

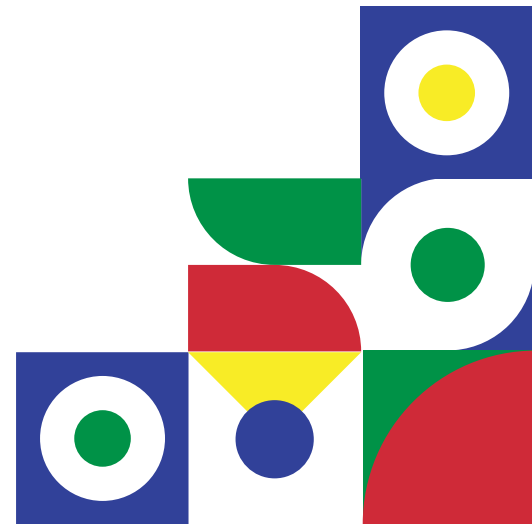


**TAULA
PER
MÈXIC**

Trabajando por la Paz y
los Derechos Humanos
en México

**NOTES ON HUMAN
RIGHTS AND THE
PROCESS OF
MODERNIZATION OF
THE EU-MEXICO
GLOBAL AGREEMENT**

Con el apoyo de:



Contents

1. Introduction	3
2. Mexico, human rights in context	6
2.1. <i>Lopezobradorismo</i> : changes, continuity and deepening of former models	7
2.2. The security strategy	9
2.3. Enhancing the development model	11
2.4. Poverty and the war on poverty	12
2.5. Inequality	13
3. The context of human rights in the country	15
3.1. The number of people murdered	15
3.2. Femicides	16
3.3. Forced disappearance and forensics crisis	17
3.4. Impunity	18
3.5. Torture	19
3.6. Internal forced displacement	20
3.7. Rights of Indigenous Peoples and Afro-Mexicans	22
3.8. Human rights defenders and journalists	24
3.9. Conclusions	25
4. Modernization of the Subjects of Political Dialogue and Cooperation of the EU-Mexico Global Agreement Regarding Limits to Democratic Construction. Limits to Democratic Construction	28
4.1. Deepening political-institutional relations, first human rights	29
4.2. Modernization of the chapters on political dialogue and cooperation	32
4.3. State of affairs, ratification postponed	34
4.4. Contents of the Agreement regarding the principle of Political Dialogue and Cooperation, continuity of the human rights clause	37
4.5. Conclusions	39
5. Reflections and recommendations	43
6. Bibliography	48
Acknowledgements	59
About the author	59
About the Taula per Mèxic	60

Notes on Human Rights and the Modernization Process of the EU-Mexico Global Agreement

1. Introduction

Mexico is a country of enormous contrasts. On the one hand, it is a country at war, in multiple wars. Throughout the country, there are people who have suffered individual and collective harm as a result of serious and manifest violations of international human rights standards. Mexico has been experiencing a real human rights crisis for years.

It is also an incredibly wealthy country. Its population and economy are among the largest on the planet. It is a privileged territory due to its diversity and abundance of natural resources. For this reason, and for many other factors, such as its clear geostrategic position, it is a very attractive destination for investment. The economic interests in the country are enormous, including those of the criminal economy, of course. On the other hand, it is an indecently unequal territory; 50 million impoverished people survive there while a minority is tremendously privileged.

For its part, the European Union is a global player competing for planetary hegemony in multiple spheres—political, social, economic, cultural, technological—with the most powerful states on the planet. The effects of the pandemic, Russia's wars against Ukraine and Israel's against Lebanon and Palestine—the genocide of the Palestinian people—highlight many of its weaknesses and dependencies, as well as the challenge of urgently addressing them in order to maintain its privileged position. And although it does not have the military power of the United States nor the Chinese capacity to drive the world economy, it has a wide variety of resources that it can draw on to remain one of the centres of globalization in a multipolar world, including historical and institutional links, norms, principles and values.

The entire planet faces an array of challenges that cannot be overcome in isolation: wars, food insecurity, poverty, inequality, climate change and environmental degradation, migration flows, the growth of fascism and intolerance, fragile supply chains, the presence of a global criminal economy, to name but a few. The global dimension of all of the above requires the transformation of international relations based on control, domination and concentration of power, into others based on diversity, solidarity, cooperation and collaboration, in order to overcome these challenges.

In this respect, it is absolutely legitimate to circulate around the international arena with geopolitical, geostrategic and commercial interests, along with access to markets and with an eye on strategic raw materials, as long as its fundamentals and end-point is human rights. That is, embracing multilateralism based on full adherence to democratic principles and human rights, as well as to the principles of international law regarding amicable relations and cooperation between States, and to the principles of the rule of law and good governance. In this regard, both Mexico and the European Union have the instrument for foreign action to that end. That is, the “Economic Partnership, Political Coordination and Cooperation Agreement between the European Community and its Member States, and the United Mexican States.” Known as the “Global Agreement” in force since 2000, it is upheld by four pillars: political dialogue, cooperation, an institutional framework for the bilateral relationship, and trade.

In early 2013, the then presidents of Mexico, the European Council, and the European Commission agreed to explore the possibility of renovating the Global Agreement. After a long

itinerary of negotiations, these were concluded in April 2020. However, the process remains incomplete.

The present document has come about by striving to provide the instruments for political advocacy, to consider problems and usher the process of modernization of the Global Agreement basing it on human rights. In this respect, it attempts to highlight the up-to-date information available in two different areas: i) the context of human rights in Mexico, and ii) the process of modernization of the chapters on political dialogue and cooperation of the Global Agreement.

The first part briefly presents some of the elements that depict the complexity of Mexico today: the action that differentiates the ideology behind the 65th president of Mexico, Andrés Manuel López Obrador, known as *Lopezobradorismo*, from that of previous administrations and others, that implied continuity and deepening of strategies present in the Mexican public administration since the late 1980s; specific characteristics of the human rights context; and finally, the vulnerability and risk faced by human rights defenders, communicators and journalists.

In the second section, unlike the vast majority of documents that refer to the development and implementation of the Global Agreement—in which links to trade are immediately highlighted—the intention is to disclose the deepening political, institutional and cooperation relations that have taken place through the years of bilateral relations. Next, a thorough review is made of the public documentation available referring to the process of modernization of the chapters on political dialogue and cooperation, briefly setting out the state of affairs, highlighting the postponement of ratification and setting out the possible content of the Agreement in Principle.

This section is of particular relevance for anyone who wishes to approach the process of modernization of the Global Agreement, as it recovers the different stages the sections on political dialogue and cooperation have been updated, which unlike the section on trade, has occurred far from the public eye. Indeed, in order to prepare this document, we formally requested the contents of the Agreement in Principle from the relevant European institutions so as to understand its components and try to contribute to conveying the information and analysis. However, our request has constantly been denied.

Finally, the document includes a set of reflections and recommendations to contribute to the debate around the design, acceptance and ratification of the Modernized EU-Mexico Global Agreement. The latter may possibly be the most important element. Let us see why.

In Mexico, human rights are violated. The effort of human rights defenders shows, among other things, that the right to life is not guaranteed, the right to access to justice—fully comprehensive and complete—is practically unattainable, the right to freedom is always at risk, the rights of indigenous peoples are never assured, everything is worse if you are a woman, sexual or gender dissidence threatens the fragile prevailing masculinity which always reacts with violence, that childhood does not count, and that migrants are treated as a resource. It also proves that the criminal economy makes headway at all levels and that everything, absolutely everything, can get worse.

Of course, responsibility for all this undoubtedly lies with the institutions of the Mexican administration. However, it is important to consider that the generation of the conditions by which human rights are violated is multifactorial and that decisions that take place thousands of kilometres away also intervene, for example, in the European Parliament, the European Council, and the European Commission, and there is political responsibility for this.

In Mexico, human rights are violated. In the European Union, the so-called democratic clause, a conditional mechanism of pressure contained in the international treaties signed with the EU by

third states stipulating the possibility of sanctions or cancellation when human rights or the rule of law are not respected, is inappropriate and inapplicable, as it is a clear example of North-South neocolonial relations and the economic interests linked to the exchange between the parties being put before any other kind of relationship. Meanwhile, the EU's legal framework for Due Diligence, which regulates accountability when European businesses are responsible for violating human rights in other territories, is very limited.

Regardless of these conditions, the ratification of the Modernized Global Agreement—even though the result of the negotiation process is not entirely public—may go ahead since the associated economic interests are enormous. Thus, if there is no profound reflection on both sides, this political decision could—and would—contribute to maintaining the conditions in which human rights violations occur in Mexico.

To conclude this introductory section, a declaration, a position even: that the case made is in favour of human rights, democracy, transparency and citizen participation, strengthening multilateral relations, putting political dialogue and cooperation ahead of trade and investment.

2. Mexico, human rights in context

Mexico is a vast country of great contrasts. Its territory is almost two million square kilometres and its population is just over 126 million inhabitants.¹ It is the fourteenth largest country in the world and the eleventh most populous.² Cultural diversity is enriched by the contribution of 68 indigenous peoples,³ each speaking their own native languages, which together include 364 dialectal variants. Based on the results of the 2020 Census, there are 23 million people in the country who identify themselves as indigenous,⁴ and 2.5 million as belonging to the Afro-Mexican people,⁵ that is 20% and 2% of the total population, respectively.

Mexico is the fifteenth-largest economy in the world by GDP⁶ and the eleventh-largest in terms of purchasing power parity. It is one of the largest economies in the world. It exports more manufactured products than all the countries of Latin America combined, and is the second-largest market for US exports, so much so that the volume of goods that Mexico receives exceeds what China, Japan and Germany import together⁷ from the United States. With 42 million tourists a year,⁸ it is also the sixth most visited destination⁹ in the world.

The diversity and abundance of natural resources, its clear geostrategic position, the facilities provided by labour and environmental legislation, the diversity of trade agreements, its commitment to near-shoring, a huge young labour force, as well as infrastructure that allows the shipping of goods to the entire world, and especially to the US market, make the country a very attractive territory for investment.

However, all these characteristics do not reflect the current reality of the majority of the population, especially in terms of human rights. In accordance with this, in order to briefly

¹ *Instituto Nacional de Estadística Geografía e Informática. INEGI—National Institute of Statistics, Geography and Computer Science. (2020). Demography and Society. Population. (Retrieved 23 July 2024).* <https://www.inegi.org.mx/temas/estructura/>

² *Secretaría de Relaciones Exteriores. SRE—Department of Foreign Affairs. (2013). General information on Mexico. (23 July 2024).* <https://embamex.sre.gob.mx/republicadominicana/index.php/avisos/2-uncategorised/127-informacion-general-sobre-mexico#:~:text=Es%20el%20d%C3%A9cimo%20cuarto%20pa%C3%ADs,aproximadamente%20118%20millones%20de%20habitantes>

³ *Grupo Internacional de Trabajo sobre Asuntos Indígenas. IWGIA—International Work Group for Indigenous Affairs. (2022). The Indigenous World 2022. (23 July 2024).* <https://www.iwgia.org/es/mexico/4792-mi-2022-mexico.html#:~:text=En%20M%C3%A9xico%20habitan%2068%20pueblos,que%20juntas%20re%C3%BAnen%20364%20variantes>

⁴ *Instituto Nacional de Estadística Geografía e Informática. INEGI—National Institute of Statistics, Geography and Computer Science. (2022). Statistics on the occasion of the International Day of the World's Indigenous Peoples. (23 July 2024).* https://www.inegi.org.mx/contenidos/saladeprensa/aproposito/2022/EAP_PueblosInd22.pdf

⁵ *Instituto Nacional de Estadística Geografía e Informática. INEGI—National Institute of Statistics, Geography and Computer Science. (2020). Presentation of 2020 Census. (23 July 2024).* https://www.inegi.org.mx/contenidos/programas/ccpv/2020/doc/Censo2020_Principales_resultados_EUM.pdf

⁶ *World Bank. (2022) World Bank Data. PIB (US\$ at current values)—Mexico. (23 July 2024).* <https://datos.bancomundial.org/indicador/NY.GDP.MKTP.CD?locations=MX>

⁷ *Office of the United States Trade Representative. (2022) Countries & Regions. (23 July 2024).* <https://ustr.gov/countries-regions#:~:text=The%20United%20States%20is%20the%202nd%20largest%20goods%20exporter%20in,of%20total%20U.S.%20goods%20exports>

⁸ *Visual Capitalist. Ranked: The 10 Most Visited Countries in 2023. (5 October 2024).* <https://www.visualcapitalist.com/ranked-the-most-visited-countries-in-2023/>

⁹ *World Tourism Organization. UNWTO (2023). UNWTO World Tourism Barometer and Statistical Annex (5 October 2024).* <https://www.e-unwto.org/doi/abs/10.18111/wtobarometereng.2023.21.1.3?role=tab&journalCode=wtobarometereng>

present this context, this section considers some of the main factors that describe the current administration, as well as others, including statistics and the situation of human rights defenders and journalists.

In the end, we simply highlight that regardless of the storytelling and the change in the narrative, the main public policies on security, development and the fight against poverty are in fact the continuation and deepening of previous models and strategies, and their results follow the same path: a human rights crisis.

2.1. Lopezobradorismo: changes, continuity and deepening of former models.

To understand the challenges and the current human rights situation in the country, in addition to a historical overview, it would be necessary to at least review the two six-year terms that precede that of Andrés Manuel López Obrador (AMLO), i.e. that of Felipe Calderón (2006–2012) and that of Enrique Peña Nieto (2012–2018). However, as we do not have sufficient space for this, it should be sufficient to simply highlight that the former began an irresponsible war against organized crime by promoting the militarization of public security, and that the latter maintained it and introduced structural reforms with neoliberal fundamentals, with corruption, impunity and the increase in macro-crime¹⁰ being characteristic markers of those twelve years of government, with both making use of policies to fight poverty which favoured the development of patronage and dependency for electoral purposes.

After those two six-year terms, in which AMLO saw his election to the presidency frustrated—first due to fraud, and later to corruption—he was finally able to accede to the executive in the 2018 election with the support of more than 30 million voters.

The victory of AMLO's political party was a historic event. That is undeniable. Not the PRI, nor the PAN or the PRD. The MORENA party embodied a new policy proposition built up from below, municipality by municipality, throughout the country. Unfortunately, the overwhelming triumph in terms of liberal democracy is also the product of the incorporation of local power groups, corporate and clientelist structures created during decades of PRI governments, institutions that are part of the political culture of the country—in a broad sense, regardless of the party in government. In addition, of course, to society's weariness with the incompetence, stupidity and contempt of previous governments.

Intending to distance himself from the “old regime” and proposing a “new policy,” when swearing in as president AMLO referred to his future government as “the Fourth Transformation of public life in Mexico,”¹¹ claiming the results would be comparable to the War of Independence (1810-1821), the Reform (1858-1861), and the Mexican Revolution (1910-1917), historical events that concluded with a new independent nation-state, the separation of church and state, and a process of agrarian reform, respectively. They were

¹⁰ Quintero, E. (2021) *Macrocriminalidad y corrupción. Cinco Herramientas de combate e investigación*—Macro-criminal conduct and corruption: Five tools to combat and investigate them. (23 July 2024). <https://archivos.juridicas.unam.mx/www/bjv/libros/14/6577/22.pdf>

¹¹ Government of Mexico. (2018) Speech by Andrés Manuel López Obrador, President of the United Mexican States. (23 July 2024). <https://www.gob.mx/presidencia/articulos/discurso-de-andres-manuel-lopez-obrador-presidente-de-los-estados-unidos-mexicanos?idiom=es>

three fundamental moments in the history of Mexico, with each ending in a new political and social pact to govern coexistence in the territory, a new Constitution. That was not the case with the Lopez Obrador administration.

AMLO's presidency began on 1 December 2018 and ended on 30 September 2024¹², and although his administration introduced changes in his country's public life defending the end of the neoliberal era, they did not actually represent a true regime change.

Certain elements that differentiate him from his predecessors were his communication strategy—he established the agenda for the first hours of the day after the morning press conference, a constant repetition of new narratives—“For the good of all, the poor first”, “Peace is the product of justice”, “Embraces not bullets” or “There cannot be a rich government with poor people” to mention but a few—the collection of taxes from large companies, without increasing the tax burden or fiscal reform, the commitment to energy sovereignty, for example by investing in PEMEX and the Federal Electricity Commission, increases in the minimum wage, efforts to curb corruption, and cuts in social spending through austerity measures, for example at health institutions and civilian public security.

Two elements that clearly made a huge difference when compared to any previous government regarding the country's history of impunity and oblivion, was the “Commission for Access to Truth, Historical Clarification, and Promotion of Justice Regarding Gross Human Rights Violations Committed from 1965 to 1990” and the “Commission for Truth and Access to Justice in the Ayotzinapa Case.”

The former released a report on its activities and challenges in October 2023¹³, and submitted its final report, “It Was the State (1965-1990)”¹⁴ in August 2024. Their testimonies are invaluable for building a new model of justice and democracy in the country, and their recommendations are indispensable for transforming current violence into opportunities for peace.¹⁵ Among its main findings and conclusions, the report highlights “The territorial disposition administered by the State through laws that legitimize dispossession, as well as its capacity of enforcement by means of the Mexican Army and the police, results in VVGDDHH¹⁶ linked to other violence and other subjects such as businessmen, landowners and shock groups. On the idea of vincible, waste or unproductive lands, linked to the naturalization of racism and oppression of culturally differentiated communities, a state apparatus has been built that systematically and generally violates groups of victims.”¹⁷ The report offers profound insight to understanding the current context of human rights, and although the research refers to the period 1965–1990, it is unfortunately of a devastating validity.

¹² This presidential term is a couple of months shorter than usual, the electoral reform of 2014 established that from 2024 the date of confirmation—reception of the presidential mandate—will occur on 1st October. Government of Mexico (2018) *Reforma Política—Electoral*. (23 July 2024). https://www.gob.mx/cms/uploads/attachment/file/3080/EXPLICACION_AMPLIADA_REFORMA_POLITICA_ELECTORAL.pdf

¹³ *Secretaría de Gobernación*—Department of the Interior (2023) Report of the Commission for Access to the Truth on Serious Violations Committed from 1965 to 1990. <https://www.youtube.com/watch?v=0Bj6t9EDjol> (24 July 2024)

¹⁴ *Mecanismo para la Verdad y el Esclarecimiento Histórico*—Mechanism for Truth and Historical Clarification. (2024) Final report: “Fue el Estado (1965—1990)” <https://www.meh.org.mx/especial-informe-final/> (26 August 2024)

¹⁵ *Mecanismo para la Verdad y el Esclarecimiento Histórico*—Mechanism for Truth and Historical Clarification. (2024) <https://www.meh.org.mx/> (24 July 2024)

¹⁶ Acronym used by the authors to refer to Serious Violations of Human Rights, or “*Violaciones Graves a los Derechos Humanos*” in the original in Spanish.

