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*Plenary sitting*

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**B9-0155/2022**

8.3.2022

## MOTION FOR A RESOLUTION

with request for inclusion in the agenda for a debate on cases of breaches of human rights, democracy and the rule of law

pursuant to Rule 144 of the Rules of Procedure

on the situation of journalists and human rights defenders in Mexico  
(2022/2580(RSP))

**Diana Riba i Giner, Ska Keller, Anna Cavazzini, Ignazio Corrao,  
Eleonora Evi, Francisco Guerreiro, Ernest Urtasun, Jordi Solé, Hannah  
Neumann, Saskia Bricmont, Marie Toussaint, Bronis Ropè**  
on behalf of the Verts/ALE Group

**European Parliament resolution on the situation of journalists and human rights defenders in Mexico  
(2022/2580(RSP))**

*The European Parliament,*

- having regard to its previous resolutions on Mexico,
- having regard to the EEAS statements of 15 February following the assassination of the European External Action Service on 2022 following the assassination journalist Heber López Vásquez, of 25 January 2022 following the assassination of María de Lourdes Maldonado López and of 20 January 2022 following the assassination of José Luis Gamboa Arenas and Alfonso Margarito Martínez Esquivel,
- having regard to the joint statement by the Inter-American Commission on Human Rights, the Mexico Office of the UN High Commissioner for Human Rights and the Special Rapporteur for Freedom of Expression of the Inter-American Commission on Human Rights of 28 January 2022 condemning the murder of María de Lourdes Maldonado López,
- having regard to the conclusions of the EU-Mexico 9th High Level Dialogue on Human Rights of 9-10 July 2020,
- having regard to the European Union Guidelines on Human Rights Defenders and on Freedom of Expression Online and Offline,
- having regard to the judgment of the Inter-American Court of Human Rights in the case of Digna Ochoa vs. México of 19 January 2022,
- having regard to the International Covenant on Political and Civil Rights,
- having regard to the Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean signed in Escazú on 4 March 2018,
- having regard to the 2018 OECD Due Diligence Guidance for Responsible Business Conduct,
- having regard to the Decision adopted by the UN Committee against Torture under article 22 of the Convention, concerning communication No. 992/2020, of 7 February 2022,
- having regard to the Universal Declaration of Human Rights,
- having regard to Rules 144 of its Rules of Procedure,

A. Whereas journalists, human rights and environmental defenders, including indigenous peoples and communities, and in particular those who criticise public officials, private

companies or expose the work of criminal cartels, face systemic attacks, harassment and surveillance by government authorities and criminal groups in Mexico;

B. Whereas Mexico is one of the most dangerous countries in the world for journalists, human rights and environmental defenders; whereas environmental activists and representatives of Indigenous groups contesting large-scale infrastructure projects remain particularly vulnerable; whereas, according to the Committee to Protect Journalists and Reporters Without Borders; whereas in 2020 alone, journalists registered 692 threats, attacks, or other forms of aggression; whereas at least 47 journalists and 94 human rights defenders have been killed between December 2018 and September 2021; whereas, from January through September 2021, the Mexico Office of the UN High Commissioner for Human Rights reported 10 human rights defenders killed, the majority of whom were environment and land rights activists;

C. Whereas, in the course of the first two months of 2022 alone, four journalists and a media worker have been murdered: José Luis Gamboa Arenas, killed in Veracruz on 10 January, Alfonso Margarito Martínez Esquivel and Lourdes Maldonado, killed in Tijuana, Baja California respectively on 17 and 23 January, Roberto Toledo, killed in Zitácuaro, Michoacán on 31 January, Heber López, killed in Salina Cruz, Oaxaca on 10 February, Jorge Camero, killed in Empalme, Sonora, on 25 February;

D. Whereas authorities routinely fail to investigate crimes against journalists, human rights and environmental defenders adequately; whereas, since its creation in 2010, the federal Special Prosecutor's Office to investigate crimes against journalists has opened more than 3,362 investigations, brought 265 charges for crimes, and has only obtained 25 convictions; whereas 90% of cases of journalists who are killed are unresolved;

E. Whereas human rights and environmental defenders, including indigenous peoples and communities in Mexico are also subjected to attacks, judicial harassment, arbitrary detention, and long prison sentences on fabricated charges; whereas, among others, environmental rights defender and Zapoteco indigenous leader Pablo López Alavez has been arbitrarily imprisoned for more than 11 years in the state of Oaxaca, Mexico, including 7 without trial, and was sentenced to 30 years in prison in September 2017 despite the UN Working Group on Arbitrary Detention's Opinion No. 23/2017 recommending his immediate release and following his work to ensure that the San Isidro Aloápam community's rights to a safe environment and access to water were safeguarded and guaranteed;

F. Whereas the next 27 April 2022 will mark the 12th anniversary of the deaths of Bety Cariño and Jyri Jaakkola, two human rights defenders and activists murdered during the Humanitarian Caravan and Human Rights Observation Mission near the indigenous community of San Juan Copala in the State of Oaxaca; whereas their families and civil society organizations are still calling for justice 11 years after the tragic events; whereas the death of Bety Cariño and Jyri Jaakkola evidences the impunity of attacks against human rights defenders in the country;

