these actions being relegated or abandoned by the State.

International cooperation for development is legal, as are donations from individuals, companies and national and international foundations. Solidarity among peoples is a human right, and this transcends their governments. In this sense, the Mexican government itself makes use of international cooperation and grants resources for the protection of human rights. The economic resources we work with have always been transparent and are intended to strengthen capacities for enforceability and defense of human rights of individuals and groups. We comply in time and manner with our tax obligations, and we are frequently audited on the destination of these resources, we also exercise our rights and fulfill our obligations under Mexican law.

We will continue to raise our voices whenever human rights violations are committed, every time a human rights defender is attacked, every time an ecosystem is degraded. Our work credits us: currently, we work with peasant communities in topics such as land tenure regularization, internal life regulation, the release of indigenous prisoners, training of indigenous interpreters and translators, human rights training in general and with a focus on water pollution by glyphosate, mining and the impacts of energy projects, energy, strengthening local capacities for the control of common goods and territory, among many others.

We demand from the President of the Republic a public apology for the direct aggressions during his press conference against us, civil society organizations that have worked in defense of the human rights of all, issued by him in his press conference. From his government and authorities at all levels, we demand respect for the basic rights of human rights defenders, especially those who defend their autonomy and self-determination, their territory, their environment and their natural resources. In particular, we request the Attorney General's Office to strictly adhere to rule of law and human rights in the investigations that may have been started against defenders, without them being used as mechanisms of criminalization and intimidation.

[See video of the press conference](#)

[Signatures in solidarity with the newsletter](#)

Atentamente,

Consejo Regional Indígena y Popular de Xpujil A.C.
Centro Mexicano de Derecho Ambiental A.C.
Consejo Civil Mexicano para la Silvicultura Sostenible
Diálogo y Movimiento A.C.
Indignación A.C.
Fundación para el Debido Proceso Legal A.C.