¹⁷ *Mecanismo para la Verdad y el Esclarecimiento Histórico*—Mechanism for Truth and Historical Clarification. (2024) https://www.meh.org.mx/especial-informe-final/descargas/Informe_final_MEH_Fue_el_Estado_Vol1.pdf p. 54 (24 July 2024)

Regardless of the results of the latter revealing the responsibility of the administration through omission and concealment of information, as well as the fabrication of the so-called “historical truth” about the disappearance of the Ayotzinapa students, the findings were overshadowed by the presidential narrative that questioned the role of human rights defenders, the denunciation of internal conspiracies at the specialized prosecutor’s office, as well as the intervention of international organizations such as the OAS and US government agencies, arguing that they sought to disqualify the Department of National Defence (SEDENA, for the Spanish *Secretaría de la Defensa Nacional*) to weaken a fundamental institution in the Mexican administration.¹⁸

In contrast and as detailed below, *Lopezobradorismo* also meant the continuity and heightening of the security strategy, the neoliberal development model, the fragmentation of electoral patronage with the impoverished population, and maintaining corporatist practices with local power groups that guarantee institutional loyalty to the executive’s propositions.

2.2. The security strategy

One of the election proposals with which AMLO reached the presidency of the republic was to return the army to its barracks, in recognition that militarization had contributed to the conditions for violence developing in the country. The truth was quite the contrary, because regardless of the narrative, he expanded and heightened the process of militarization of public security that Felipe Calderón had begun and Enrique Peña Nieto had maintained; he did so by creating the National Guard in 2019, increasing the budget allocated to the armed forces, and diversifying its functions in the civilian sphere.

The National Guard was established as a public security institution that was supposed to be of a civilian nature. The case made was the urgent need for a new police force to replace the Army in its role of citizen protection. However, given the lack of personnel for it to be constituted, members of the armed forces were used, with 80%¹⁹ of its personnel commissioned to the Secretariat of Public Security from the army and the navy. The institution was thus openly military, with the promise that it would be demilitarized by 2024 once the capacities for it to be maintained had been built up.

But then in September 2022, the Congress of the Union approved the necessary reforms to hand over operational, administrative and financial control of the National Guard to the Department of National Defence, and to extend the period in which the executive could resort to deploying the armed forces—the army and the navy—for public security activities through to 2028²⁰.

¹⁸ <https://www.jornada.com.mx/noticia/2024/07/20/politica/reporte-de-amlo-a-los-padres-de-los-43-normalistas-1148> (25 July 2024)

¹⁹ BBC News Mundo (2022) “*Es la militarización de México*”: Why is the National Guard now coming under the Department of Defence controversial?. <https://www.bbc.com/mundo/noticias-america-latina-62854552> (25 July 2024)

²⁰ El País. (2022). The Chamber of Deputies approves reforms for the National Guard to pertain to the Army. (25 July 2024). <https://elpais.com/mexico/2022-09-03/la-camara-de-diputados-aprueba-las-reformas-para-que-la-guardia-nacional-pertenezca-al-ejercito.html>

France 24. (2022). The Mexican Senate approves the National Guard being under the command of the Army. (20 November 2023). <https://www.france24.com/es/minuto-a-minuto/20220909-el-senado-de-m%C3%A9xico-aprueba-que-la-guardia-nacional-est%C3%A9-bajo-mando-del-ej%C3%A9rcito> (25 July 2024)

Months later, the Supreme Court of Justice of the Nation overturned that reform, ruling that the National Guard should again come under the control of the Department of Security.²¹ AMLO criticized the high court's decision and announced that he hoped to achieve a qualified majority (two-thirds of the vote in each of the Chambers of the Congress of the Union) in the following elections in 2024, so as to then promote a new constitutional reform, among others, by which the National Guard would definitively be in the hands of the Department of National Defence.²²

At the time of writing in October 2024, the National Electoral Institute—the electoral board—and the Electoral Tribunal of the Federal Judiciary—the court specialized in electoral issues—had already confirmed that the ruling bloc—Morena, the PT Workers' Party and the environmentalist PVEM—had won a total of 364 deputies in the lower house, where the qualified majority for amendments to the Constitution is 334 votes, and 83 seats in the Senate, just three votes short of obtaining the two-thirds necessary to pass the corresponding motions. In fact, a few hours before the end of the six-year term, MORENA obtained the support of two senators, one a former member of the PRD and the other a former member of the PAN, thereby confirming the consignment of the National Guard to the SEDENA.

The Índice de Paz México (Mexico Peace Index)²³ figures regarding the increase in resources for the armed forces show that up to 2021, “public spending on the military, the judicial system, and public order and security has increased by 78.5% since 2007, although the size of the increase has been different for each category. Military spending increased by 127% since 2007, almost reaching 167 billion pesos, the highest level of spending on record. In the same period, spending on public security (civilian) and the judicial system has increased by 18.4% and 56.2%, respectively.”

This growing trend continued during the last year of AMLO's six-year term. In the Draft Federal Expenditure Budget for Fiscal Year 2024²⁴, the federal government planned expenditure for the Ministry of National Defence of almost 260 billion pesos, which represented an increase of 131.8%, compared to the amount approved in 2023, which was almost 112 billion pesos.²⁵

Regarding role diversification, in its Militarized Inventory the CIDE Drug Policy Programme²⁶ details how between 2006 and 2021 the Army absorbed at least 234 tasks that belonged to

²¹ El País. (2023). The Supreme Court overturns the reform transferring control of the National Guard to the Army. (25 July 2024). <https://elpais.com/mexico/2023-04-18/la-suprema-corte-tumba-la-reforma-que-transfiere-al-ejercito-el-control-de-la-guardia-nacional.html>

²² <https://lopezobrador.org.mx/2024/02/05/presidente-presenta-20-reformas-a-la-constitucion-devuelven-humano-y-espiritu-publico-al-documento-afirma/>

²³ Índice de Paz México—Mexico Peace Index (2023). Government spending on containment of violence in Mexico. (25 July 2024). <https://www.indicedepazmexico.org/gasto-del-gobierno-en-la-contencion-de-la-violencia-en-mexico>

²⁴ Secretaría de Hacienda y Crédito Público—Department of Finance and Public Credit. (2023). Draft federal budget for fiscal year 2024. (25 July 2024). https://www.ppef.hacienda.gob.mx/work/models/7183r4rR/PPEF2024/oiquewt4/paquete/egresos/Proyecto_Decreto.pdf

²⁵ Expansión Política. (2023) Budget increase for the military and the Navy; AMLO opens up his wallet. (25 July 2024). <https://politica.expansion.mx/mexico/2023/09/11/aumento-de-presupuesto-a-militares-y-marinos-amlo-abre-la-cartera-presupuestal>

²⁶ Centro de Investigación y Docencia Económica A.C. (Asociación Civil) (Centre for Economic Research and Education)

the civilian authorities,²⁷ such as in the development of infrastructure, border management, ports and airports, or holdings in state-owned companies such as the Grupo Aeroportuario, Ferroviario, de Servicios Auxiliares y Conexos Olmeca-Maya-Mexica, S.A. de C.V., etc.

Every day from 6:00 a.m. to 7:00 a.m., the Security Cabinet met at the National Palace, the seat of the federal government, with the strict presence of the Executive, the Ministry of the Interior, the Ministry of National Defence, the Ministry of the Navy, and the Ministry of Public Security, in addition to occasional attendees according to the subject. “All together to guarantee peace and tranquillity in the country,” contended President AMLO.

2.3 Enhancing the development model

When presenting the National Development Plan 2019-2024, President AMLO declared the neoliberal model and its economic policy abolished, arguing that his government would be responsible for building a post-neoliberal proposal.²⁸ Now, although this government undoubtedly has distinguishing features, if the institutional framework and the political-economic practices that constitute neoliberalism are strong private property rights, free markets and free trade, then a good part of the current path is rather consistent with the 36 years of government that preceded it. Macroeconomic stability, strengthening of public finances, austerity—i.e. the selective slimming down of the welfare state—fiscal discipline without higher taxes, the promotion of foreign direct investment, liberalization of imports, all are fundamental pillars of its economic policy, as they were for the so-called Washington Consensus too.

Thus, the López Obrador government was characterized by respecting contracts signed by prior administrations, the adequate payment of compensation where necessary—such as those caused by the cancellation of the works on the New Mexico City International Airport—the updating of the main free trade agreements (T-MEC and the EU-Mexico Global Agreement in progress), and by the budget reallocation—cuts in multiple sectors of the administration instead of a progressive tax reform—in favour of spending on so-called strategic or national security infrastructure and so-called priority social programmes.²⁹ That is, in favour of projects such as the Dos Bocas refinery, the Mayan Train, the Trans-Isthmus Corridor, the airports at Tulum and Felipe Ángeles in Mexico City, and programmes such as *Sembrando Vida* (Sowing Life), *Jóvenes Construyendo el Futuro* (Youth Building the Future), *Pensión para Personas Adultas Mayores* (Pensions for Seniors), and others.

These are “development” and “fight against poverty” projects that are heirs or complementary to successive strategies that preceded them since the late 1980s. For example, Carlos Salinas de Gortari promoted the North American Free Trade Agreement with the United States and Canada; Ernesto Zedillo proposed the Comprehensive Economic Development Program for the Isthmus of Tehuantepec; Vicente Fox favoured the Free Trade Area of the Americas (FTAA) and the Puebla Panama Plan; Felipe Calderón, the Logistics

²⁷ Sin Embargo (2022) What the hell is militarization? (25 July 2024). <https://www.sinembargo.mx/13-09-2022/4252764>

²⁸ Government of Mexico. (2019) President López Obrador formally declares the end of the neoliberal model and its economic policy (25 July 2024). <https://www.gob.mx/presidencia/prensa/presidente-lopez-obrador-declara-formalmente-fin-del-modelo-neoliberal-y-su-politica-economica-lo-que-hagamos-sera-inspiracion-para-otros-pueblos>

²⁹ Government of Mexico. Priority Projects and Programmes. (25 July 2024). <https://www.gob.mx/proyectosyprogramasprioritarios>

System for the Isthmus of Tehuantepec; and Enrique Peña, the Isthmus Gateway to America Plan, in addition to the Chiapas Special Economic Zone.

2.4 Poverty and the war on poverty

According to the National Council for the Evaluation of Social Development Policy (Coneval), there are at present 46.8 million inhabitants living in poverty in Mexico, of which 9.1 million live in extreme poverty. At the start of the Lopez Obrador administration in 2018, the figures were 52.2 and 8.7 million, respectively. Thus, between 2018 and 2022, the percentage of the population in multidimensional poverty at the national level went from 41.9% to 36.3%; while those in extreme poverty remained at 7% of the population.³⁰

However, these figures do not reflect the true situation of the indigenous population, of which 72.7% live in poverty and 40% do so with incomes below the extreme poverty line.³¹ This allows us to predict that the states with the largest indigenous populations are precisely those with the highest percentages of poverty and extreme poverty,³² i.e. Chiapas (67.4% and 28.2%), Guerrero (60.4% and 22.2%), Oaxaca (58.4% and 20.2%) and Puebla (54% and 11.4%).

The reduction of the impoverished population is the result of an increase in wages, in remittances, and the implementation of the Welfare Programmes, whose main strategy is based on monetary transfers that are delivered directly, without intermediaries, generating a basic income for families.³³ Indeed, if it were not for social transfers, the population living in poverty and extreme poverty in 2022 would be rather higher, increasing from 46.8 million to 50.3 million and from 9.1 million to 11.5 million people, respectively.³⁴

It is worth noting that if in 2018 monetary transfers delivered through federal social programs represented 18.7% of the total monthly income of the poorest, those in the first decile, by 2020 this proportion came down to 12.5% according to Coneval's 2022 Social Development Policy Evaluation Report. However, although access to these resources for the poorest has decreased, the amounts allocated to social programs have grown. According to CONEVAL's 2023 Monitoring Report, the budget allocation to the 16 priority social programs that year exceeded 512 billion pesos, which represents an increase of 20 percentage points compared to the budget allocated in 2019.³⁵

³⁰ Consejo Nacional de Evaluación de la Política de Desarrollo Social (CONEVAL)—National Council for the Evaluation of Social Development Policy. (2022) CONEVAL PRESENTS THE 2022 ESTIMATES OF MULTIDIMENSIONAL POVERTY. (25 July 2024). https://www.coneval.org.mx/SalaPrensa/Comunicadosprensa/Documents/2023/Comunicado_07_Medicion_Pobreza_2022.pdf

³¹ Consejo Nacional de Evaluación de la Política de Desarrollo Social—National Council for the Evaluation of Social Development Policy. (2022) Poverty among the indigenous population. (25 de julio de 2024). https://www.coneval.org.mx/Medicion/MP/Paginas/Pobreza_Indigena.aspx

³² Consejo Nacional de Evaluación de la Política de Desarrollo Social—National Council for the Evaluation of Social Development Policy. (2022) CONEVAL PRESENTS... op.cit. (25 July 2024).

³³ Government of Mexico. (2023). The Department of Welfare values the reduction of poverty by 8.9 million people as reported by Coneval. (25 July 2024). <https://www.gob.mx/bienestar/prensa/bienestar-celebra-reduccion-de-8-9-millones-de-personas-en-pobreza-reportadas-por-coneval?idiom=es>

³⁴ Consejo Nacional de Evaluación de la Política de Desarrollo Social—National Council for the Evaluation of Social Development Policy. (2022) Executive Summary—Measurement of Poverty 2022. (25 July 2024). https://www.coneval.org.mx/Medicion/MP/Documents/MMP_2022/Pobreza_multidimensional_2022.pdf

³⁵ Consejo Nacional de Evaluación de la Política de Desarrollo Social—National Council for the Evaluation of Social Development Policy. (2023). Report on Monitoring of Priority Programmes 2023. (25 July 2024).

All these resources, which render as direct monetary transfers, represent income that is taken into consideration by the National Household Income and Expenditure Survey published by the INEGI,³⁶ the central source for measuring poverty in the “Methodology for the measurement of multidimensional poverty in Mexico”³⁷ based on a social-rights approach, and whose indicators allow us to identify three relevant analytical spaces: economic welfare, social rights, and the territorial context.

The same methodology has been used since 2008 to facilitate the comparison of figures, and its update now shows us that the proportion of those lacking access to healthcare has gone from 16.2% in 2018 to 39.1% in 2022, which represents a change from 20.1 to 50.4 million people in this regard.³⁸

Thus, the critical areas identified by CONEVAL in its latest report on the estimation of multidimensional poverty 2022 refer to improving the progressivism of public transfers and social programmes, to ensure the inclusion of those in extreme poverty, paying particular attention to the population without social security and with lower incomes.³⁹

As with the “development” projects, the “fight against poverty” programmes are also heirs to successive strategies that preceded them since the late 1980s. In this regard, it would be necessary to review the programmes for Miguel de la Madrid’s “Regional Development,” Carlos Salinas’ “Solidarity,” Ernesto Zedillo’s “Progress,” Felipe Calderón and Vicente Fox’s “Opportunities,” and Enrique Peña Nieto’s “Prosper.”

2.5 Inequality

While more than a third of the population in Mexico face dearth on a daily basis, 1% of the population holds 47% of the country's wealth.⁴⁰ The Gini coefficient, by which 1 is the point at which there is absolute inequality, and 0 means optimal equality, is 0.48 for Mexico, according to World Bank data. This reflects the high concentration of wealth in the top decile of the national population. The situation is so dramatic that in only two countries worldwide does the wealthiest 1% concentrate more income than in Mexico: Mozambique and the Central African Republic.⁴¹

https://www.coneval.org.mx/coordinacion/IMPSS/Documents/Programas_acciones_sociales/Programas_Prioritarios/2023/Informe_Programas_Prioritarios_2023.pdf

³⁶ *Instituto Nacional de Estadística y Geografía*—National Institute of Statistics and Geography

³⁷ *Consejo Nacional de Evaluación de la Política de Desarrollo Social*—National Council for the Evaluation of Social Development Policy. (2019) Methodology for the Measurement of Multidimensional Poverty in Mexico. (25 July 2024).

<https://www.coneval.org.mx/InformesPublicaciones/InformesPublicaciones/Documents/Metodologia-medicion-multidimensional-3er-edicion.pdf>

³⁸ *Consejo Nacional de Evaluación de la Política de Desarrollo Social*—National Council for the Evaluation of Social Development Policy. (2022) CONEVAL PRESENTA... op.cit. (25 July 2024).

³⁹ *Consejo Nacional de Evaluación de la Política de Desarrollo Social*—National Council for the Evaluation of Social Development Policy. (2022) CONEVAL PRESENTA... op.cit. (25 July 2024).

⁴⁰ World Inequality Database. Top 1% net personal wealth share, Mexico, 1995–2022. (25 July 2024). https://wid.world/share/#0/countrytimeseries/shweal_p99p100_z/MX/2015/eu/k/p/yearly/s/false/38.4595/50/curve/false

⁴¹ El País. (2023) From one side to the other. This is how inequality is experienced in Mexico. (25 July 2024). <https://elpais.com/mexico/2023-01-30/de-un-lado-del-otro-asi-se-vive-la-desigualdad-en-mexico.html>

In December 2022, the United Nations Development Programme (UNDP) presented the Human Development Index 2021-22, which measures a country's income, life expectancy and education jointly. In the latest report, Mexico ranks 86th in a list of 191 countries with an HDI of 0.758,⁴² a fall of 10 positions in the rating compared to the 2019-20 report.

⁴² UNDP. (2022). Human Development Report 2021/2022. (25 July 2024). <https://hdr.undp.org/system/files/documents/global-report-document/hdr2021-22sp1.pdf>

3. The context of human rights in the country

3.1 The number of people murdered

Regarding the number of murders, figures provided by the Executive Office of the National Public Security System (SESNSP for *Secretariado Ejecutivo del Sistema Nacional de Seguridad Pública*),⁴³ AMLO's six-year term may now be considered the most violent in the modern history of Mexico, since the number of homicide victims during his administration is already higher than that in the prior two six-year terms. From December 2018 to August 2024, the number of victims came to 186,373.⁴⁴ The previous governments headed by Enrique Peña Nieto and Felipe Calderón Hinojosa totalled 156,066 and 120,463 homicides,⁴⁵ respectively. That is, since December 2006 to the time of writing, violence in Mexico has taken the lives of over 462,000 people.

When questioned on this matter in a morning press conference by journalist Jorge Ramos,⁴⁶ the President of the Republic argued that he had other data, or that it was the right data but that it should be presented in another way. Thus, to save the day and to show that its strategy was adequate, the administration compared the number of homicides from January to August 2022 with the same period in 2019, and thus argued that they have actually achieved a 10.6% drop in homicides.