G. Whereas as the Office of the Special Rapporteur for Freedom of Expression of the Inter-American Commission on Human Rights (IACHR) has reiterated, the lack of punishment for those responsible for murders, aggressions, threats and attacks related to the exercise of journalistic activity and the human rights defence in Mexico, sends a permissive message of violence, encouraging the occurrence of new crimes and generating an effect of self-censorship;

H. Whereas, in 2012, the Mexican government established the Protection Mechanism for Human Rights Defenders and Journalists, which provides access to bodyguards, armoured cars

and panic buttons, and helps journalists and defenders to temporarily relocate in response to serious threats; whereas in 2019 the Office of the United Nations High Commissioner for Human Rights stressed the failure of the protection mechanism to establish effective protective measures, providing resources, and establishing clear procedures; whereas seven journalists have been killed while under official protection; whereas the financing of the protection mechanism remains precarious and inadequate since the abolition, in October 2020, of the independent trust fund that financed part of the mechanism's protection programme;

I. Whereas violations perpetrated against journalists, human rights and environmental defenders are part of a broader crisis of impunity in Mexico, with over 92,000 disappearances, including of many environmental and land defenders; whereas, according to the 2021 National Survey of the Population Deprived of Liberty, 85.8% of people deprived of liberty suffered use of force during arrest and 64.4% of women reported suffering physical violence between arrest and arraignment; whereas at least 47 people have been killed or injured by the armed forces since 2018;

J. Whereas extreme violence and human rights violations continue causing internal forced displacement and migration; whereas 345,000 Mexicans are internally displaced by conflict and systemic violence, including numerous journalists, human rights and environmental defenders; whereas women and girls in Mexico continue to face alarming rates of gender-based violence; whereas in 2020, the government reported nearly 1,000 femicides;

K. Whereas the EU-Mexico Human Rights Dialogue in 2020 culminated in an agreement on joint work in Mexico to step up protection for human rights defenders;

L. Whereas Mexican president Andrés Manuel López Obrador has launched open attacks and stigmatization against human rights defenders, civil society organizations and journalists during his daily morning press conferences;

M. Whereas in January 2022, the Ministry of Interior started a process to promote a National System of Prevention and Protection for Human Rights Defenders and Journalists; whereas the Government is expected to present a proposal for a new law establishing a "National Prevention Model", a "National Registry of Aggressions" and a "National Protection Protocol"; whereas, in this framework, a first stakeholder consultation between the Mexican government and beneficiaries of the Protection Mechanism, journalists, civil society organisations, representatives of international organisations and academics took place on 17 and 18 January 2022;

N. Whereas despite these public commitments, impunity remains rife in the country, and some cases of murdered journalists clearly indicate the involvement of public officials in their planning and orchestrating of the actual crime;

O. Whereas the struggle against impunity is characterised by structural weaknesses and obstruction in the criminal justice system, including a track record of hollow domestic initiatives, corruption, intimidation by powerful criminal gangs and a lack of strong political will to ensure that atrocities are successfully investigated and prosecuted; whereas numerous cases remain unresolved, including the one of Samir Flores together with those of other murdered journalists and human rights defenders where suspects have been identified yet limited progress has been made;

P. Whereas there are strong indications that the Mexican state has made use of phone hacking tools intended to counter terrorism and cartels, including the Pegasus spyware, against journalists and human rights defenders; whereas the country has spent about \$300m in government contracts to buy spyware in the past;

1. Strongly condemns the ongoing attacks and violence against journalists, human rights and environmental defenders in a climate of impunity for human rights violations;

2. Calls on the Mexican government to strengthen the institutions responsible for prosecution and the administration of justice, as well as internal administrative oversight bodies, to ensure access to justice for victims and that all attacks are promptly, thoroughly, independently and impartially investigated, that perpetrators are brought to justice, and that victims receive full reparation and adequate assistance; urges the Mexican authorities to ensure the safety and protection of journalists, human rights and environmental defenders; reminds the Mexican authorities of the commitments expressed as part of the 9th Human Rights Dialogue in this respect;

3. Stresses the key role played by journalists, human rights and environmental defenders in strengthening democracy, the rule of law and human rights and calls on the Mexican Government to urgently and publicly support and recognise, both at federal and state-level, the pivotal role played by journalists, human rights and environmental defenders and journalists in democratic societies and condemn any public expressions discrediting them and human rights violations committed against them; stresses that defamation and criminalisation campaigns by public officials, the lack of firm measures to address the structural causes of violence and the lack of investigation and punishment of those responsible for violence against defenders contribute to the hostile environment for the defence of rights; expresses serious concern regarding proposed legislation that would prevent NGOs from conducting advocacy or engaging in strategic litigation if they receive international funding;

