



Centro de Derechos Humanos
**Fray Bartolomé de
Las Casas, AC**



San Cristóbal de las Casas, Chiapas, México
January 8, 2010
Urgent Action 01

URGENT ACTION

The harassment of Adolfo Guzmán Ordaz, human-rights defender and member of the civil organization Enlace, Comunicación y Capacitación, AC, continues

The Fray Bartolomé de las Casas Center for Human Rights and Enlace, Comunicación y Capacitación A.C. headquartered in Comitán Dominguez (Enlace CC) express their concern for acts that have jeopardized the integrity, physical security, and life of Mr. Adolfo Guzmán Ordaz, member of Enlace CC, together with that of his family.

On January 6 of this year, at approximately 5:45pm, Adolfo and his family were returning to their home. Upon arriving, they found within the house a note written in red ink that said “*death, death, death.*” Adolfo presented this to Lic. Pedro Raúl López Hernández, who is responsible for Special Prosecution for the Protection of Non-Governmental Organizations in Defense of Human Rights. Following this incident, Adolfo's family decided not to stay in the house that night.

The very morning of January 6, forces from the Preventive State Police (PEP) arrived at Ordaz's house requesting his whereabouts. Being unable to find him, they left and the note appeared that afternoon.

It should also be mentioned that, just after Adolfo's family members returned to their house following Christmas celebrations, they received a phone-call from an anonymous caller who said, “I wish you a Merry Christmas, because this will be your last one.” This occurred on the 25th of December of 2009 at approximately 1:10am.

Although there has been filed a formal denunciation to the Special Prosecutor for the Protection of Non-Governmental Organizations in Defense of Human Rights and to the State Attorney General's Office in Chiapas, which has initiated Investigation 0004/FEPONGDDHM/M1/2009, and despite the general knowledge of the case among authorities of the Government of the State of Chiapas, there has not yet been realized the diligence necessary to investigate and halt such death-threats.

It is evident that the delay in the investigation and consequent identification and punishment of those responsible is due to the negligence and delay of Prosecutor José Luis Gómez Santaella, prosecutor for the Border District Sierra.

Despite the reports and the very real threat that exists to the personal security of Adolfo and his family, the Mexican government has failed to carry out an effectively and timely investigation that would result in the arrest of the aggressors, with the result that the harassment against the human-rights defender and his family go unchecked. Such failure violates Article 12 of the Universal Declaration of Human

Rights; Article 16 of the Constitution of the United States of Mexico; Articles 154, 155, and 158 of the Code of Legal Proceedings of the state of Chiapas; Article 2 of the Convention of Belem Do Pará; section a) of Article 37 of the Convention on the Rights of Children and Youth (Articles 1, 3, 8.1, 9.1, 9.2, 9.5, 9.5) and others of the Declaration on the Right and Responsibility of Individuals, Groups, and Institutions to Promote and Protect Human Rights and Universally Recognized Basic Liberties.

The Inter-American Commission on Human Rights (CIDH) has concluded that states bear the responsibility of investigating and punishing all those who plan and commit rights-violations against those individuals who dedicate their lives to defending human rights. Partial investigation and punishment augments impunity as well as increases the risks to which human-rights defenders are subject.

The United Nations Declaration of Human-Rights Defenders states that “The State will guarantee the protection by the appropriate authorities of all individuals and groups amidst all forms of violence, death-threats, retaliation, discrimination, ..., pressure, or whatever other arbitrary action that results from the legitimate exercise of rights.”

Given the gravity of the aforementioned acts, which threaten the physical and psychological security of Adolfo and his family, we urge national and international actors to call on Mexican authorities to

- Put an end to the death-threats and harassment directed at the Guzmán Martínez family;
- Ensure that, following the consultation of the affected, precautionary measures be provided to protect the lives and physical and psychological security of Adolfo, Margarita, their children, and the members of Enlace CC;
- Undertake an effective, timely, and impartial investigation that deals adequately with those responsible for the commission of these acts and that sanctions those who planned the break-ins and death-threats suffered by Adolfo and his family;
- Train public servants to promote human rights and individual liberties, especially with regards to human-rights defenders;
- Engage in a public clarification on the part of appropriate authorities regarding the motives for the break-in.

Recent Historical Antecedents

Since November 2009, Enlace CC and the Center for Human Rights have denounced the break-in at Mr. Adolfo's home in addition to the other death-threats and general harassment experienced by him and his family (See Report No. 40 of 2009).

Founded in 1982, Enlace, Comunicación, y Capacitación, AC, is a civil organization that is both independent and secular. Its headquarters are located in Mexico City. In Chiapas, Enlace CC has two headquarters: one in the city of Ocosingo and the other in Comitán de Domínguez. Adolfo Guzmán works in the Comitán center.

Enlace CC is comprised of professionals who both promote and facilitate sustainable development projects in indigenous and *campesino* regions in central and southern Mexico. Enlace CC strives to advance the agency of people's groups, rural and indigenous communities and organizations in the hopes of promoting alternative local development processes in regional terms, and in so doing to further the project of a more just and equitable society. The group bases itself on concern for issues related to gender and sustainability from a perspective that advances social, cultural, and economic rights.

Please direct your concerns to:

Lic. Felipe de Jesús Calderón Hinojosa
President of the Republic

Residencia Oficial de los Pinos
Casa Miguel Alemán
Col. San Miguel Chapultepec,
C.P. 11850, México DF
Tel: (52.55) 2789.1100 Fax: (52.55) 5277.2376
Correo: felipe.calderon@presidencia.gob.mx

Lic. Fernando Gómez Mont
Secretary of Governance

Bucareli 99, 1er. Piso, Col. Juárez,
Del. Cuauhtémoc,
C.P. 06600 México D.F.
Fax: (52.55) 50933414
Correo: secretario@segob.gob.mx

Lic. Juan José Sabines Guerrero
Constitutional Governor of the State of Chiapas

Palacio de Gobierno del Estado de Chiapas
Av. Central y Primera Oriente, Colonia Centro, C.P. 29009
Tuxtla Gutiérrez, Chiapas, México
Correo-electrónico: secparticular@chiapas.gob.mx
Fax: +52 961 61 88088 – + 52 961 6188056

Dr. Noé Castañón León
General Secretary of the State of Chiapas
General Secretary of the Government

Palacio de Gobierno, 2o. piso, Colonia Centro, C.P. 29000
Tuxtla Gutiérrez, Chiapas, México
Conmutador: + 52 (961) 61 2-90-47, 61 8-74-60

Lic. Raciél López Salazar
General Attorney for Justice

Libramiento Norte Y Rosa Del Oriente, No. 2010, Col. El Bosque
C.P. 29049 Tuxtla Gutiérrez, Chiapas
Conmutador: 01 (961) 6-17-23-00. Teléfono: + 52 (961) 61 6-53-74, 61 6-53-76, 61 6-57-24,
61 6-34-50
Email: raciel.lopez@pgje.chiapas.gob.mx

Send copies of your communiqués to:

Centro de Derechos Humanos Fray Bartolomé de Las Casas, AC.
Calle Brasil 14, Barrio Mexicanos, 29240 San Cristóbal de Las Casas, Chiapas, México

Tel: 967 6787395, 967 6787396, Fax: 967 6783548

Correo: accionurgente@frayba.org.mx

Enlace Comunicación y Capacitación A.C.,

Cuarta Calle Norte Oriente 77 interior 3, 30010 Comitán de Domínguez, Chiapas, México

Tel/fax: 963 6320316

Correo: comitan@enlacecc.org