Now, regardless of the dispute there may be regarding the figures themselves,⁴⁷ attention should rather be paid to the acknowledgement of the national emergency situation that began in 2006, the long process of social decomposition that reflects the trend of violence, its causes, and the responsibility of the security strategy that initially sought to confront it, the militarization.

3.2 Femicides

In Mexico, sexual and gender violence, in particular femicides and the killing of women, this most violent reaction of fragile hetero-patriarchal macho masculinity, continues to be a problem that is far from disappearing. The Federal Penal Code establishes that “the crime

⁴³ Government of Mexico. (2023). Criminal incidence. (31 August 2024). <https://www.gob.mx/sesnsp/acciones-y-programas/victimas-nueva-metodologia>

⁴⁴ The figure elaborated by the author based on figures provided in the various reports in “*Víctimas de Delitos del Fuero Común. Instrumento para el Registro, Clasificación, y reporte de Delitos y las Víctimas CNSP/38/15*” available July 2024 at: <https://www.gob.mx/sesnsp/acciones-y-programas/victimas-nueva-metodologia>

⁴⁵ The figures for murders in the previous six-year terms were presented by the President of the Republic at his morning press conference on 22 September, 2022. <https://elpais.com/mexico/2022-09-22/lopez-obrador-y-jorge-ramos-se-enfrentan-por-la-cifra-de-los-asesinatos-en-mexico.html>
However, there is always debate regarding the figures, and above all whether the current six-year term is more violent than the previous ones. This article provides an excellent explanation: <https://elpais.com/mexico/2023-06-01/lopez-obrador-admite-que-los-homicidios-en-su-sexenio-ya-superan-a-los-gobiernos-anteriores.html>

⁴⁶ El Financiero. (2022). AMLO and Jorge Ramos dispute the number of murders. (20 November 2023). https://www.youtube.com/watch?v=ncnq3HQ_8mo

⁴⁷ For information regarding years prior to 2015, see also: <https://www.inegi.org.mx/sistemas/olap/proyectos/bd/continuas/mortalidad/defuncioneshom.asp?s=est>

of femicide is committed by anyone who deprives a woman of her life for reasons of gender,” and also establishes the circumstances in which it occurs.⁴⁸

However, the penal codes of different states have framed the crime under criteria that sometimes do not coincide with one another, in such a way that what in one state of the republic is considered femicide, in another may be held as intentional homicide of a woman. Meanwhile, even though the Supreme Court of Justice of the Nation ruled that every violent death of a woman must be investigated as femicide,⁴⁹ only 27% of violent deaths of women in 2021 were investigated as such.⁵⁰ In this regard, if the objective is to analyse lethal, feminicidal violence against women, then it is necessary to consider both femicides and intentional murder of women. According to information provided by the SESNSP,⁵¹ from 2015 to 2023 lethal violence against women, specifically murders (victims of femicide plus intentional and negligent homicides), amounts to 58,911 killings of women, meaning over 18 women murdered every day. If we only consider the data that the SESNSP gives as femicides, the number would be 2 women murdered per day. Adding femicides plus intentional homicides, there are more than 9 women murdered every day.

The debate on the figures leads us to address the shortcomings of an entire justice system that absolutely fails in its duty to guarantee the right to access to justice, and of a state unable to guarantee the right of all women to life and to live that life free of violence. A single death is unacceptable; the figures simply reveal the grave, growing process of social decomposition.

3.3 Forced disappearance and forensics crisis

In Mexico, forced disappearances have been state policy, a strategy for social control. In the 1960s through to the 90s, it was used against political dissidents who wanted change or questioned the official regime. However, in the past two decades, things have altered. Lately, organized crime groups that have co-opted individuals trained with the state security forces have adopted forced disappearances as part of their territorial control strategies, an ideal tool for social control on a massive scale.

Now, what we call forced disappearances in Mexico does not only refer to arbitrary deprivation of liberty, but to the human rights crisis that the country is experiencing, by which serious violations of human rights and crimes that constitute crimes against humanity—arbitrary deprivation of life, torture, extortion, kidnapping, etc.—are classed as the same social phenomenon which we call “disappearance”. Thus, the forced

⁴⁸ Government of Mexico. *Comisión Nacional para Prevenir y Erradicar la Violencia Contra las Mujeres*—National Commission for the Prevention and Eradication of Violence Against Women (2016). What is femicide and how to identify it? (20 November 2023).
<https://www.gob.mx/conavim/articulos/que-es-el-feminicidio-y-como-identificarlo?idiom=es#:~:text=En%20nuestro%20C%C3%B3digo%20Penal%20Federal,mujer%20por%20razones%20de%20g%C3%A9nero>.

⁴⁹ El País (2023) The murderer of Mariana Lima, the woman who changed justice in Mexico, sentenced to 70 years. (20 November 2023).
<https://elpais.com/mexico/2023-03-14/sentenciado-a-70-anos-el-feminicida-de-mariana-lima-la-mujer-que-cambio-la-justicia-en-mexico.html>

⁵⁰ Impunidad Cero. (2022) Impunity in murder and femicide 2022. (20 November 2023).
<https://www.impunidadcero.org/articulo.php?id=175&t=impunidad-en-homicidio-doloso-y-feminicidio-2022>

⁵¹ Government of Mexico. *Secretariado Ejecutivo del Sistema Nacional de Seguridad Pública*—Executive Office of the National Public Security System (2023) Report on violence against women. Criminal incidents and 9-1-1 emergency calls. National Information Center. Information up to 30 September 2023 (20 November 2023).
<https://www.gob.mx/sesnsp/acciones-y-programas/incidencia-delictiva-299891?state=published>

disappearance of persons is a serious violation of human rights committed by state authorities, and by private individuals in collaboration, complicity and acquiescence of state authorities. This is a social phenomenon that is allowed, facilitated and made possible by state institutions.

The National Registry of Missing and Unlocated Persons indicates that there are at the time of writing 115,883 missing persons in the country since January 1962.⁵² However, it is important to consider that it is most likely the database figures are underestimated since crimes are under-reported, prosecutors omit them when sending details, and disappearances are reclassified as other crimes such as human trafficking.⁵³

In its report to the United Nations Committee against Enforced Disappearances, the National Search Commission (CNB for *Comisión Nacional de Búsqueda*) acknowledged the discovery of 4,839 clandestine graves in the country and 8,278 bodies were exhumed from 2006 to November 4, 2021.⁵⁴ Just 15 months later, in March 2023, the Mexican administration shared its “Progress and challenges in forensic searches in Mexico” presentation at the 186th sessions of public hearings of the IACHR, acknowledging at least 52,000 unidentified bodies, hundreds of thousands of highly degraded bone fragments, in addition to thousands of sites where clandestine burial graves had been found.⁵⁵ In its presentation, the administration discussed the construction of the National Forensic Data Bank, the operation of the National Centre for Human Identification of the CNB, the Regional Centre for Human Identification at Coahuila, the Centre for Human Identification at Jalisco, the Extraordinary Mechanism for Forensic Identification, and the National Institute of Genomic Medicine, advocacy coordination of all these institutions and sharing its strategies to face the crisis, such as an intensive focus on search.

At that hearing, relatives of victims of disappearances also spoke and shared their own experiences as searchers. They highlighted the closing of spaces for participation of the families in the development of public policies for search and identification, denouncing the lack of coordination between the different institutions, the inoperability. In short, they highlighted the failure to fulfil the promise of “effectiveness and exhaustiveness” in the efforts at location and identification.

Virginia Garay Cázares,⁵⁶ the coordinator of the National Citizen Council of the National System for the Search for Persons, considered that the human rights crisis and the forensic emergency are only getting worse five years into the passing of the General Law on Disappearances. Among several points she made was that the forensic backlog, i.e. the number of unidentified bodies, is actually a figure tendered by organizations, and that there

⁵² *Registro Nacional de Personas Desaparecidas y No Localizadas*—National Registry of Missing and Unlocated Persons (2024) General Context. (5 October 2024). <https://versionpublicarncpdno.segob.gob.mx/Dashboard/ContextoGeneral>

⁵³ Animal Político. (2023) Massaging the missing persons figures. (20 November 2023). <https://www.animalpolitico.com/analisis/autores/nunca-mas/maquillando-cifras-de-desaparecidos>

⁵⁴ *Comisión Nacional de Búsqueda*—National Search Commission. (2022) Report to the United Nations Committee on Enforced Disappearances (20 November 2023). <https://comisionacionaldebusqueda.gob.mx/wp-content/uploads/2022/03/CNB-Informe-CED-Espanol.pdf>

⁵⁵ *Comisión Interamericana de Derechos Humanos*—Inter-American Commission on Human Rights. (2023) Progress and challenges in forensic research in Mexico (commissioned by the State). (20 November 2023). <https://www.youtube.com/watch?v=KjmhkPMTfVw>

⁵⁶ *A dónde van los desaparecidos*—Where the disappeared end up (2023) Government forensic crisis in Mexico deepens. (20 November 2023). <https://adondevanlosdesaparecidos.org/2023/04/03/ahonda-gobierno-crisis-forense-en-mexico/>

is no official figure from the Mexican government in this regard, and that an official diagnosis should be offered by the Attorney General of the Republic and local prosecutors.

Blanca Martínez, the director of the Fray Juan de Larios Human Rights Centre, has been insisting for years that the state has not wanted to address the phenomenon of forced disappearances, which has caused this serious human rights crisis and the growing challenge of the forensic crisis. In this regard, she fosters the importance of solidarity, the establishment of international mechanisms against impunity in Mexico, as well as international commitments. “We need to involve the international community in bringing proceedings against those who have been responsible for actions, omissions or acquiescence in the humanitarian tragedy that the country is facing,” submitted the director in an interview with *Taula per Mèxic*.

3.4 Impunity

One of the keys to understanding how we have reached this ungovernable situation, of the decomposition of the social fabric, is to be found in the Judiciary. The levels of violence in the country can only be conceived within the context of a justice system that is failing in its duty to protect life, resolve conflicts, and maintain harmony and social peace.

In Mexico, impunity prevails in 99% of all cases that reach the justice system. According to the organization Impunidad Cero,⁵⁷ out of every 100 crimes committed, only 6.4 are reported, and out of every 100 of these, only 14 are ever solved. This means that the probability of a crime being solved in the country is only 0.9%. According to the Global Impunity Index 2022, Mexico has one of the highest unsolved crime rates in the world.⁵⁸

From an international perspective, it is absolutely inexplicable that a country the size of Mexico can continue to function when its justice system is completely non-functional. Well, one of the explanations for this is to be found in the simulation of the functioning. In this regard, the Fray Bartolomé de Las Casas Human Rights Centre explains in its report “*Chiapas un desastre*” (Chiapas, a disaster) “the undertaking of criminal proceedings at will, such as the fabrication by the prosecutors of cases against those responsible, is not something new; in the prior inquisitorial or mixed penal system, the practice consisted of identifying lines of investigation so that these were later corroborated according to a specialized investigation. Conversely, the *modus operandi* which became an informal canon for the prosecutors consisted of the prior fabrication of a version of the facts that they would later attempt to sustain at all costs, based on the fabrication of evidence.”⁵⁹

Thus, based on documentation from monitoring cases of arbitrary deprivation of liberty over six years, the leading human rights centre in the state of Chiapas offers a pattern of

⁵⁷ Impunidad Cero. (2017) The extent of impunity in Mexico. In Mexico, 94% of crimes committed are not reported and less than 1% are solved. (20 November 2023). <https://www.impunidadcero.org/impunidad-en-mexico/#/>

⁵⁸ Universidad de Las Américas Puebla. Global Impunity Index Mexico. (2022) Structure and Function of Impunity in Mexico. Global Impunity Index Mexico. (20 November 2023). <https://www.udlap.mx/cesij/files/indices-globales/IGI-MEX-2022-UDLAP.pdf>

⁵⁹ Centro de Derechos Humanos Fray Bartolomé de Las Casas—Fray Bartolomé de Las Casas Human Rights Centre (2023). Chiapas, a disaster. Betwixt criminal violence and the complicity of the State. Frayba Report 2023. (20 November 2023). https://frayba.org.mx/sites/default/files/Informes/Informe-Frayba-2023/Informe-Frayba-2023_Chiapas-un-desastre.pdf

eleven bad practices in which this process of simulating justice is sustained by the fabrication of those responsible through the violation of human rights. These are:

1. Arbitrary detention, arrests in flagrante delicto alleging false offences;
2. Preventive detention, 48 hours in custody, whereby torture and fabrication of case files take place;
3. Request for arrest warrant, prosecution requests judge for arrest warrant for a fabricated crime;
4. Release for false in flagrante delicto crime and immediate arrest under the Judge's order;
5. Initial Hearing; illegal detention, torture, immediate transfer to prison, and lack of information, prevent proper defence;
6. Arraignment under lax burden of proof, where there is no need to provide evidence, and it is enough for the prosecutor to say that he has it;
7. Pretrial detention has become the rule, when it should be the last resort;
8. Pressure to submit to a summary proceeding, both the Public Prosecutor's Office and the court-appointed counsel often pressure the defendant and their families to submit to this legal figure in exchange for a reduced sentence;
9. Prolongation of preventive detention, in order to maintain the simulation, extension of the proceeding is sought at all costs, both by public prosecutors and judges;
10. Sentence: there are judges who, despite the evidential inconsistencies, tend to condemn the defendant under forced arguments or by improperly correcting the omissions of the prosecution, or who, faced with the serious inconsistencies of the fabricated cases, tend to issue sentences where criminal responsibility is not considered proven.
11. On appeal, the Superior Court of Justice of Chiapas usually confirms the convictions issued by trial judges, in several cases with irrational findings, the purpose of which is to make up for the lack of evidence, or reverses the first instance sentences in which non-criminal responsibility had been declared because the grounds for the case fabricated by the prosecution could not be sustained.

3.5 Torture

“Torture is a widespread practice in Mexico. It occurs especially between arrest and the court hearing, for the purposes of punishment and investigation,” acknowledged the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, Juan E. Méndez⁶⁰, in the report following his visit to Mexico in 2014. Ten years after his visit, things have not changed.

Based on information provided by the *Observatorio contra la tortura* (Observatory against Torture), from 2014 to 2022 there were 22,315 investigations or preliminary inquiries for the crime of torture initiated by the Prosecutor's Offices of each state. In this same period, there were 43 convictions and acquittals issued by the State and Federal Judicial Powers regarding the crime of torture. The Observatory points out that the relationship between

⁶⁰ Office of the United Nations High Commissioner for Human Rights. Mexico. (2014) Report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, Juan E. Méndez. (20 November 2023). https://hchr.org.mx/relatorias_grupos/informe-del-relator-especial-sobre-la-tortura-y-otros-tratos-o-penas-crueles-inhumanos-o-degradantes-juan-e-mendez/

the number of convictions handed down for the crime of torture and the number of investigations initiated is 2.26.⁶¹

According to the 2021 National Survey of the Population Deprived of Liberty (ENPOL),⁶² torture and cruel treatment are widespread during the first moments of detention, before reaching the Public Prosecutor's Office; the same survey indicates that this is used to obtain confessions and use them against the defendant in court.

The 2021 ENPOL thus shows there is a common pattern for generating illicit evidence: 42% of those in prison interviewed reported that they were beaten or mistreated at the public prosecutor's office to incriminate themselves or accept false facts and 22% to incriminate someone else. 20% indicate that they pleaded guilty through physical assault.

As the Fray Bartolomé de Las Casas Human Rights Centre rightly points out, torture is a key element within the justice system that is based on fabrication to make parties guilty.

3.6 Internal forced displacement

The United Nations Guiding Principles on Internal Displacement state that the internally displaced are “persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognized State border.” This definition, however, is descriptive in nature and does not confer special legal status, since being within their own country, internally displaced persons continue to enjoy all the rights and guarantees that correspond to citizens and residents. Therefore, the primary responsibility for preventing forced displacement and protecting internally displaced persons lies with national authorities.⁶³

The federal government officially recognized the existence of this phenomenon and the challenges that needed to be addressed in this regard up to April 2019. From then on, a long coordination process began to provide resources with which to respond to them, including legislative initiatives, the construction of official figures with disaggregated information, essential to know the magnitude of internal displacement in the country, profiles and location of those displaced.

In June 2021, the National Population Council published its “National diagnosis on the situation of internal forced displacement in Mexico,”⁶⁴ in which the institution recognized

⁶¹ *Observatorio contra la tortura*—Observatory against torture (2021) <https://sintortura.org/> (20 November 2023). <https://indicadores.sintortura.org/estadisticas?indicador=5db1cebba49fb8170351060a&periodo=2019&rubro=5d2e34d8e0d76664f3cc608f>

⁶² *Instituto Nacional de Estadística Geografía e Informática. INEGI*—National Institute of Statistics, Geography and Computer Science. (2021). National survey of the prison population (*Encuesta nacional de Población Privada de la Libertad ENPOL*) 2021. (20 November 2023). <https://www.inegi.org.mx/programas/enpol/2021/>

⁶³ UNHCR. The UN Refugee Agency. (2023). Definition of “internally displaced persons” (20 November 2023). <https://emergency.unhcr.org/es/protection/legal-framework/definici%C3%B3n-de-desplazados-internos>

⁶⁴ Government of Mexico. (2021). National diagnosis on the situation of internal forced displacement in Mexico. (20 November 2023). https://www.gob.mx/cms/uploads/attachment/file/681782/Diagnostico_nacional_sobre_la_situacion_del_desplazamiento_forzado_interno.pdf

that there are different causes that trigger displacement, where violence is a common denominator to all of them except for those associated with natural phenomena and climate change. It thus recognizes the link between displacement and violence, in its different dimensions, where disputes between criminal organizations stand out. In this way, displacement has been generated by violence, human rights violations, natural disasters, or the implementation of development projects. In most of these cases, the text points out, displacement is a consequence of the lack of protection by the administration.

The study confirms that the Mexican administration does not have official statistics on the matter, making it difficult to assess the intensity, temporality, territorial distribution and types of displacement. However, to fill this gap, it uses the National Survey of Victimization and Perception of Public Security from the 2020 census. In this regard, it indicates that a total of 262,411 people migrated internally due to criminal insecurity or violence.

The figure seems very low, although without official data it is impossible to measure the problem in the country. It seems low because various civil society organizations report figures that anticipate a much more complex situation. For example, the Mexican Commission for the Defence and Promotion of Human Rights in its “Episodes of forced internal displacement in Mexico 2021” report indicates that violence caused at least 28,943 people to leave their homes in 2021,⁶⁵ almost three times as many as in 2020.

In fact, the same organization, through permanent monitoring of local and national media, through which it collects and analyses information regarding mass displacement events, i.e. those that affect a number equal to or greater than ten families or 50 people, estimates that at least 338,405 persons have been internally displaced by violence in Mexico between 2006 and 2020.