4. Urges the Mexican authorities to ensure that the federal law enforcement officials take responsibility for all attacks against the press and human rights defenders that fall within their jurisdiction and investigate all cases thoroughly and prosecute perpetrators to the full extent of the law, no matter how politically sensitive the case; calls for attacks against migrants rights defenders providing emergency assistance to migrants from all over Central America to immediately cease;

5. Recalls, on the occasion of the imminent 12th anniversary of the tragic deaths of human rights defenders Bety Cariño and Jyri Jaakkola, that their deaths reflect the concerning levels of impunity, as well as violence, assassinations and intimidations that human rights defenders are facing in Mexico; calls on the Mexican authorities to deploy all efforts and bring justice to the victims and their families in order to identify and prosecute the material and intellectual authors of the crime;

6. Urges the Mexican authorities to enhance the implementation of the Protection Mechanism for Human Rights Defenders and Journalists, including through adequate funding and by implementing all of the recommendations made by the UN High Commissioner for Human Rights in her 2019 evaluation of the Protection Mechanism for Human Rights Defenders and Journalists; urges the Mexican government to prioritise the ongoing reform establishing a new

National System of Prevention and Protection for Human Rights Defenders and Journalists; stresses in particular that any new legislative measures must necessarily be accompanied by institutional efforts, the promotion of a comprehensive public protection policy, and an adequate funding for their effective implementation;

7. Encourages the Mexican government to continue in its effort to strengthen state institutions and consolidate the rule of law, with a view to tackling some of the structural problems that are at the root of human rights violations; calls on the Mexican government to ensure the establishment of an independent national forensics institution with sufficient resources, to reform the Federal General Attorney's Office into an independent institution which carries out its work in compliance with international standards under the leadership of an independent Attorney General and to adopt without further delay and with prior consultation with civil organisations involved in the process, of the National Program for the Prevention and Punishment of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;

8. Urges the Mexican authorities to ensure that law and order is maintained, to the greatest extent possible, by civilian rather than military authorities, refraining from passing laws and regulatory frameworks which could worsen the militarisation of public security and the widespread impunity for human rights violations committed by the armed forces;

9. Calls on the EU and its Member States to ensure that the Global Agreement with Mexico, currently being modernised, places human rights as a central and enforceable element, including through sanction mechanisms for both Mexican and European companies, and calls for the participation of civil society in its implementation and monitoring;

10. Points to the recent judgment of the Inter-American Court of Human Rights on the case of Digna Ochoa, condemning the Mexican state for serious failings in the investigation of the femicide of the human rights defender, recalls that the Inter-American Court documented the multiple flaws in the investigations into her death, which in addition to showing the manipulation of evidence, including the crime scene, were plagued by gender stereotypes, and "intimate and personal aspects of the defender" were used to question her credibility and damage her image and reputation in order to minimize the impact of her killing; deplores that secondary victimisation is a recurrent issue in cases of femicides and violence against women rights defenders in Mexico and warns that the lack of a gender perspective in dealing with reports of violence perpetrated against women rights defenders and journalists, and attacks on the legitimacy of their defence work are a common denominator, not only in the few investigations that are carried out and the impunity of perpetrators, but also in state discourse;

11. Recalls that the Court's judgment orders the Mexican state to comply with reparation measures, both individually with the reopening of the investigation into Digna's killing and compensation measures, and collectively, ordering the strengthening of the protection system with the adoption of investigation and protection protocols, training plans, recognition and prevention campaigns, and the allocation of adequate financial resources;

12. In the lead up to international women's day, calls on the Mexican authorities to ensure women's day marches in the country are protected and not restricted or attacked, including by law enforcement authorities themselves;

13. Calls on the government of Mexico to fully cooperate with the UN bodies and to extend a

standing invitation to the visit of all Special Procedures of the UN Human Rights Council and in particular to the UN Special Rapporteur on freedom of opinion and expression and to cooperate with them in a proactive manner;

14. Calls on the EEAS and Member States to increase their protection and support for journalists, environmental and human rights defenders in Mexico; calls on the EU Delegation and Member state missions in Mexico to fully implement the EU Guidelines on human rights defenders and offer support to civil society and access to protection of people at risk of persecution, to use all available instruments to increase their support for human rights and environmental defenders' work, and, where appropriate, to facilitate the issuing of emergency visas, and provide temporary shelter in the EU Member States;

15. Calls on the Mexican Government to prioritise in the implementation of the Escazú Agreement; calls on the Commission, in particular, to initiate a programme in support of the Escazú Agreement, with the aim, inter alia, of assisting Mexico in implementing the Agreement, assisting civil society in engaging with the Agreement and contributing to its implementation, and providing support for the voluntary fund established under the Agreement;

16. Calls on EU-based economic operators to apply extensive due diligence in all their dealings in and within Mexico in full compliance with the 2018 OECD Due Diligence Guidance for Responsible Business Conduct, in order to ensure that business activities do not contribute to human rights violations, notably with regards to human rights and environmental defenders;

17. Instructs its President to forward this resolution to the Council, the Commission, the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, the governments and parliaments of the Member States, the government and Congress of Mexico, and the Euro-Latin American Parliamentary Assembly.