



Centro de Derechos Humanos Fray Bartolomé de Las Casas, AC



San Cristóbal de Las Casas, Chiapas, México
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Bulletin No. 38

The Human Rights Centre condemns the murder of human rights defender Mariano Abarca Roblero.

- **Despite being fully aware of the formal report of death threats, the Attorney General of State Justice didn't implement the necessary protective measures to safeguard his life.**
- **Civil and social organizations and human rights defenders that oppose mining are in real and imminent danger.**

The Centre for Human Rights Fray Bartolomé de la Casas A.C. (FRAYBA) condemns the murder of human rights defender Mariano Abarca Roblero and seeks justice in the form of a thorough investigation, that delivers effective and objective results, and that all the perpetrators be punished, including both the actual murderers and the instigators of this crime. Similarly the authorities responsible for guaranteeing the life and personal integrity of Mariano Abarca Roblero should be held accountable for failing to protect him.

On November 27 of this year, at approximately 19:45, Mr Mariano Abarca Roblero was murdered in the municipal capital of Chicomuselo, Chiapas. He was a member of the organization "Dos Valles Valientes", an active opponent to mining exploitation and a member of the "Red Mexicana de Afectados por la Minería" (REMA) – The Mexican Network for People Affected by Mining.

According to statements gathered by the Centre for Human Rights (FRAYBA) Mr Mariano Abarca Roblero was sitting in his pick up outside his home and was talking with Mr Orlando Velásquez, who was standing outside the pickup, when a man on a motorcycle approached the pickup firing a gun. Mr Mariano received three bullets in the neck and chest and died immediately and Mr Orlando received a bullet wound and was injured in the shooting. Before leaving the scene of the crime the man on the motorcycle rode to the corner of the street and met another man. Both fled on the motorcycle, destination unknown.

Mariano Abarca Roblero opposed the mining exploitation in the municipality of Chicomuselo where the Canadian company Blackfire Exploration Ltd. has been mining the mineral barite for more than a year. In the days leading up to his murder Mr Mariano had filed a formal complaint with the Public Ministry reporting the crimes of threats and their consequences, against Mr Ciro Roblero Pérez and Luis Antonio Flores Villatoro, an employee and the public relations manager at Blackfire Exploration Ltd respectively. The authorities of the Attorney General's Office didn't provide the necessary protection despite the fact that the report made by Mr Mariano indicated that these threats were death threats and directly threatened their lives.

In the month of July, Mr Mariano participated in a protest in front of the Canadian Embassy in Mexico City calling for the expulsion of these mines from national territory. During this month he and other



residents of the municipality carried out a road block in Chicomuselo stopping the mining company's machinery and trucks from passing. According to representatives from Blackfire Exploration Ltd. the roadblock held up the work of the mine in Ejido Grecia, Chicomuselo, causing various damages; in response, their legal representatives filed criminal charges against him and started a Preliminary Inquiry (No. 033/FS10/2009) with the Prosecutor's Office of Relevant Business with the Attorney General's Office for State Justice. As a result Mr Mariano was arrested and taken into custody on August 17, 2009, accused of disturbing the peace, criminal association, interfering with lines of communication, and other damages against the mining company Blackfire Exploration Ltd. Mr Mariano walked free on August 26 of this year because of a lack of evidence and precedents to continue the prosecution/judicial process.

Immediately following his freedom he rejoined the residents of Chicomuselo protesting and demanding the departure of the mining company from the area. Mr Mariano was an active member of the 'Second Chiapas Meeting' held by REMA (the Mexican Network of People Affected by Mining), which took place on August 29 and 30, 2009, in Chicomuselo, Chiapas.

In this region there are several different movements against mining: those that are being affected in terms of environmental impact and those that focus on the consequences for health resulting from the extraction of these minerals. Amongst these groups that defend the land, the territory, natural resources and a healthy natural environment, are found "the human rights Committee of Oralia Morales in the municipality of the Comalapa Border (el Comité de Derechos Humanos Oralia Morales en el Municipio de Frontera Comalapa) and the Human rights Committee of January 10 in the Municipality of Chicomuselo (Comité de Derechos Humanos 10 de Enero en el Municipio de Chicomuselo). Since July these two organizations have officially reported death threats made by employees working for the Blackfire Exploration Ltd. Company.

The Inter-American Court of Human Rights (CIDH) has emphasized the importance of the work of human rights defenders, stating that: *"the respect for human rights in a democratic state largely depends on the effective and adequate guarantees (upheld by the state) for human rights defenders to freely undertake their activities and that it is advisable to pay specific attention to any actions that limit and hold up the work of human rights defenders."*

The UN Declaration on Human Rights Defenders states that: *"The state guarantees the protection by competent authorities of each and every person, individually or collectively, from all forms of violence, threat, reprisal, discrimination, any denial of rights in law or in action, undue pressure or whatever other action that results from the legitimate exercise of their rights."*

Human rights defenders in Mexico, actively promote and defend the human rights and civil liberties in our country and in the World.

For these reasons we demand of the Mexican Government, after due consultation with the affected parties, to implement the necessary precautionary measures to protect the lives and integrity of Mariano Abarca Roblero's family, of Orlando Velazquez and his family, of the members of the Dos Valles Valientes Organization, members of REMA in Chiapas, and similarly all human rights defenders of 'El Comité de Derechos Humanos Oralia Morales en el Municipio de Frontera Comalapa' and the 'Comité de Derechos Humanos 10 de Enero en el Municipio de Chicomuselo.



We ask of the Mexican Government to take immediate action to stop all acts of aggression towards human rights defenders and that they act on the structural causes that affect the lives, the security and the integrity of human rights defenders in Mexico.