For its part, the Fray Bartolomé de Las Casas Human Rights Centre has documented the forced displacement of at least 16,755 people in the State of Chiapas alone between 2010 and October 2022. They also point out that there has been no recent count, either official or from civil society, that allows measurement of the displacement of thousands of families in the municipalities bordering Guatemala due to the territorial dispute between organized crime groups.

The Special Rapporteur on the human rights of internally displaced persons, Cecilia Jiménez-Damary, visited Mexico between 29 August and 9 September 2022. In her report,⁶⁶ she points out that the causes of internal displacement in Mexico are diverse and multifactorial. They include different types of violence caused by organized crime, development projects, community conflicts over land, climate change, natural disasters, and in some specific cases, the creation of protected natural areas.

⁶⁵ *Comisión Mexicana de Defensa y Promoción de los derechos Humanos, A. C.*—Mexican Commission for the Defence and Promotion of Human Rights (2023). Presentation of the report on “Episodes of forced internal displacement in Mexico 2021”. (20 November 2023). <https://cmdpdh.org/2023/01/24/presentacion-informe-episodios-de-desplazamiento-interno-forzado-en-mexico-2021/>

⁶⁶ Office of the United Nations High Commissioner for Human Rights. Mexico. (2023) Human Rights Council. 52nd session. Promotion and protection of all human, civil, political, economic, social and cultural rights, including the right to development. Visit to Mexico. Report of the Special Rapporteur on the human rights of internally displaced persons, Cecilia Jiménez-Damary. (20 November 2023). https://hchr.org.mx/wp/wp-content/uploads/2023/07/A_HRC_53_35_Add.2_AdvanceEditedVersion.pdf

Regarding Indigenous Peoples, she found that obstacles persist, preventing them from fully enjoying their human rights, such as extreme poverty, violence by armed actors, including organized crime groups, lack of recognition of their own normative systems and institutions, the progressive land grabbing and appropriation of their territories, and the design and implementation of investment projects by the State and private companies. According to the rapporteur, in 2020 40% of the displaced population belonged to indigenous peoples.

The Special Rapporteur noted internal displacement caused by development plans and projects related to mining, logging, hydrocarbon extraction, dam construction and tourism, including the Mayan Train. In this regard, she noted with concern the irregularities and harassment faced by indigenous communities in expressing their free and prior informed consent.

Ultimately, this is a painful reality in Mexico that is difficult to measure without official data and figures, but given the complexity and development of violence in the country since 2006, it may be said that it is one of the country's main challenges: to address, prevent and offer support within the context of respect for the human rights of the entire population.

3.7 Rights of Indigenous Peoples and Afro-Mexicans

The marginalization and impoverishment that indigenous and Afro-Mexican peoples have historically faced means that their social, political and economic situation is always worse than that of the rest of the citizens. In Mexico, for example, their right to life, education, health, and access to justice are not guaranteed. In addition, the dissonance in the regulatory framework prevents the full exercise of practically all of their collective rights as a constitutional principle, especially the right to land and territory, to self-determination and autonomy.

One of the latest legislative processes that took place within the López Obrador administration was precisely the constitutional reform process linked to this issue, but although it represents some progress, does not actually constitute a legal framework within which the rights of indigenous peoples are guaranteed. Let us see.

Until a few days ago, Article 2 of the Constitution of the United Mexican States indicated that the nation has a multicultural composition which has its roots in its indigenous peoples; It also states that the communities of indigenous people are those which constitute a social, economic, and cultural unit, are situated in a territory, and have their own authorities in accordance with their traditions and customs.

The article recognized and guaranteed the right of indigenous peoples and communities to self-determination and autonomy to decide their internal forms of coexistence and organization; to apply their own systems of rules in the regulation and resolution of their internal conflicts and to elect, in accordance with their traditional customs, procedures, and practices, the authorities or representatives charged with the exercise of self-government.

The constitution⁶⁷ recognized and guaranteed the right of peoples to preserve and develop their languages, knowledge, and all the elements that constitute their culture and identity, to protect and improve their living environment and preserve the integrity of their territories; to the preferential use of natural resources in the territories that these communities occupy and in which they live—except for those that correspond to strategic areas.

They were entitled to full access to the court system of the State. In order to guarantee this right in all trials and proceedings in which they take part, individually or collectively, their customs and cultural particularities should be taken into account, and they should be assisted by translators and counsel who know their language and culture.

However, the very same Article 2 also indicated that the Federation, states, and municipalities, should establish the institutions and determine the policies required to guarantee the effectiveness of the rights of the indigenous population and the comprehensive development of their peoples and communities, which should be conceived and applied in coordination with them.

Thus, the same article that indicates the right to autonomy, to self-determination, grants the rest of the State entities the obligation to establish the institutions for this. In this way, the indigenous peoples are subjects of public interest and not subjects of public law. And thus, the regulatory framework justified the development and implementation of public policies, plans and programmes that result in the violation of the rights of the peoples.

This has been denounced, for example, by indigenous communities that fight against the development of mega-projects such as the so-called *Tren Maya* or Mayan Train, the interoceanic corridor, wind farms, mining concessions, the construction of dams; “development” projects in general, which do not have the support of the communities affected and which have seen their right to prior, free, informed, and culturally appropriate consultation in good faith violated. And since they are considered “strategic” or of “national security”, their implementation can go ahead regardless of the rejection of local communities.

Similarly, poverty alleviation programmes such as *Sembrando Vida* or *Jóvenes Construyendo el Futuro*, which prioritize the allocation of resources on an individual basis in cultural contexts where the collective and community vision prevails, have an impact on the community fabric, deteriorating and fracturing it, and even increasing conflict, generating disputes over access to land on an individual basis.⁶⁸

The reform passed in the Lower House and which will now continue passage in the Senate, modifies the second article of the Constitution, effectively recognizing Indigenous Peoples as Subjects of Public Law, but has deliberately omitted fundamental elements such as the right to territory of indigenous peoples. This was highlighted by organizations that form the

⁶⁷ Cámara de Diputados del Honorable congreso de la Unión—Chamber of Deputies of the Honourable Congress of the Union. (2023) Political Constitution of the United Mexican States. (20 November 2023). <https://www.diputados.gob.mx/LeyesBiblio/pdf/CPEUM.pdf>

⁶⁸ El Mundo. (2023). The Zapatistas take to the streets, “we are on high alert”. (20 November 2023). <https://www.elmundo.es/internacional/2023/06/09/6482ac3cfc6c83cd3a8b45b3.html>

Core Group of Indigenous Peoples Rights International-IPRI in Mexico,⁶⁹ who hold that in fact 15 articles of the Constitution would have to be amended in order to guarantee all rights overall without contradictions.

3.8 Human rights defenders and journalists

The defence and promotion of human rights in the country continues to be a high-risk activity, especially for defenders of the territory, search mothers, defenders of women's rights and freedom of expression, with Mexico being one of the most violent and dangerous countries in the world to carry on this activity. The murder of journalists and human rights defenders, as well as other kinds of aggression, with surveillance, threats, prosecution and other forms of harassment, continue to be a reality.

According to figures published in August 2023 by the civic association *Acción Urgente para Defensores de los Derechos Humanos* (Urgent Action for Human Rights Defenders), between June 2022 and May 2023 a total of 128 incidences were recorded in Mexico that violated the rights of human rights defenders, resulting in a total of 188 incidences of human rights violations other than arbitrary detention, extrajudicial execution or forced disappearance. These 188 incidences affected 48 organizations, 47 communities and 32 human rights defenders. The record indicates 107 arbitrary detentions, 18 extrajudicial killings, and two forced disappearances.⁷⁰

The same association provided figures for December 2018 to June 2022: 58 murders of journalists recorded, of which 58.62% (34) were in six states: Sonora, Guerrero, Veracruz, Michoacán, State of Mexico and Oaxaca. In addition, 105 homicides of human rights defenders were recorded, with 64.76% (68) in just six states: Guerrero, Oaxaca, Chihuahua, Chiapas, Morelos and Veracruz.⁷¹

For its part, the organization *Servicio para una Educación Alternativa A. C. (EDUCA Oaxaca)*, or Service for Alternative Education, published its own records for the murders of human rights defenders during the current administration. This organization reported 200 aggression on human rights defenders, including disappearances, homicides and extrajudicial killings. 176 human rights defenders were murdered in this context, with 20 human rights defenders remaining missing and 4 found alive.⁷²

⁶⁹ Desinformémonos. Indigenous and Afro-Mexican reform “deliberately leaves out fundamental elements,” warn organizations (19 October 2024). <https://desinformemonos.org/reforma-indigena-y-afromexicana-deliberadamente-deja-fuera-elementos-fundamentales-advierten-organizaciones/>

⁷⁰ *Acción Urgente para Defensores de los Derechos Humanos. Asociación Civil.*—Urgent Action for Human Rights Defenders (2023) Report. Defending human rights in Mexico: The big pending issues for 2022-2023. (20 November 2023). <https://acuddeh.org/spip.php?article4010>

⁷¹ Government of the State of Michoacan. (2022) National dialogue for a General Law Initiative for the Prevention and Protection of Offenses against Human Rights Defenders and Journalists, 8 June 2022. (20 November 2023). https://www.facebook.com/watch/live/?ref=watch_permalink&v=1413656439117138

⁷² *Servicios para una Educación Alternativa A. C. EDUCA.*—Services for an Alternative Education (2023) 200 attacks on the lives of human rights defenders during the current six-year term in Mexico. (20 November 2023). <https://www.educaoxaca.org/200-atentados-a-la-vida-contra-personas-defensoras-durante-el-actual-sexenio-en-mexico-educa/>

In the specific case of people and communities defending the environment, land and territory, from January 2019 to January 2023, 82 lethal attacks were recorded against them. The states with the highest number of reported incidents in those years were Chiapas (2019), Guerrero (2020), Oaxaca (2021) and Guerrero again (2022). However, states such as Chihuahua and Puebla, in addition to those mentioned, did not cease to rank in the first places of the records throughout that same period, with indigenous territories being the most vulnerable due to the imposition of extractive projects.⁷³

It is essential to highlight the increase in violence against human rights defenders searching for missing persons over the last few years. In 2022, the Frontline Defenders Memorial documented the murder of eight members of human rights groups, six of whom were women. It should also be noted that this alarming increase in the murders of human rights defenders has not been accompanied by a clear priority strategy by the State to address the situation.⁷⁴

At the same time, Mexico is one of the worst countries in the world to practice journalism. In this regard, the Article 19 organization has a record from 2000 to date in which it has documented 162 murders⁷⁵ of journalists, possibly related to their work. Of these, 42 have been recorded during the government of Andrés Manuel López Obrador, 47 during that of Peña Nieto, 48 during that of Calderón Hinojosa, 22 during that of Vicente Fox, and 3 during that of Ernesto Zedillo.

Regardless of the figures, what they show is that the *Mecanismo de Protección para Personas Defensoras de Derechos Humanos y Periodistas* (Protection Mechanism for Human Rights Defenders and Journalists) is insufficient to protect and prevent attacks on human rights defenders and journalists. Unfortunately, the Mechanism whose aim is fundamentally the development of security activities, does not resolve the structural causes that place human rights defenders at risk and violate their rights, i.e. it does not address the underlying problems that determine violence against human rights defenders and communicators.

In this regard, the *Espacio de Organizaciones de la Sociedad Civil para la Protección de Personas Defensoras de Derechos Humanos y Periodistas* (Space for Civil Society Organizations for the Protection of Human Rights Defenders and Journalists), or *Espacio OSC* has been insisting for years on the urgent need for developing a comprehensive public protection policy, where inter-institutional coordination and coordination between federal entities is essential.

3.9 Conclusions

This chapter does no more than list some of the advances that occurred during López Obrador's six-year term—reduction of the percentage of people living in poverty, increased

⁷³ Centro Mexicano de Derecho Ambiental—Mexican Environmental Law Centre. (2022) Report 2022. On the situation of people and communities defending environmental human rights in Mexico (20 November 2023). <https://www.cemda.org.mx/informe-2022/>

⁷⁴ Front Line Defenders. (2022). Global Analysis 2022. (20 November 2023). https://www.frontlinedefenders.org/sites/default/files/1535_fl_d_ga23_web.pdf

⁷⁵ Artículo 19. Journalists murdered in Mexico. Possibly related to their work as reporters. (20 November 2023). <https://articulo19.org/periodistasasasinados/>

minimum wages, increase in employment, etc.—as well as some of the elements that describe the human rights crisis that the country is experiencing. For a detailed description of the human rights challenges, we strongly recommend referring to the general and specific reports of the EPU-Mx Collective,⁷⁶ a coalition of over 300 civil society organizations presenting the context and recommendations that can perfectly be rendered a human rights agenda for all of Mexico.

What we simply highlight here is that the human rights challenges are enormous. Mexico is a very rich country with a very high proportion of its population living in poverty. The gap between a very small, very wealthy population, and millions of impoverished people who are the majority remains enormous. It is an indecently unequal society.

To face these facts, during the Lopez Obrador administration, part of the strategies for promotion of development and the policies for poverty alleviation were coherent, they broadened and materialized contents present in the public administration plans and strategies there had been since 1982. The renewal of the North American Free Trade Agreement, the modernization of the Global Agreement with the EU, the mega projects considered strategic such as the Mayan Train or the Trans-Isthmus Corridor, as well as the *Sembrando Vida*, the *Jóvenes Construyendo el Futuro* and the *Pensión para Personas Adultas Mayores* plans, are all proof of this.

But unfortunately, those plans and strategies also involve maintaining projects whose execution means violation of human rights—especially those of indigenous peoples—and whose eventual revenues depend on mechanisms of appropriation by dispossession, in addition to the externalization of environmental costs.

Altogether, that is the evolution of “development” projects that are the heirs or complementary to successive strategies that preceded them. For example, Carlos Salinas de Gortari promoted the North American Free Trade Agreement with the United States and Canada; Ernesto Zedillo proposed the Comprehensive Economic Development Programme in the Isthmus of Tehuantepec; Vicente Fox favoured the FTAA and the Puebla Panama Plan; Felipe Calderón, the Logistics System of the Isthmus of Tehuantepec; and Enrique Peña, the Isthmus Gateway to America Plan in addition to the Special Economic Zones in Chiapas, as well as the “fight against poverty” programmes that preceded them as of the late 1980s: Miguel de la Madrid’s “Regional Development”; Carlos Salinas’ “Solidarity”; Ernesto Zedillo’s “Progresía”; Felipe Calderón and Vicente Fox’s “Oportunidades” and Enrique Peña Nieto’s “Prospera.”

Furthermore, the crisis of violence triggered by the Felipe Calderón administration in 2006 with its model of securitization has continued and deepened with subsequent governments, including the Lopez Obrador administration. The insistence on the militarization of the National Guard, the increase in the budget and the diversification of the tasks assigned to the armed forces are proof of this. Unfortunately, the results are still insufficient, the violence does not cease and has cost the lives of almost half a million people in the past 18 years.

⁷⁶ Colectivo EPU Mx. (2023) Universal Periodic Review Mexico 2024. (20 November 2023). <https://centroprodh.org.mx/colectivo-epu-mx-2024/>

The exercise of the right to defend human rights, the right to freedom of opinion and expression and access to information, means putting one's life at risk. This is reflected in the figures of attacks on human rights defenders and journalists. In this regard, the Mechanism for the Protection of Human Rights Defenders and Journalists developed by the Mexican state—as important as it has been—very quickly finds its limits in transforming reality, since it does not address the causes of violence, nor is it linked to the institutions necessary to do so.

Finally, to comprehend how this long process of social decomposition has persevered and exacerbated, it is necessary to pay special attention to the justice system, regarding both its shortcomings and the perverse way in which it acts. Its abject failure in its duty to protect life, resolve conflicts, maintain harmony and social peace is displayed in the promise of impunity.

Some elements that are practically absent in all the above paragraphs are organized crime, the dimensions of the criminal economy, and its influence in the overall context. Addressing it would require much greater specialized attention. It is enough to highlight here that they have a huge responsibility in the development of the human rights crisis in the country. The forensics crisis, the scale of forced disappearances, forced displacement, forced recruitment, human trafficking, as well as the countless examples of appropriation by dispossession, are incomprehensible without their presence throughout the country and their influence on the institutions of the State. In this regard, an indispensable and urgent reflection to be made is precisely upon the global dimension of the criminal economy. Although the violence we are talking about takes place in Mexico, as we will see later, the development of the conditions in which human rights violations also come about through political decisions, even those that take place thousands of kilometres away. For example, in the modernization of the EU-Mexico Global Agreement.

4. Modernization of the Subjects of Political Dialogue and Cooperation of the EU-Mexico Global Agreement Regarding Limits to Democratic Construction

Limits to Democratic Construction

In 2024, considering the effects of the pandemic, the causes and consequences of the war in Europe and the Middle East, and the dispute between the US and China for global hegemony, Mexico and the EU can make a place for themselves on the international stage by embracing multilateralism based on their full adherence to democratic principles and human rights, as well as to the principles of international law regarding friendly relations and cooperation between states, as well as to the principles of the rule of law and good governance. And not just as a story that conceals geopolitical concerns, commercial interests, investment, access to markets and strategic raw materials, but as a foundation and political commitment to face global crises, challenges and threats. In this regard, they have the instruments for external action to do so.

The legal instrument that governs the EU-Mexico bilateral relationship is the Economic Partnership, Political Coordination and Cooperation Agreement between the European Community and its Member States, of the one part, and the United Mexican States, of the other part.⁷⁷ The document was signed in December 1997 and has been in force since it was published in October 2000. The agreement, known as the “Global Agreement,” is supported by four pillars: political dialogue, cooperation, the institutional framework for bilateral relations, and trade.

However, although three of the four pillars refer to the Parties’ commitment to promote, develop and consolidate the global framework of their international relations, to institutionalize political dialogue and broader cooperation, the Agreement is often referred to imprecisely as the European Union-Mexico Free Trade Agreement. Indeed, when referring to the development and implementation of the Global Agreement, trade links, import, export and investment figures are immediately highlighted, and that may not be the most befitting.

In this vein, this section focuses on the elements of political dialogue and cooperation in the Agreement, specifically its development and strengthening after over 20 years of implementation: the modernization process, in contrast with the pillar of trade; the delay in ratification and the procedure proposed for this to occur, and how this practically means closing the democratic space; the eventual corresponding contents of the Agreement in principle; and the expected relevance of the so-called democratic clause.

In essence, we simply highlight that when Mexico and the EU prioritize trade and investment relations over political, social and institutional relations, they thereby limit their ability to reaffirm the role of both actors on the international stage in defence of multilateralism based on democratic principles and human rights, and even run the risk of contributing to generating the conditions where human rights violations occur.

⁷⁷ Official Journal of the European Communities. (2000). Economic Partnership, Political Coordination and Cooperation Agreement between the European Community and its Member States, of the one part, and the United Mexican States, of the other part. (20 November 2023). https://eur-lex.europa.eu/resource.html?uri=cellar:f95ad1a3-795e-4fb0-84e1-28351b99415c.0004.02/DOC_2&format=PDF

4.1 Deepening political-institutional relations, first human rights

Article 1 of the Global Agreement, the Basis of the Agreement, establishes that respect for democratic principles and fundamental human rights, proclaimed by the Universal Declaration of Human Rights, underpins the domestic and external policies of both Parties and constitutes an essential element of the Agreement. This lays the foundations for a significant increase in ties between Mexico and the EU.

For example, mechanisms for political dialogue were agreed upon through contacts, exchanges of information and consultations between the different agencies of Mexico and the European Union, including the European Commission. In particular, these were at presidential and ministerial level, and via senior officials, and by making the most of diplomatic channels. Political dialogue was institutionalized through a Joint Council at ministerial level and a Joint Committee of senior officials. In fact, it was the EC-Mexico Joint Council that adopted Decision No. 2/2000, although that was to establish a Free Trade Zone. Thus, political, social and institutional relations, based on democratic principles and human rights, preceded trade and investment ties.

As for the chapter on cooperation, this made dialogue institutional regarding this facet, as well as for the possibility of new agreements of this kind as additional tools to bolster it. Thus, the Sectoral Agreement on Science and Technology⁷⁸ was subscribed and put into effect, as were two Joint Declarations to strengthen cooperation in education and culture, in addition to the Memorandum of Understanding promoting cooperation in statistics and air traffic, and letters of intent on industrial cooperation, SMEs, raw materials and tourism.⁷⁹

In this context, in November 2002 the First European Union Mexico Civil Society Dialogue Forum⁸⁰ was held in Brussels. Members of the Mexican Action Network against Free Trade (RMALC for *Red Mexicana de Acción Frente al Libre Comercio*) and the Copenhagen Initiative for Central America and Mexico (CIFCA), together with many other Mexican and European civil society actors, submitted a broad set of complaints, concerns and proposals before the authorities of both Mexico and Europe with the aim of contributing to the development of more transparent, democratic, fair and equitable relations between the Parties.

⁷⁸ Official Journal of the European Union. (2005) Agreement for Scientific and Technological Cooperation between the European Community and the United Mexican States. (20 November 2023). <https://eur-lex.europa.eu/legal-content/ES/TXT/?uri=CELEX%3A22005A1104%2801%29>

⁷⁹ Government of Mexico. (2019) 2012–2018 Process of modernization of the bilateral legal framework between Mexico and the EU. Directorate General for Europe. Ministry of Foreign Affairs, Mexico. Directorate General for Europe. Department of Foreign Affairs, Mexico. (20 November 2023). <https://www.gob.mx/sre/documentos/proceso-de-modernizacion-del-marco-juridico-bilateral-entre-mexico-y-la-union-europea-2012-2018-memorias-documentales>

⁸⁰ EU-LAC Foundation. (2002) First Forum of the European Union-Mexico Civil Society Dialogue. (20 November 2023). <https://intranet.eulacfoundation.org/es/system/files/Primer%20Foro%20de%20Di%C3%A1logo%20con%20la%20Sociedad%20Civil%20M%C3%A9xico-Uni%C3%B3n%20Europea.pdf>

A further four forums followed this initial experience of dialogue: Brussels (2008⁸¹ and 2012⁸²) and Mexico City (2005⁸³ and 2010⁸⁴). Despite the limitations and the attrition that the process would ultimately suffer, they are undoubtedly an excellent example of the outstanding role of civil societies in the new multilateralism in a global world.

Unfortunately, a good part of the contributions, complaints and concerns, the product of a long process of reflection, dialogue and collective construction regarding the link between free trade agreements and the violation of human rights expressed by civil society in these forums, all remain valid, as do many of their proposals, including the creation of an Economic and Social Council in Mexico, a Joint Consultative Council, a Joint EU-Mexico Special Committee for Social Issues, a Social Observatory, a venue for European and Mexican civil society, or a biennial Forum, with preparatory and follow-up meetings.

Generally speaking, the civil society proposals meant to foster the recognition of a positive dimension of the Democratic Clause by both Parties, i.e. the willingness of the States to take affirmative action regarding human rights. And above all, they sought development of spaces to make the participation of those who promote respect for human rights in rolling out the Agreement an effective reality.

Two years after the first forum, the EU-Mexico Joint Parliamentary Committee (JPC) was established in 2004, creating a space to broaden parliamentary dialogue and improve relations between Mexico and the EU. The meetings began in 2005, with the following objectives:⁸⁵

- Establish lasting bonds of solidarity that contribute to stability and prosperity.
- Act in favour of the regional integration process and foster a climate of understanding and tolerance between peoples and cultures.
- Address all issues of common interest.
- Open up new forms of cooperation in favour of common objectives, including through joint international initiatives, particularly regarding peace, security and regional development.

The furthering of political relations thus led to the recognition of the Strategic Partnership⁸⁶ in 2009 and the Strategic Partnership Joint Executive Plan⁸⁷ in 2010. The latter states that

⁸¹ Government of Mexico. (2008). Third Forum of Dialogue between the Civil Societies of Mexico and the European Union. (20 November 2023). https://www.gob.mx/cms/uploads/attachment/file/8363/3er_foro_convocatoria.pdf y Government of Mexico (2009) Response of the institutions of the Government of Mexico and the European Union to the recommendations of Civil Society of the Third Forum of Dialogue with Civil Societies of Mexico and the European Union (20 November 2023). https://www.gob.mx/cms/uploads/attachment/file/8365/Respuesta_recomendaciones_3er_foro.pdf

⁸² EU-LAT Network. (2013). Fifth Forum of Dialogue between Civil Society and Institutions of the Mexican Government and the European Union (20 November 2023). <https://eulatnetwork.org/es/v-foro-de-dialogo-entre-la-sociedad-civil-y-las-instituciones-del-gobierno-y-la-union-europea/>

⁸³ *Red Mexicana de Acción frente al Libre Comercio*—Mexican Network for Action before Free Trade. (2005). 2nd Social Dialogue Forum. (20 November 2023). <http://www.rmalc.org/historico/documentos/libros/DIALOGO.pdf>

⁸⁴ Government of Mexico. (2008). Fourth Forum of Dialogue between Civil Society and Institutions of the Mexican Government and the European Union. (20 November 2023). https://www.gob.mx/cms/uploads/attachment/file/8356/Relatoria_propuestas_mesas_trabajo_iv_foro.pdf

⁸⁵ *Centro de Estudios Internacionales Gilberto Bosques*—Gilberto Bosques Centre for International Studies (2004). Mexico–European Union Joint Parliamentary Committee. (20 November 2023). <https://centrogilbertobosques.senado.gob.mx/cpm>

⁸⁶ European Parliamentary Research Service. (2012). EU Strategic Partnerships with third countries. (20 November 2023). <https://epthinktank.eu/2012/10/02/eu-strategic-partnerships-with-third-countries/>

⁸⁷ Delegation of the European Union to Mexico. (2010). Mexico-European Union Strategic Partnership Joint Executive Plan 2010. (20 November 2023). https://www.eeas.europa.eu/node/14100_en

the guiding objectives of this partnership are the consolidation of democracy and the rule of law, the protection of human rights, sustainable economic development, equal opportunities, and a mutual commitment to fighting poverty and social exclusion. The Executive Plan broadened political dialogue and cooperation based on the creation of sectoral dialogues in the areas of i) human rights, ii) the environment, iii) climate change, iv) education, v) public security and the administration of justice, vi) macroeconomic issues, vii) the digital agenda, viii) energy, ix) regional and urban policy, and x) high-level political dialogue.

Thus, when the original Global Agreement was negotiated, as well as promoting economic relationships within the framework of a supposedly free market, the possibilities of strengthening political, social and institutional relations were also opened up. And today, at an entirely different historical moment from that of the original Agreement, the definition of the concept of “development” has been highly questioned in order to incorporate other elements such as the criteria of sustainability, degrowth, redistribution of wealth, reconstruction of the natural environment, and even alternative paradigms such as the quality of life of indigenous peoples. In this way, the bonds between Mexico and the European Union, and of both with the broader international community, may also be redefined.

After more than 24 years since the entry into force of the Global Agreement, Mexico and the EU have substantially transformed the way in which they relate far beyond the economic-trade sphere, and so show the will and capacity to contribute to global governance, international peace and security, the promotion and defence of human rights through specific practices of cooperation, exchange and dialogue.

An example of this is undoubtedly the EU-Mexico High-Level Dialogue on Human Rights, a space where the parties exchange information on their latest initiatives in the field of human rights, raise their concerns about violations of these rights and strengthen their bilateral and multilateral cooperation on the protection and promotion of human rights,⁸⁸ and the EU-Mexico Civil Society Seminar prior to the High-Level Dialogue where human rights defenders find a unique space to denounce the realities of violence and rights violations they face daily, put forward proposals and alternative scenarios, and the European Union-Mexico-Civil Society “Triologue” on Human Rights, where defenders can meet directly with authorities from institutions on both sides of the Atlantic.

At a time in history where the closure of civic space frequently occurs both in the so-called Global North and in the Global South, having an institutional framework that guarantees an open and accessible dialogue between high-level authorities and representatives of civil society is simply priceless, especially when it contributes to generating concrete actions that prevent or cease human rights violations and facilitate access to such actions.

⁸⁸ In November 2023, the 11th session of the EU-Mexico High-Level Dialogue on Human Rights and the 9th EU-Mexico Civil Society Seminar on Human Rights took place in Mexico City.

4.2 Modernization of the chapters on political dialogue and cooperation

In the framework of the First EU-CELAC summit held in Chile in early 2013, the then presidents of Mexico, the European Council, and the European Commission—Enrique Peña Nieto, Herman Van Rompuy, and José Manuel Barroso, respectively—agreed to explore the possibility of extending the Joint Executive Plan of the Strategic Partnership, as well as updating the Agreement on economic partnership, political coordination, and cooperation between the EU and Mexico. Over 10 years later, although negotiations on the political dialogue and cooperation sections⁸⁹ were formally concluded in September 2019, the process remains incomplete.

In order to understand and measure the process of modernization of the political dialogue and the cooperation chapters, from the steps prior to the start of negotiations in 2013, and the negotiation process itself through to September 2018, and to try and anticipate the contents of the Agreement in principle—which are not public at the time of writing this report—we highlight some of its stages as follows:⁹⁰

- June 2013, 12th Meeting of the Mexico-EU Joint Committee, agreeing the creation of the Joint Working Group (JWG) to review the Global Agreement;
- October 2013, the EU Delegation in Mexico delivers the “Terms of reference for the Joint Working Group on the possible modernization of the Mexico-European Union Global Agreement” which considers the creation of three subgroups: political dialogue, cooperation and trade;
- February 2014, having formally established the JWG with three specific subgroups, the drafting of the Joint Vision Report (JVR) begins, allowing exploration of the objectives of modernization;
- January 2015, the negotiation of the political dialogue and cooperation sections of the JVR is finalized;
- May 2015, at the request of Mexico, BBVA Research publishes the “Evaluation of the effects of the EU-Mexico FTA on bilateral trade and investment”; For its part, at the request of the EU, the consulting firm Ecorys publishes the “Ex-post evaluation of the implementation of the EU-Mexico FTA by the European Commission”⁹¹;
- The Ecorys report analyses the social impacts of the Agreement—on human rights, decent work and the informal sector, poverty and inequality, impact on the environment—and finds that the changes “are very small, but show a positive trend.” The BBVA report does not assess these impacts⁹²;
- May 2016, the Council of the EU gives the European Commission and the European External Action Service (EEAS) a mandate and negotiation guidelines;

⁸⁹ Government of Mexico. (2019). Mexico and the European Union reaffirm their commitment to continue strengthening the strategic partnership. (20 November 2023). <https://www.gob.mx/sre/es/articulos/mexico-y-la-union-europea-reafirman-su-compromiso-de-continuar-fortaleciendo-la-asociacion-estrategica-216950?idiom=es>

⁹⁰ For a full overview of the process, see “*Memoria Documental 2012—2018, Proceso de modernización del marco jurídico bilateral entre México y la Unión Europea*”, of the Department of Foreign Affairs of Mexico, available at: https://www.gob.mx/cms/uploads/attachment/file/426877/MD_Modernizaci_n_marco_jur_dico_M_xico-UE_2012-2018.pdf

⁹¹ BBVA. (2015). Evaluation of the effects of the EU-Mexico FTA on bilateral trade and investment. (20 November 2023). <https://www.bbvaresearch.com/publicaciones/evaluacion-de-los-efectos-del-tlcuem-en-el-comercio-bilateral-y-la-inversion/>

⁹² ECORYS. (2015). Ex-post Evaluation of the Implementation of the EU-Mexico Free Trade Agreement. (20 November 2023). <https://docplayer.es/70342535-Evaluacion-ex-post-de-la-implementacion-del-tratado-de-libre-comercio-eu-mexico.html>

- June 2016, it was determined in the First Round of Negotiations that from that moment on the negotiations on the subjects of political dialogue and cooperation on the one hand, and the economic dialogue on the other, would be carried out side by side. The Ministry of Foreign Affairs, together with Amexcid, would lead the negotiations on the topics of political dialogue and cooperation with its counterpart in the EEAS, while the Ministry of Economy would lead the economic negotiations with its counterparts in the Directorate General for Trade (DG TRADE) of the European Commission.
- In the first round, the EEAS submitted a proposed index for the new Agreement for debate: i) Preamble; ii) General Provisions; iii) Political Dialogue and Cooperation in Matters of International Peace and Security; iv) Cooperation in International and Regional Organizations; v) Cooperation in Justice, Freedom and Security; vi) Cooperation in Sustainable Development, Environment, Climate Change and Energy; vii) Cooperation in Agriculture, Maritime Affairs and Fisheries; viii) Economic Cooperation; ix) Cooperation in Education, Culture and Social Affairs; x) Research, Innovation and Information Society; xi) Trade and Investment; xii) General Institutional Framework; xiii) Final Provisions.
- May 2017, Second Round of Negotiations, agreements: i) Countering proliferation of weapons of mass destruction; ii) International Criminal Court; iii) Peacekeeping and crisis management; iv) International organizations; v) Regional organizations; vi) Judicial cooperation; vii) Protection of personal data; viii) Energy; ix) Enterprise and Industry, including Small and Medium-sized Enterprises; x) Statistics; xi) Transport; xii) Employment and Social Affairs; and xiii) Digital economy.
- July 2017, Third Round of Negotiations, agreements: i) Objectives of the Agreement; ii) Public Security; iii) Business and Human Rights; iv) Exponential Technological Change; v) Sustainable Urban Agenda; vi) Development of Regional and Urban Policy; vii) Maritime Services and Fisheries; viii) Macroeconomic Policies; ix) Education; x) Social Cohesion and Inclusion; xi) Health; xii) Consular Protection; xiii) Consumer Policy.
- October 2017, Fourth Round of Negotiations, agreements: i) Small Arms and Light Weapons / Conventional Weapons; ii) Anti-Terrorism; iii) Cybercrime; iv) Research and Innovation; v) Culture.
- November 2017, Fifth Round of Negotiations, agreements: i) General Principles; ii) Political Dialogue; iii) Migration, asylum and border management; iv) The global drug problem; v) Disaster risk management and civil protection; vi) Summit.
- November 2017, Sixth Round of Negotiations, the Parties reach Agreement in principle⁹³ on all the subjects of political dialogue and cooperation: i) Preamble; ii) Democratic principles, human rights and the rule of law; iii) Law enforcement and the fight against corruption and transnational organized crime; iv) Environment; v) Climate change; vi) Cooperation on agriculture and rural development; vii) Joint Commission; viii) Joint Parliamentary Committee; ix) Definition of the Parties; x) Territorial application; xi) Entry into force and provisional application; xii) Annexes, appendices, protocols and notes; xiii) Security exception; xiv) Other agreements; xv) Accession of new EU Member States; xvi) Future accessions to this Agreement; xvii) Private rights; xviii) Duration and termination.
- December 2017, technical negotiations begin.

⁹³ Government of Mexico. (2017). Mexico and the European Union agree on political and cooperation issues in the process of modernizing the Agreement. (20 November 2023). <https://www.gob.mx/sre/prensa/mexico-y-la-union-europea-se-pusieron-de-acuerdo-sobre-los-temas-politicos-yde-cooperacion-en-el-proceso-de-modernizacion-del-acuerdo?idiom=es>

- September 2018, 64 of the 67 topics of political dialogue and cooperation, institutional framework and final provisions of the new Agreement are agreed upon, only pending the following: subcommittees, civil society and compliance with obligations.
- April 2020⁹⁴, the EU and Mexico conclude their talks by agreeing on the last element, the exact scope of the reciprocal opening of public procurement markets, as well as a high level of predictability and transparency in public procurement processes.

Thus, the process of modernizing the elements of political dialogue and cooperation in the Agreement, which has already taken over 10 years—three to open the process, three for negotiations, and four during which signature has been stalled and ratification postponed—took place fundamentally in secrecy and, in this regard, without putting into practice what the Agreement is based on in principle, its total adherence to democratic principles and human rights, since it was not open to participation of civil society.

4.3 State of affairs, ratification postponed

As things stand, the procedural path to the eventual entry into force of the modernized Global Agreement is still lengthy, and what remains is:⁹⁵ 1) finalization and legal adaptation of the texts; 2) formal conclusion of the negotiations; 3) translation and submission of the new Agreement to the Council of the EU and the Parliament; 4) proposal before the Council of the EU for signature, possible⁹⁶ provisional application and conclusion of the new Agreement; 6) signing of the mixed Agreement; 7) submission the signed document to the European Parliament and the Senate of the Republic of Mexico for their eventual consent; 8) ratification by the Member States; and finally, 9) publication in the corresponding Official Journal.

However, the process has been stalled since September 2019⁹⁷ when the then Mexican Secretary of Foreign Affairs Marcelo Ebrard and the High Representative of the EU for Foreign Affairs and Security Policy and Vice-President of the European Commission, Federica Mogherini, announced in Mexico City the conclusion of all negotiations on the political dialogue and cooperation sections following the agreement in principle on trade and investment.

In this regard, when asked about the causes of the delay in the ratification process, officials from the European Commission and the European External Action Service refer to the challenges brought about regarding the “legal architecture” of the Agreement, while officials in Mexico assure that they are actually ready for it to be signed as it was

⁹⁴ European Commission. (2020). EU and Mexico conclude negotiations for new trade agreement. (20 November 2023). https://ec.europa.eu/commission/presscorner/detail/es/ip_20_756

⁹⁵ Government of Mexico. (2019) *2012-2018 Proceso de modernización del marco...* op. cit. (20 November 2023). <https://www.gob.mx/sre/documentos/proceso-de-modernizacion-del-marco-juridico-bilateral-entre-mexico-y-la-union-europea-2012-2018-memorias-documentales>

⁹⁶ European Council. Council of the European Union. The role of the Council in international agreements. (20 November 2023). <https://www.consilium.europa.eu/es/council-eu/international-agreements/>

⁹⁷ Government of Mexico. (2019). Mexico and the European Union reaffirm their commitment to continue strengthening the strategic partnership. (20 November 2023). <https://www.gob.mx/sre/es/articulos/mexico-y-la-union-europea-reafirman-su-compromiso-de-continuar-fortaleciendo-la-asociacion-estrategica-216950?idiom=es>

negotiated. The keys to understanding the delay in the ratification are the difference in interests between the Parties—trade and investment on the European side, politics and cooperation on the Mexican side—and the diversity of the contents that constitute the Global Agreement, the structure of the European Union and the powers associated with its institutions.

In short, based on its content, the Global Agreement is a mixed agreement, i.e. the EU has exclusive powers on some issues, and its Member States on others. Thus, its approval requires the European Parliament, the Council of Europe, and ratification by the Parliaments of all Member States of the Union. It would thus suffice for a single local Parliament to reject the Agreement to completely block its entry into force. This has already happened on one occasion when, for example, the Parliament of the Walloon Region, one of the three that make up Belgium, voted against allowing the Belgian government to sign the CETA free trade agreement between the EU and Canada.⁹⁸

With this fear in mind, in July 2021 the European Commission and the EEAS suggested to Mexico that the Global Agreement should be divided into three parts: Policy and Cooperation; Investment Agreement; and Trade Agreement,⁹⁹ as an alternative to respond to the legal architecture challenge. The different parts of the agreement could thus enter into force at different times, with the trade part,¹⁰⁰ proceeding with the approval of the Parliament and the Council; while the cooperation and political dialogue parts, where the Member States are competent, would have a parallel ratification process.

On 9 March 2023, views were exchanged with the EEAS at the European Parliament Committee on Foreign Affairs (AFET)¹⁰¹ on the situation in Mexico, including the status of the negotiations for the EU-Mexico Global Agreement. The MEPs who took part expressed their concern about the situation of violence and human rights in Mexico. They also recognized the strategic nature of the relationship with the country, and most of them urged for the Agreement to be closed in order to move forward on the trade part. Some asked about the state of the matter regarding part on policy and cooperation, and practically all of them asked about the status of the Agreement and the delay in its ratification.

As was to be expected, regarding the public information on the process, the MEPs referred to the challenge that the legal structure inferred—once again—and the proposal of the EC and the EEAS to divide the Agreement into three parts in order to move forward on the trade part and leave the rest for when the states could approve it, as well as concern for the Mexican request to keep the Agreement as a single document.

⁹⁸ El País. (2016). Walloon parliament veto blocks EU-Canada trade deal. (20 November 2023). https://elpais.com/internacional/2016/10/14/actualidad/1476444653_437700.html

⁹⁹ No al TTIP. (2021). Yet another step towards opaque and undemocratic trade: the European Commission proposes splitting the EU-Mexico trade agreement (20 November 2023). <https://www.noalttip.org/un-paso-mas-hacia-el-comercio-opaco-y-antidemocratico-la-comision-europea-prop-one-dividir-el-acuerdo-comercial-ue-mexico/>

¹⁰⁰ The European Union, Latin America and the Caribbean: Cartography of the Association Agreements, Editors: Adrián Bonilla y José Antonio. Sanahuja Fundación EU-LAC Foundation-Fundación Carolina, 2022, p. 161

¹⁰¹ European Parliament. (2023). Draft agenda. (20 November 2023). https://www.europarl.europa.eu/meetdocs/2014_2019/plmrep/COMMITTEES/AFET/OJ/2023/03-09/1272694ES.pdf

The then head of the EEAS Unit for Mexico, Central America and the Caribbean, Mr Jonathan Hatwell clearly replied that although they are fully committed to transparency and accountability, he requested the MEPs' trust in not revealing more information about the process because he had to maintain confidentiality in an ongoing negotiation and in a public environment such as that of that session, he could not go into details. He also argued that in this regard, he spoke with the different institutions involved, such as the European Commission, the European Parliament, and the EU Delegation in Mexico, etc. on a daily basis. Mr Hatwell finally commented that regarding the Mexican proposal of maintaining the integrity of the Agreement as negotiated, and the proposal from the European side offering an institutional arrangement that would allow for faster progress with the trade side while respecting the institutional competences involved, he had received positive signs from the Mexican side, but no formal response as yet, which they were still awaiting.

In this last regard, at the time of writing this report, the Mexican government is publicly opposed to the proposal to divide the agreement for ratification, since the free trade chapter—which mainly benefits European transnational companies—would surely be approved, while the rest of the elements would be put on hold.

It is essential to highlight that the Agreement in principle on political dialogue and cooperation has not yet been published, unlike the trade part, the Agreement in principle of which has been public since April 2018. What is striking is the lack of access to information—even for members of the European Parliament, the highest body of popular representation in Europe—and the lack of transparency for civil society organizations, and how the very proposal for ratification by the Commission and the EEAS to overcome the challenges of the “legal architecture” is precisely to further restrict the participation of the bodies of popular representation of the Member States in the ratification of the Agreement.

It is worth mentioning that the democratic clause is part of the political and cooperation pillar that will only come into force when all EU member countries have ratified the agreement. In this regard, if the agreement were to be divided as proposed by the European Commission, the human rights clause would not be part of the provisions that would enter into force on a preliminary basis. That is to say, the trade part would be applied, but the political and cooperation part would not, meaning that the little that this agreement provides in terms of human rights protection would not even be in force. This would be particularly serious, since the free trade agreement would only aggravate the already existing problems regarding the violation of human rights.

In its mission to Mexico in 2016, the UN Working Group on Business and Human Rights stated that: “The urgency to attract investment, insufficient safeguards and a lack of capacity to enforce existing legislation creates an environment in which human rights can be abused with impunity” and added that “when human rights abuses occur, raising grievances is not easy and often results in retaliation, while access to remedy can be difficult to achieve”.¹⁰²

After this entire process, in June 2023—just a few days after the suspension of the seminar prior to the High-Level Dialogue on Human Rights—the President of the European

¹⁰² Human Rights Council. United Nations General Assembly A/HRC/35/32: Report of the Working Group on the issue of human rights and transnational corporations and other business enterprises on its mission to Mexico.

Commission, Ursula von der Leyen, and the President of Mexico, Andrés Manuel López Obrador, held a meeting in Mexico City after which they announced that the following steps in intensifying the political and trade association will focus on accelerating the negotiations of the Modernized Global Agreement to finalize it before the end of the year, although neither of them made any reference to the possibility of dividing it.

4.4 Contents of the Agreement regarding the principle of Political Dialogue and Cooperation, continuity of the human rights clause

As mentioned above, unlike the part on trade—which includes investments and public procurement—the contents of the Agreement regarding the principle of political dialogue, cooperation and the institutional framework are not public. However, based on the limited public information regarding the dialogue and negotiation between the Ministry of Foreign Affairs of Mexico and the European External Action Service, at least part of the proposed content can be anticipated, and this might be:

- | | |
|--|---|
| 1. Preamble; | 26. Environment; |
| 2. Objectives; | 27. Climate change; |
| 3. General principles; | 28. Energy; |
| 4. Political dialogue; | 29. Cooperation in agriculture and rural development; |
| 5. Democratic principles, human rights and the rule of law; | 30. Maritime affairs and fisheries; |
| 6. Gender equality and women's empowerment; | 31. Macroeconomic policies; |
| 7. Combating the proliferation of weapons of mass destruction; | 32. Enterprise and industry, including Small and Medium Enterprise; |
| 8. Small arms and light weapons/conventional weapons; | 33. Business and human rights; |
| 9. International Criminal Court; | 34. Statistics; |
| 10. Peacekeeping and crisis management; | 35. Transport; |
| 11. Citizen security; | 36. Education; |
| 12. International organizations; | 37. Culture; |
| 13. Regional organizations; | 38. Employment and social affairs; |
| 14. Legal and judicial cooperation; | 39. Exponential technological change; |
| 15. Law enforcement, fight against corruption and organized crime; | 40. Cohesion and social inclusion; |
| 16. Migration, asylum and border management; | 41. Health; |
| 17. The world drug problem; | 42. Research and innovation; |
| 18. Anti-terrorism; | 43. Digital economy; |
| 19. Cybercrime; | 44. Summit; |
| 20. Personal data protection; | 45. Joint Council; |
| 21. Consumer policy; | 46. Joint Committee; |
| 22. Consular protection; | 47. Subcommittees; |
| 23. Disaster risk management and civil protection; | 48. Migration, asylum and border management; |
| 24. Sustainable Urban Agenda; | 49. The world drug problem; |
| 25. Development of regional and urban policy; | 50. Anti-terrorism; |
| | 51. Cybercrime; |
| | 52. Personal data protection; |
| | 53. Consumer policy; |
| | 54. Consular protection; |

- | | |
|---|---|
| 55. Disaster risk management and civil protection; | 74. Research and innovation; |
| 56. Sustainable Urban Agenda; | 75. Digital economy; |
| 57. Development of regional and urban policy; | 76. Summit; |
| 58. Environment; | 77. Joint Council; |
| 59. Climate change; | 78. Joint Committee; |
| 60. Energy; | 79. Subcommittees; |
| 61. Cooperation in agriculture and rural development; | 80. Joint Parliamentary Committee; |
| 62. Maritime affairs and fisheries; | 81. Civil society; |
| 63. Macroeconomic policies; | 82. Forum with civil society; |
| 64. Enterprise and industry, including Small and Medium Enterprise; | 83. Definition of the Parties; |
| 65. Business and human rights; | 84. Territorial application; |
| 66. Statistics; | 85. Fulfilment of obligations; |
| 67. Transport; | 86. Entry into force and provisional application; |
| 68. Education; | 87. Other agreements; |
| 69. Culture; | 88. Annexes, appendices and notes; |
| 70. Employment and social affairs; | 89. Security exception; |
| 71. Exponential technological change; | 90. Accession of new EU Member States; |
| 72. Cohesion and social inclusion; | 91. Future accessions to this Agreement; |
| 73. Health; | 92. Private rights; |
| | 93. Authentic texts; |
| | 94. Duration and termination. |

If these are ultimately the elements of political dialogue, cooperation, and the institutional framework of the modernized Global Agreement, then it may be expected that the so-called democratic or human rights clause, which is embodied in all political agreements of the EU with third countries, may be found on the one hand in the preamble, where reference is made to human rights and democratic values; in those articles that define the general or essential principles of the agreement; and finally in the fulfilment of obligations, where the possibility of suspension of the treaty is contemplated.

That is what the Parties stated in the original Global Agreement. In Title I, on the Nature and Scope of Application, Art. 1, on the Basis of the Agreement states that “Respect for democratic principles and fundamental human rights, proclaimed by the Universal Declaration of Human Rights, underpins the domestic and external policies of both Parties and constitutes an essential element of this Agreement,” while Article 58 on Fulfilment of obligations states that “The Parties shall adopt any general or specific measure required for them to fulfil their obligations under this Agreement and shall ensure that they comply with the objectives laid down in the Agreement.” It then continues, “If either Party considers that the other Party has failed to fulfil an obligation under this Agreement, it may take appropriate measures... with priority given to those that least disrupt the operation of this Agreement” and furthermore,

that “priority must be given to those measures which least disturb the functioning of this Agreement.”

If this is the case, and the so-called Democratic Clause are expressed in the same terms as in the original Agreement and the approach to its application is the same—assuming possible sanctions when serious and persistent violations of human rights have been committed—one may thence expect the enhanced value that this should entail, especially when in more than 20 years of bilateral relations and with a serious crisis of violence and serious violations of human rights in Mexico, this has not been taken into consideration.

4.5 Conclusions

In order to help address global crises, challenges and threats, as well as the specific challenges facing the parties, in line with the portrayal of principles and values that is supposedly generated by the associations between both parties, the way must include real political change based on democratic principles and human rights, multilateralism, the principles of international law regarding friendly relations and cooperation between States, the principles of the rule of law and good governance, and these must above all be put into practice.

In this way, to transform violence into peace-building processes and to guarantee full human rights in Mexico, and to promote the strengthening of democracy, the energy transition, and access to strategic raw materials for the European Union, to generate alternatives, human rights must be the foundation and destination of any effort. First human rights, then everything else.

The process of modernization of the issues of Political Dialogue and Cooperation in the Agreement is an excellent example of the contrary. It has gone on practically without any consideration for the participation of elected bodies and without taking into account the participation of civil society. The process has occurred in almost total secrecy. Thus, regardless of the storytelling and the supposed principles that underpin the relationship and the acts of the Parties, in practice what prevails are commercial ties, economic interests, with the latter indeed open to scrutiny and contribution, but by interests alien to government institutions.

It is striking that among the contents that the Agreement in Principle will apparently include is the relations with civil society through the constitution of consultative groups, with the supervision of the civil society forum. If this is the case, as we have already seen, these are two of the main demands that arose from the first forum of dialogue over 20 years ago. Making it a reality now and materializing it after completing the process of modernization of the Agreement is, to say the least, an opportunity lost, since the contribution of civil society can favour new, more democratic kinds of relationship, also in the multilateral sphere.

As we have seen, the Agreement on Economic Partnership, Political Coordination and Cooperation between the European Union and the United Mexican States has been a framework for relations that is much broader than trade relations, and although it has

been insufficient to generate processes within the framework for its modernization, it is a good example that there are other kinds of political relationships in addition to trade and investment. And if they were to be taken into consideration in greater depth, the development of the Agreement could be strengthened to promote and respect human rights in all its facets, with a broad and positive dimension of the Democratic Clause, as called for 20 years ago by those who constituted the RMALC network and the CIFCA.

Minimizing or neglecting the major challenges facing Mexico, the EU and humanity as a whole—poverty, war, polarization, violence, climate change, to name but a few—in order to opt for deepening trade and investment relations means taking precisely the political decision to continue and strengthen the relations between States in the conditions the current crises have come about. In light of this, relations in the political and cooperation spheres based on dialogue can be a source for generating new responses to global challenges.

To resolve the delay in the ratification of the modernized Global Agreement, the EC and the EEAS propose dividing and ratifying it separately—trade and investment elements on the one hand, political dialogue and cooperation on the other—in order to overcome the so-called “challenge” of the legal architecture. Insofar as the proposal restricts the participation of the people’s representative bodies of the States, the decision is an excellent example of what the closure of the democratic space in Europe implies, since it prevents the intervention of representatives, whose duty it is to protect the rights of the people of their respective territories. Instead of hearing the arguments that would justify rejection and favour dialogue to strengthen the proposal, it has been decided to opt for a decision-making process that takes into consideration a much smaller number of opinions and with political criteria that do not necessarily coincide with the interests of the majority.

As has already been stated, this report does not cover the trade part of the Agreement in Principle. To get a clear idea of its contents and likely impacts, we highly recommend the guide “Mexico–EU: All power to? ... Investors!”¹⁰³ The Transnational Institute and Powershift, in collaboration with several organizations, express their concern about maintaining the legal asymmetry between the rights of investors versus human rights. And they express among their main concerns that the modernized agreement includes an entirely new chapter on investments that enables investors to sue States before a court of arbitration in an Investor-State Dispute Settlement (ISDS).

Since 1992, the European Union has developed an array of economic agreements with most countries in the world. While in the 1990s the first treaties focused primarily on tariff measures, over time they have become ever more complex and have covered much broader areas than just trade. Indeed, the treaties have delved increasingly into non-tariff barriers, “open markets” and regulatory aspects, including investment protection. Today’s trade and investment treaties contain thousands and thousands of pages, with indeterminate legal concepts that only serve to shield investor

¹⁰³ Transnational Institute. Powershift. “Travel guide: EU–Mexico—All power to...? Investors”. <https://power-shift.de/wp-content/uploads/2021/04/GuiaUEMexico.pdf> (22 de octubre 2024)

protections while ridding them of their obligations (usually included in annexes and other empty clauses).

In recent years, new chapters have been added to trade and investment treaties on sustainable development or political cooperation with the aim of forcing countries to comply with international commitments on human rights or the environment. However, these provisions have not even been invoked in situations as evidently applicable as in the serious violations of human rights that have taken place in Mexico.

Meanwhile, transnational investors have found in arbitration an effective remedy in compensation for regulatory practices of the States. That is why in trade agreements special attention must be paid to clauses that may seem acceptable at first reading from the point of view of the defence of collective rights, but that later become distorted and are contradictory, with situations such as voided practices and regulations in the annexes.

The numerous provisions and rules in trade and investment treaties are increasingly a legal tangle of corporate law while there is massive deregulation of human rights. This allows recourse to investment arbitration as the main mechanism for resolving disputes between an investor and the State. Through this mechanism, foreign investors can sue States if they consider that they have legislated against their present or future economic interests. Claims are not settled before ordinary courts, but before international courts of arbitration that do not consider the legal regulations of States or the EU. The proceedings of the courts of arbitration are held behind closed doors and are made up of three lawyers. The awards adjudicated are final, although a new procedure may be opened to overturn the award conferred by the court. The compensation that States have to pay to investors for having legislated may be for several millions. States, however, cannot sue investors if they consider that they have violated part of the agreement.

The promoters of the treaty say that the version of ISDS included in the agreement with Mexico is “reformed” and that the problems of the ISDS system have been solved. Far from clearing the problems of the investor-state arbitration system, the Investment Court System is more of the same. Although there are some improvements, these are only on procedural issues such as the transparency of the system. What is worrying is that this proposal still maintains the worst parts of the classic ISDS.

It is still a parallel justice system to which only investors have access and which can be used by companies to pressure governments to give their private interests priority, while environmental, social and general common good regulations take a back seat. Mexico already has 53 ISDS lawsuits and is the third country in Latin America and the fourth in the world with the most lawsuits brought by companies.¹⁰⁴

¹⁰⁴ Special thanks to Lucía Bárcena of the Transnational Institute for her contribution, comments and insights for this report. Any errors or inaccuracies there may be are the sole responsibility of the author of this report. Follow Lucía's work at: <https://www.tni.org/en/profile/lucia-barcena> (22 October 2024)

Continuing with the issue at hand in this report, as will be seen in the following chapters, Mexico faces today a serious crisis of violence and serious violations of human rights, and has done so for decades. Unfortunately, the Mexico-European Union Strategic Partnership Agreement has also contributed to encourage conditions in which human rights violations occur, and the European Union does not have an adequate legal framework for due diligence to ensure that its investments fully respect human rights or to hold them accountable when they are infringed.

In such circumstances and aware of all the above, knowing how modernization was carried out, it may be asserted that the Agreement will go on maintaining the conditions in Mexico in which human rights violations will occur, and thus the chain of perpetration will once again reach the Agreement itself, and in this sense, will reach those responsible for the institutions that have developed it, as well as those who participate in its ratification.

Article 58 on Fulfilment of Obligations currently in force, establishes that the Parties shall adopt any general or specific measure required for them to fulfil their obligations under this Agreement and shall ensure that they comply with the objectives laid down in the Agreement. Human rights should come first, then everything else.

5. Reflections and recommendations

Civil society on both sides of the Atlantic has been working to put human rights before trade relations as the foundation and practice of the bilateral relationship between Mexico and the European Union, basically since the entry into force of the Maastricht Treaty. Their efforts preceded the development and ratification of the Global Agreement, they were especially firm during the first years of the entry into force of the agreement—without this rendering as the development of institutions or mechanisms to monitor the commitments arising—and then concentrated on the spaces that were developed as the links of political dialogue and cooperation strengthened.

In this regard, there are several highly relevant experiences: the EU-Mexico Civil Society Seminar on human rights, along with the EU-Mexico High-Level Dialogue on Human Rights; the exchanges that have taken place coinciding with the meeting of the Joint Parliamentary Committee, both in Mexico and in Brussels; and the efforts of the group of civil society organizations –mainly Mexican, but also some European– that advocate before the External Action Service and the Ministry of Foreign Affairs; these are all highly relevant experiences.

As we have envisaged, without the existence of institutions and mechanisms to concentrate, record, and follow up on what is presented in the different dialogue meetings with civil society, as well as the commitments taken on by the authorities, these spaces become scenarios with recurring arguments and where the ever-increasing figures for the horrors are updated on both sides of the Atlantic. A greater number of missing persons, more femicides, more executions, more journalists or communicators murdered, more megaprojects without consulting the indigenous peoples, heightening militarization, cruel treatment, espionage, intolerance, the violation of the right to asylum, to refuge, or to free movement, greater environmental damage, political decisions that favour the violation of human rights with no consequences, companies violating human rights, etc.

In this regard, as civil society, we must maintain our efforts to strengthen communication and coordination between the Mexican and European organizations, to continue demanding from the authorities on both sides of the world, much more solid and permanent monitoring mechanisms in favour of human rights in both territories, as well as under the Global Agreement.

It would be necessary to insist, for example:

On the development of instruments for political cooperation in the field of human and environmental rights that are distinct from those related to trade, that are appropriate, and above all binding, even further than under the Democratic Clause. Thus, while investors can sue the States before a court of arbitration, the agreement does not offer comparable opportunities to States or persons affected regarding the holding of investors accountable for violations of environmental protection, climate protection, human rights and labour standards;¹⁰⁵

¹⁰⁵ Transnational Institute. PowerShift. Op. Cit. 24
<https://power-shift.de/wp-content/uploads/2021/04/GuiaUEMexico.pdf> (22 October 2024)

On the development of specific agreements on the binding of companies with human rights, since despite having represented great progress, the European Due Diligence Directive greatly limited the possibility of accessing mechanisms that favour the right to justice for victims when European investments and their financial instruments contribute to the violation of human rights.

The above does not in any way detract from the efforts and commitment of all parties to maintain and strengthen multilateral relations that put the contribution of civil societies at the hub, both in Mexico and in Europe. Quite the contrary. The channels of dialogue that have been opened in over 20 years of bilateral relations are of profound relevance since they contribute to ceasing or preventing human rights violations, and favour their exercise; they form a set of meeting spaces that facilitate the attention and development of the human rights agenda at times when the closure of civic spaces characterizes the historical moment. And precisely because of this, it is essential to continue working in this direction.

Unfortunately, the process of modernization of the Global Agreement headed by the Joint Working Group took very little into consideration regarding the different mechanisms of political dialogue and cooperation on human rights in which civil society has participated, and which were developed within the institutional framework of the Agreement itself. In this regard, those who are against the ratification of the modernized Agreement based on the available information—and especially the information that is not available—aware of the consequences that free trade has brought with it concerning human rights, both in Mexico and in Europe, have plenty of arguments.

The very little attention that has been paid to the human rights impact assessments that the development of the Global Agreement has brought about, both in Mexico and in Europe, should foster great interest. The available assessments always refer to the economic part, and when they approach human rights, they often conclude that their contribution to the exercise or violation of human rights is not entirely clear. This is an area of profound relevance for decision-makers, since they undoubtedly require more instruments and objective information to frame the human rights context that supports the Global Agreement as concrete actions across the bilateral relationship, as well as in other areas of the political life of both territories, especially in the European Union.

Considerable efforts are needed to incorporate a gender, intersectional and de-colonial perspective in multilateral relations that facilitate decision-making in favour of human rights in the Global North too. It is often said that the protection of human rights is linked to the commitment of each country to its citizens and to the limits of the influence of the European Union on policies related to democratization regarding sovereignty. This statement, which is absolutely true, fosters a narrative that prevents the European Union from questioning and evaluating itself in its arena, in its territory, and from recognizing that it also has a long way to go in terms of democratizing and opening up civic spaces in its institutions, as well as in terms of the impact of its policies on human rights—in a differentiated manner—also on those outside its jurisdiction, even thousands of kilometres away, regardless of the supposed good will of its acts.

Let us look at a couple of examples. Just a few months ago, the four areas in which the Global Gateway Investment Agenda will operate in Mexico were outlined: health, green and sustainable finance, sustainable development, and transport. Regarding the last two, this presents the possibility of offering support for the Sonora Plan and the infrastructure of the Transoceanic Corridor. In this regard, the high number of complaints from civil society on the violation of human rights associated with both initiatives should be considered.

There are several examples, such as the cases of forced disappearances of members of the Yaqui people in Sonora, or the violation of the right to prior, free, informed and good faith consultation of the indigenous peoples present in the isthmus, or the degradation of the environment by the so-called development initiatives linked to the corridor, the increase in violence and serious violations of human rights in the south-east, forced displacement, forced disappearance, forced recruitment, the execution of defenders, especially in the state of Chiapas. The resolution of all of these is of vital importance in order not to contribute, unwittingly, to maintaining or generating the conditions in which the violation of rights occurs. The European Green Deal, for example, involves access to strategic raw materials such as the lithium present in Sonora, and economic development through the mobilization of trade to new markets, but it cannot be prosperous or sustainable if it involves the violation of rights, mechanisms of appropriation by dispossession, or the externalization of environmental costs.

To approach and understand this possibility, a greater number of studies, analyses, and investigations are needed, with which we can comprehend the impact of all the above cases, including several intersections. What are the impacts of free trade specifically on the human rights of women in general and indigenous women in particular? On the rights of children? On the rights of people regarding mobility? These are all appropriate questions.

We should likewise also ask ourselves how the criminal economy opens the way to generating business opportunities, demobilizing civil society through the application of terror for territorial control. Liberal economic thought assumes, naively or perversely, that violence is bad for business, but reality tells us that it is not always so. Indeed, it tells us that violence is sometimes not only not bad, but is also necessary to produce income generation processes based on mechanisms of appropriation by dispossession and the externalization of environmental costs. The case of the Mexican avocado is the perfect example of this.

On the other hand, based on the information that was accessed during the preparation of this report, it appears that the contents of the Agreement in Principle include relationships with civil society through the creation of consultative groups and the monitoring of the civil society forum. If this is really the case, the initiative should be acknowledged and welcomed, since these are indeed two of the main demands that arose from the First European Union Mexico Civil Society Dialogue Forum in Brussels in 2002. However, making it a reality now, after the modernization process of the Agreement is over is, to say the least, a lost opportunity since the contribution of civil society could have favoured new types of relations of greater democratic quality, also for the modernization process itself.

In any case, we will have to wait until the contents of the Agreement in Principle are made public to debate its contents and the scope of the pillars of political dialogue and cooperation, and to do so by also measuring the consequences more clearly in terms of economics and human rights that can be anticipated from the trade pillar.

Particular attention will have to be paid, for example, to international arbitration as a system of justice that gives priority to private interests and leaves the necessary changes favouring the climate, the environment and people at the wayside; to the lack of binding mechanisms that allow European companies to continue violating human rights in Mexico with impunity; to the absence of mechanisms to prevent discrimination against women and the LGBTIQ community—including the absence of gender-inclusive language in the Agreement; to the impact on peasant agriculture and food sovereignty; to the incentives that the Agreement grants to prevent the advancement of a more sustainable, decentralized and democratic energy system; and to the risk posed by access to public procurement by foreign companies.

In short, the role of the so-called democratic clause must be questioned. Experience shows us that trade relations will never be suspended if it is to favour the exercise of human rights, but it also tells us that we have enormous opportunities, through dialogue between the parties, to generate actions in favour of peace and human rights, and to promote as many initiatives as creativity, available resources, and above all, political will allows us.

It is very likely that, given the enormous economic interests linked to the trade pillar of the association treaty, the ratification of the modernized Agreement will go ahead. Since that is indeed the case, those who influence Mexican and European institutions where the bilateral relationship between the parties is developed have the great opportunity and responsibility to appropriate the spaces that correspond to them, to strengthen the links of political dialogue and cooperation, to continue influencing the international agenda until the practice is consistent with the arguments and the legal framework on which the institutions are based: democracy and human rights. It is not out of goodness, it is an imperative in accordance with rights. And it is also a political wager.

Mexico and the European Union have not joined forces to generate the greatest possible income. They have joined forces to ensure the construction of a world based on democratic principles and values, based on human rights. If decision-makers listen to the contributions by civil societies, they will find the instruments to do so. And conversely, if they ignore their testimony, they will continue to contribute to the creation of the conditions in which human rights are violated, and the political responsibility that goes with it.

Sooner rather than later, the right to access to justice that victims of serious human rights violations have will find in its different elements—recognition, truth, reparation, guarantees of non-repetition and penalties for those responsible—arguments to associate the horror they faced with the decision-making process that generated the conditions in which the violence took place. The process will not end with a transnational company condemned for participating directly or indirectly as a perpetrator; it will also reach the institutions, those who took the decision to proceed

with the development of trade relations knowing that the necessary tools to hold them accountable were lacking and when there were sufficient arguments to link them to the violation of human rights of the local population and the destruction of the natural environment.

We hope that this report will allow civil society involved in advocacy before the European institutions and decision-makers in both Mexico and the European Union to recognize the importance of developing new types of more democratic relations, and in the multilateral sphere too, and how the participation of civil societies contributes to this.

In this regard, if the Modernized Global Agreement is finally ratified, we hope that it will strengthen the instruments of foreign action for Mexico and the European Union, especially those of political dialogue and cooperation, in order to put human rights before economic-commercial interests always. Otherwise, we will continue to insist until this comes about. Life, peace, security, and human rights depend on it.

6. Bibliography

1. National Institute of Statistics, Geography and Computer Science. INEGI (2020). Demography and Society. Population. (23 July 2024). <https://www.inegi.org.mx/temas/estructura/>
2. Department of Foreign Affairs. SRE (2013). General information on Mexico. (23 July 2024). <https://embamex.sre.gob.mx/republicadominicana/index.php/avisos/2-uncategorised/127-informacion-general-sobre-mexico#:~:text=Es%20el%20d%C3%A9cimo%20cuarto%20pa%C3%ADs,aproximadamente%2018%20millones%20de%20habitantes>
3. International Work Group for Indigenous Affairs. IWGIA (2022). The Indigenous World 2022. (23 July 2024). <https://www.iwgia.org/es/mexico/4792-mi-2022-mexico.html#:~:text=En%20M%C3%A9xico%20habitan%2068%20pueblos,que%20juntas%20re%C3%BAnen%20364%20variantes>
4. National Institute of Statistics, Geography and Computer Science. INEGI (2022). Statistics on the occasion of the International Day of the World's Indigenous Peoples. (23 July 2024). https://www.inegi.org.mx/contenidos/saladeprensa/aproposito/2022/EAP_PueblosInd22.pdf
5. National Institute of Statistics, Geography and Computer Science. INEGI (2020). Presentation of 2020 Census. (23 July 2024). https://www.inegi.org.mx/contenidos/programas/ccpv/2020/doc/Censo2020_Principales_resultados_EUM.pdf
6. World Bank. (2022) World Bank Data. PIB (US\$ at current values)—Mexico. (23 July 2024). <https://datos.bancomundial.org/indicador/NY.GDP.MKTP.CD?locations=MX>
7. Office of the United States Trade Representative. (2022) Countries & Regions. (23 July 2024). <https://ustr.gov/countries-regions#:~:text=The%20United%20States%20is%20the%202nd%20largest%20goods%20exporter%20in,of%20total%20U.S.%20goods%20exports>
8. Visual Capitalist. Ranked: The 10 Most Visited Countries in 2023. (5 October 2024). <https://www.visualcapitalist.com/ranked-the-most-visited-countries-in-2023/>
9. World Tourism Organization. UNWTO (2023). UNWTO World Tourism Barometer and Statistical Annex (5 October 2024). <https://www.e-unwto.org/doi/abs/10.18111/wtobarometereng.2023.21.1.3?role=tab&journalCode=wtobarometereng>

10. Quintero, E. (2021) Macro-criminal conduct and corruption: Five tools to combat and investigate them. (23 July 2024). <https://archivos.juridicas.unam.mx/www/bjv/libros/14/6577/22.pdf>
11. Government of Mexico. (2018) Speech by Andrés Manuel López Obrador, President of the United Mexican States. (23 July 2024). <https://www.gob.mx/presidencia/articulos/discurso-de-andres-manuel-lopez-obrador-presidente-de-los-estados-unidos-mexicanos?idiom=es>
12. This presidential term is a couple of months shorter than usual, the electoral reform of 2014 established that from 2024 the date of confirmation—reception of the presidential mandate—will occur on 1 October. Government of Mexico (2018) Reforma Política—Electoral. (23 July 2024). https://www.gob.mx/cms/uploads/attachment/file/3080/EXPLICACION_AMPLIADA_REFORMA_POLITICA_ELECTORAL.pdf
13. Department of the Interior (2023) Report of the Commission for Access to the Truth on Serious Violations Committed from 1965 to 1990. <https://www.youtube.com/watch?v=0Bj6t9EDjol> (24 July 2024)
14. Mechanism for Truth and Historical Clarification. (2024) Final report: “*Fue el Estado (1965—1990)*” <https://www.meh.org.mx/especial-informe-final/> (26 August 2024)
15. Mechanism for Truth and Historical Clarification (2024) <https://www.meh.org.mx/> (24 July 2024)
16. Acronym used by the authors to refer to Serious Violations of Human Rights, or “*Violaciones Graves a los Derechos Humanos*” in the original in Spanish.
17. Mechanism for Truth and Historical Clarification (2024) https://www.meh.org.mx/especial-informe-final/descargas/Informe_final_MEH_Fue_el_Estado_Vol1.pdf p. 54 (24 July 2024)
18. <https://www.jornada.com.mx/noticia/2024/07/20/politica/reporte-de-amlo-a-los-padres-de-los-43-normalistas-1148> (25 July 2024)
19. BBC News Mundo. (2022) “*Es la militarización de México*”: Why is the National Guard now being under the Department of Defence controversial?. <https://www.bbc.com/mundo/noticias-america-latina-62854552> (25 July 2024)
20. El País. (2022). The Chamber of Deputies approves reforms for the National Guard to pertain to the Army. (25 July 2024). <https://elpais.com/mexico/2022-09-03/la-camara-de-diputados-aprueba-las-reformas-para-que-la-guardia-nacional-pertenezca-al-ejercito.html> France 24. (2022). The Mexican Senate approves the National Guard being under the command of the Army. (20 November 2023). <https://www.france24.com/es/minuto-a-minuto/20220909-el-senado-de-m%C3%A9xico-aprueba-que-la-guardia-nacional-est%C3%A9-bajo-mando-del-ej%C3%A9rcito> (25 July 2024)

21. El País. (2023). The Supreme Court overturns the reform transferring control of the National Guard to the Army. (25 July 2024).
<https://elpais.com/mexico/2023-04-18/la-suprema-corte-tumba-la-reforma-que-transfiere-al-ejercito-el-control-de-la-guardia-nacional.html>
22. <https://lopezobrador.org.mx/2024/02/05/presidente-presenta-20-reformas-a-la-constitucion-devuelven-humanismo-y-espiritu-publico-al-documento-afirma>
23. Índice de Paz México. (2023). Government spending on containment of violence in Mexico. (25 July 2024).
<https://www.indicedepazmexico.org/gasto-del-gobierno-en-la-contencion-de-la-violencia-en-mexico>
24. Department of Finance and Public Credit. (2023). Draft federal budget for fiscal year 2024. (25 July 2024).
https://www.ppef.hacienda.gob.mx/work/models/7183r4rR/PPEF2024/oiqewbt4/paquete/egresos/Proyecto_Decreto.pdf
25. Expansión Política. (2023) Budget increase for the military and the Navy; AMLO opens up his wallet. (25 July 2024).
<https://politica.expansion.mx/mexico/2023/09/11/aumento-de-presupuesto-a-militares-y-marinos-amlo-abre-la-cartera-presupuestal>
26. Centro de Investigación y Docencia Económica A.C. (Asociación Civil) (Centre for Economic Research and Education)
27. Sin Embargo (2022) What the hell is militarization? (25 July 2024).
<https://www.sinembargo.mx/13-09-2022/4252764>
28. Government of Mexico. (2019) President López Obrador formally declares the end of the neoliberal model and its economic policy (25 July 2024).
<https://www.gob.mx/presidencia/prensa/presidente-lopez-obrador-declara-formalmente-fin-del-modelo-neoliberal-y-su-politica-economica-lo-que-hagamos-sera-inspiracion-para-otros-pueblos>
29. Government of Mexico. Priority Projects and Programmes. (25 July 2024).
<https://www.gob.mx/proyectosyprogramasprioritarios>
30. National Council for the Evaluation of Social Development Policy. (2022) CONEVAL PRESENTS THE 2022 ESTIMATES OF MULTIDIMENSIONAL POVERTY. (25 July 2024).
https://www.coneval.org.mx/SalaPrensa/Comunicadosprensa/Documents/2023/Comunicado_07_Medicion_Pobreza_2022.pdf
31. National Council for the Evaluation of Social Development Policy. (2022) Poverty in the indigenous population. (25 July 2024).
https://www.coneval.org.mx/Medicion/MP/Paginas/Pobreza_Indigena.aspx
32. National Council for the Evaluation of Social Development Policy. (2022) CONEVAL PRESENTS... op.cit. (25 July 2024).

33. Government of Mexico. (2023). The Department of Welfare values the reduction of poverty by 8.9 million people as reported by Coneval. (25 July 2024).
<https://www.gob.mx/bienestar/prensa/bienestar-celebra-reduccion-de-8-9-mil-lones-de-personas-en-pobreza-reportadas-por-coneval?idiom=es>
34. National Council for the Evaluation of Social Development Policy. (2022) Executive Summary—Measurement of Poverty 2022. (25 July 2024).
https://www.coneval.org.mx/Medicion/MP/Documents/MMP_2022/Pobreza_multidimensional_2022.pdf
35. National Council for the Evaluation of Social Development Policy. (2023). Report on Monitoring of Priority Programmes 2023. (25 July 2024).
https://www.coneval.org.mx/coordinacion/IMPSS/Documents/Programas_acciones_sociales/Programas_Prioritarios/2023/Informe_Programas_Prioritarios_2023.pdf
36. Instituto Nacional de Geografía Estadística e Informática (National Institute of Statistics, Geography and Computer Science)
37. National Council for the Evaluation of Social Development Policy. (2021) Methodology for the Measurement of Multidimensional Poverty in Mexico. (25 July 2024).
<https://www.coneval.org.mx/InformesPublicaciones/InformesPublicaciones/Documents/Metodologia-medicion-multidimensional-3er-edicion.pdf>
38. National Council for the Evaluation of Social Development Policy. (2022) CONEVAL PRESENTS... op.cit. (25 July 2024).
39. National Council for the Evaluation of Social Development Policy. (2022) CONEVAL PRESENTS... op.cit. (25 July 2024).
40. World Inequality Database. Top 1% net personal wealth share, Mexico, 1995-2022. (25 July 2024).
https://wid.world/share/#0/countrytimeseries/shweal_p99p100_z/MX/2015/eu/k/p/yearly/s/false/38.4595/50/curve/false
41. El País. (2023) From one side to the other. This is how inequality is experienced in Mexico. (25 July 2024).
<https://elpais.com/mexico/2023-01-30/de-un-lado-del-otro-asi-se-vive-la-desigualdad-en-mexico.html>
42. UNDP. (2022). Human Development Report 2021/2022. (25 July 2024).
<https://hdr.undp.org/system/files/documents/global-report-document/hdr2021-22sp1.pdf>
43. Government of Mexico. (2023). Criminal incidents. (31 August 2024).
<https://www.gob.mx/sesnsp/acciones-y-programas/victimas-nueva-metodologia>
44. The figure is the authors' elaboration based on those given in the different reports in "*Víctimas de Delitos del Fuero Común. Instrumento para el Registro, Clasificación, y reporte de Delitos y las Víctimas CNSP/38/15*" available July

2024 at:

<https://www.gob.mx/sesnsp/acciones-y-programas/victimimas-nueva-metodologia>

45. The figures for murders in previous six-year terms were presented by the President of the Republic at his morning press conference on 22 September 2022.

<https://elpais.com/mexico/2022-09-22/lopez-obrador-y-jorge-ramos-se-enfrentan-por-la-cifra-de-los-asesinatos-en-mexico.html>

However, there is always debate regarding the figures, and above all, whether the current six-year term is more violent than previous ones. This article gives an excellent explanation:

<https://elpais.com/mexico/2023-06-01/lopez-obrador-admite-que-los-homicidios-en-su-sexenio-ya-superan-a-los-gobiernos-anteriores.html>

46. El Financiero. (2022). AMLO and Jorge Ramos dispute the number of murders. (20 November 2023). https://www.youtube.com/watch?v=ncnq3HQ_8mo

47. For information regarding years prior to 2015, see also: <https://www.inegi.org.mx/sistemas/olap/proyectos/bd/continuas/mortalidad/defuncioneshom.asp?s=est>

48. Government of Mexico. National Commission for the Prevention and Eradication of Violence Against Women (2016). What is femicide and how to identify it? (20 November 2023).

<https://www.gob.mx/conavim/articulos/que-es-el-feminicidio-y-como-identificarlo?idiom=es#:~:text=En%20nuestro%20C%C3%B3digo%20Penal%20Federal,mujer%20por%20razones%20de%20g%C3%A9nero>

49. El País (2023) The murderer of Mariana Lima, the woman who changed justice in Mexico, sentenced to 70 years. (20 November 2023).

<https://elpais.com/mexico/2023-03-14/sentenciado-a-70-anos-el-feminicida-de-mariana-lima-la-mujer-que-cambio-la-justicia-en-mexico.html>

<https://elpais.com/mexico/2023-03-14/sentenciado-a-70-anos-el-feminicida-de-mariana-lima-la-mujer-que-cambio-la-justicia-en-mexico.html>

50. Impunidad Cero. (2022) Impunity in murder and femicide 2022. (20 November 2023).

<https://www.impunidadcero.org/articulo.php?id=175&t=impunidad-en-homicidio-doloso-y-feminicidio-2022>

51. Government of Mexico. Executive Office of the National Public Security System (2023) Report on violence against women. Criminal incidents and 9-1-1 emergency calls. National Information Centre. Information up to 30 September 2023 (20 November 2023).

<https://www.gob.mx/sesnsp/acciones-y-programas/incidencia-delictiva-299891?state=published>

52. National Registry of Missing and Unlocated Persons (2024) General Context. (5 October 2024).

<https://versionpublicarnpdno.segob.gob.mx/Dashboard/ContextoGeneral>

53. Animal Político. (2023) Massaging the figures of missing persons. (20 November 2023).
<https://www.animalpolitico.com/analisis/autores/nunca-mas/maquillando-cifras-de-desaparecidos>
54. National Search Commission. (2022) Report to the United Nations Committee on Enforced Disappearances (20 November 2023).
<https://comisionacionaldebusqueda.gob.mx/wp-content/uploads/2022/03/CNB-Informe-CED-Espanol.pdf>
55. Inter-American Commission on Human Rights. (2023) Progress and challenges in forensic research in Mexico (commissioned by the State). (20 November 2023). <https://www.youtube.com/watch?v=KjmhkPMtVw>
56. A dónde van los desaparecidos. (2023) Government forensic crisis in Mexico deepens. (20 November 2023).
<https://adondevanlosdesaparecidos.org/2023/04/03/ahonda-gobierno-crisis-forense-en-mexico/>
57. Impunidad Cero. (2017) The extent of impunity in Mexico. In Mexico, 94% of crimes committed are not reported and less than 1% are solved. (20 November 2023). <https://www.impunidadcero.org/impunidad-en-mexico/#/>
58. Universidad de Las Américas Puebla. Global Impunity Index. (2022) Structure and Role of Impunity in Mexico. Global Impunity Index Mexico. (20 November 2023).
<https://www.udlap.mx/cesij/files/indices-globales/IGI-MEX-2022-UDLAP.pdf>
59. Centro de Derechos Humanos Fray Bartolomé de Las Casas. (2023). Chiapas, a disaster. Between criminal violence and the complicity of the State. Frayba Report 2023. (20 November 2023).
https://frayba.org.mx/sites/default/files/Informes/Informe-Frayba-2023/Informe-Frayba-2023_Chiapas-un-desastre.pdf
60. Office of the United Nations High Commissioner for Human Rights. Mexico. (2014) Report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, Juan E. Méndez. (20 November 2023).
https://hchr.org.mx/relatorias_grupos/informe-del-relator-especial-sobre-la-tortura-y-otros-tratos-o-penas-cruels-inhumanos-o-degradantes-juan-e-mendez/
61. Observatorio contra la tortura. (2021) <https://sintortura.org/> (20 November 2023).
<https://indicadores.sintortura.org/estadisticas?indicador=5db1ceb8d49fb8170351060a&periodo=2019&rubro=5d2e34d8e0d76664f3cc608f>
62. National Institute of Statistics, Geography and Computer Science. INEGI (2021). National survey of the prison population (ENPOL) 2021. (20 November 2023).
<https://www.inegi.org.mx/programas/enpol/2021/>
63. UNHCR. The UN Refugee Agency. (2023). Definition of "internally displaced persons" (20 November 2023).

<https://emergency.unhcr.org/es/protection/legal-framework/definici%C3%B3n-de-desplazados-internos>

64. Government of Mexico. (2021). National diagnosis on the situation of internal forced displacement in Mexico. (20 November 2023). https://www.gob.mx/cms/uploads/attachment/file/681782/Diagnostico_nacional_sobre_la_situacion_del_desplazamiento_forzado_interno.pdf
65. Comisión Mexicana de Defensa y Promoción de los derechos Humanos, A. C. (2023). Presentation of the report on “Episodes of forced internal displacement in Mexico 2021”. (20 November 2023) <https://cmdpdh.org/2023/01/24/presentacion-informe-episodios-de-desplazamiento-interno-forzado-en-mexico-2021/>
66. Office of the United Nations High Commissioner for Human Rights. Mexico. (2023) Human Rights Council. 52nd session. Promotion and protection of all human, civil, political, economic, social and cultural rights, including the right to development. Visit to Mexico. Report of the Special Rapporteur on the human rights of internally displaced persons, Cecilia Jiménez-Damary. (20 November 2023). https://hchr.org.mx/wp/wp-content/uploads/2023/07/A_HRC_53_35_Add.2_AdvanceEditedVersion.pdf
67. Chamber of Deputies of the Honourable Congress of the Union. (2023) Political Constitution of the United Mexican States. (20 November 2023). <https://www.diputados.gob.mx/LeyesBiblio/pdf/CPEUM.pdf>
68. El Mundo. (2023). The Zapatistas take to the streets, “we are on high alert”. (20 November 2023). <https://www.elmundo.es/internacional/2023/06/09/6482ac3cfc6c83cd3a8b45b3.html>
69. Desinformémonos. Indigenous and Afro-Mexican reform “deliberately leaves out fundamental elements,” warn organizations (19 October 2024). <https://desinformemonos.org/reforma-indigena-y-afromexicana-deliberadamente-deja-fuera-elementos-fundamentales-advierten-organizaciones/>
70. Acción Urgente para Defensores de los Derechos Humanos. Asociación Civil. (2023) Report. Defending human rights in Mexico: The big pending issues for 2022-2023. (20 November 2023). <https://acuddeh.org/spip.php?article4010>
71. Government of the State of Michoacán. (2022) National dialogue for a General Law Initiative for the Prevention and Protection of Offences against Human Rights Defenders and Journalists, 8 June 2022. (20 November 2023). https://www.facebook.com/watch/live/?ref=watch_permalink&v=1413656439117138
72. Servicios para una Educación Alternativa A. C. EDUCA. (2023) 200 attacks on the lives of human rights defenders during the current six-year term in Mexico. (20 November 2023). <https://www.educaoxaca.org/200-atentados-a-la-vida-contra-personas-defen>

73. Mexican Environmental Law Centre. (2022) Report 2022. On the situation of people and communities defending environmental human rights in Mexico (20 November 2023). <https://www.cemda.org.mx/informe-2022/>
74. Front Line Defenders. (2022). Global Analysis 2022. (20 November 2023). https://www.frontlinedefenders.org/sites/default/files/1535_fld_ga23_web.pdf
75. Article 19. Journalists murdered in Mexico. Possible relationship with their work as journalists. (20 November 2023). <https://articulo19.org/periodistasasesinados/>
76. Colectivo EPU Mx. (2023) EPU Mx Universal Periodic Review Mexico 2024. (20 November 2023). <https://centroprodh.org.mx/colectivo-epu-mx-2024/>
77. Official Journal of the European Communities. (2000). Economic Partnership, Political Coordination and Cooperation Agreement between the European Community and its Member States, of the one part, and the United Mexican States, of the other part. (20 of November 2023). https://eur-lex.europa.eu/resource.html?uri=cellar:f95ad1a3-795e-4fb0-84e1-28351b99415c.0004.02/DOC_2&format=PDF
78. Official Journal of the European Union. (2005) Agreement for Scientific and Technological Cooperation between the European Community and the United Mexican States. (20 November 2023). <https://eur-lex.europa.eu/legal-content/ES/TXT/?uri=CELEX%3A22005A1104%2801%29>
79. Government of Mexico. (2019) 2012—2018 Process of modernization of the bilateral legal framework between Mexico and the EU. Directorate General for Europe. Ministry of Foreign Affairs, Mexico. Directorate General for Europe. Department of Foreign Affairs, Mexico. (20 November 2023). <https://www.gob.mx/sre/documentos/proceso-de-modernizacion-del-marco-juridico-bilateral-entre-mexico-y-la-union-europea-2012-2018-memorias-documentales>
80. EULac Foundation. (2002) First Forum of the European Union–Mexico Civil Society Dialogue. (20 November 2023). <https://intranet.eulacfoundation.org/es/system/files/Primer%20Foro%20de%20Di%C3%A1logo%20con%20la%20Sociedad%20Civil%20M%C3%A9xico-Uni%C3%B3n%20Europea.pdf>
81. Government of Mexico. (2008). Third Forum of Dialogue between the Civil Societies of Mexico and the European Union. (20 November 2023). https://www.gob.mx/cms/uploads/attachment/file/8363/3er_foro_convocatoria.pdf
Government of Mexico (2009) Response of the institutions of the Government of Mexico and the European Union to the recommendations of Civil Society of the Third Forum of Dialogue with Civil Societies of Mexico and the European Union (20 November 2023).

- https://www.gob.mx/cms/uploads/attachment/file/8365/Respuesta_recomendaciones_3er_foro.pdf
82. EU-LAT Network. (2013). Fifth Forum of Dialogue between Civil Society and Institutions of the Mexican Government and the European Union (20 November 2023).
<https://eulatnetwork.org/es/v-foro-de-dialogo-entre-la-sociedad-civil-y-las-instituciones-del-gobierno-y-la-union-europea/>
83. Mexican Network for Action before Free Trade. (2005). 2nd Social Dialogue Forum. (20 November 2023).
<http://www.rmalc.org/historico/documentos/libros/DIALOGO.pdf>
84. Government of Mexico. (2008). Fourth Forum of Dialogue between Civil Society and Institutions of the Mexican Government and the European Union. (20 November 2023).
https://www.gob.mx/cms/uploads/attachment/file/8356/Relatoria_propuestas_mesas_trabajo_iv_foro.pdf
85. Centro de Estudios Internacionales Gilberto Bosques (2004). Mexico–European Union Joint Parliamentary Committee. (20 November 2023).
<https://centrogilbertobosques.senado.gob.mx/cpm>
86. European Parliamentary Research Service. (2012). EU Strategic Partnerships with third countries. (20 November 2023).
<https://epthinktank.eu/2012/10/02/eu-strategic-partnerships-with-third-countries/>
87. Delegation of the European Union to Mexico. (2010). Mexico—European Union Strategic Partnership Joint Executive Plan 2010. (20 November 2023).
https://www.eeas.europa.eu/node/14100_en
88. In November 2023, the 11th session of the EU-Mexico High-Level Dialogue on Human Rights and the 9th EU-Mexico Civil Society Seminar on Human Rights took place in Mexico City.
89. Government of Mexico. (2019). Mexico and the European Union reaffirm their commitment to continue strengthening the strategic partnership. (20 November 2023).
<https://www.gob.mx/sre/es/articulos/mexico-y-la-union-europea-reafirman-su-compromiso-de-continuar-fortaleciendo-la-asociacion-estrategica-216950?idiom=es>
90. For a complete overview of the process, see “*Memoria Documental 2012—2018, Proceso de modernización del marco jurídico bilateral entre México y la Unión Europea*”, of the Department of Foreign Affairs of Mexico, available at: https://www.gob.mx/cms/uploads/attachment/file/426877/MD_Modernizaci_n_marco_jur_dico_M_xico-UE_2012-2018.pdf
91. BBVA. (2015). Evaluation of the effects of the EU-Mexico FTA on bilateral trade and investment. (20 November 2023).
<https://www.bbvarresearch.com/publicaciones/evaluacion-de-los-efectos-del-tl>

92. ECORYS. (2015). Ex-post evaluation of the implementation of the EU-Mexico Free Trade Agreement. (20 November 2023).
<https://docplayer.es/70342535-Evaluacion-ex-post-de-la-implementacion-del-tratado-de-libre-comercio-eu-mexico.html>
93. Government of Mexico. (2017). Mexico and the European Union agree on political and cooperation issues in the process of modernizing the Agreement. (20 November 2023).
<https://www.gob.mx/sre/prensa/mexico-y-la-union-europea-se-pusieron-de-acuerdo-sobre-los-temas-politicos-y-de-cooperacion-en-el-proceso-de-modernizacion-del-acuerdo?idiom=es>
94. European Commission. (2020). EU and Mexico conclude negotiations on a new trade agreement. (20 November 2023).
https://ec.europa.eu/commission/presscorner/detail/es/ip_20_756
95. Government of Mexico. (2019) 2012—2018 *Proceso de modernización del marco...* op. cit. (20 November 2023).
<https://www.gob.mx/sre/documentos/proceso-de-modernizacion-del-marco-juridico-bilateral-entre-mexico-y-la-union-europea-2012-2018-memorias-documentales>
96. European Council. Council of the European Union. Role of the Council in international agreements. (20 November 2023).
<https://www.consilium.europa.eu/es/council-eu/international-agreements/>
97. Government of Mexico. (2019). Mexico and the European Union reaffirm their commitment to continue strengthening the strategic partnership. (20 November 2023).
<https://www.gob.mx/sre/es/articulos/mexico-y-la-union-europea-reafirman-su-compromiso-de-continuar-fortaleciendo-la-asociacion-estrategica-216950?idiom=es>
98. El País. (2016). Walloon parliament veto blocks EU-Canada trade deal. (20 November 2023).
https://elpais.com/internacional/2016/10/14/actualidad/1476444653_437700.html
99. No al TTIP. (2021). Yet another step towards opaque and undemocratic trade: the European Commission proposes splitting the EU-Mexico trade agreement (20 November 2023).
<https://www.noalttip.org/un-paso-mas-hacia-el-comercio-opaco-y-antidemocratico-la-comision-europea-propone-dividir-el-acuerdo-comercial-ue-mexico/>
100. The European Union, Latin America and the Caribbean: Cartography of the Association Agreements Editors: Adrián Bonilla y José Antonio. Sanahuja Fundación UE-LAC Foundation—Fundación Carolina, 2022, p. 161
101. European Parliament. (2023). Draft agenda. (20 November 2023).
https://www.europarl.europa.eu/meetdocs/2014_2019/plmrep/COMMITTEES/AF

102. Human Rights Council. United Nations General Assembly A/HRC/35/32: Report of the Working Group on the issue of human rights and transnational corporations and other business enterprises
103. Transnational Institute. Powershift. *“México—UE ¿Todo el poder a?... ¡Los inversionistas!”*
<https://power-shift.de/wp-content/uploads/2021/04/GuiaUEMexico.pdf> (22 de octubre 2024)
104. Special thanks to Lucía Bárcena of the Transnational Institute for her contribution, comments and insights on this report. Any errors or inaccuracies there may be are the sole responsibility of the author of this report. Follow Lucía’s work at: <https://www.tni.org/en/profile/lucia-barcena> (22 de octubre 2024)

Acknowledgements

The author would like to thank all the human rights defenders who contributed with their information and testimony to the preparation of this document, especially those with whom we shared the “Mexico-EU Platform for Peace and Human Rights” for their review and critical input; the support of the Working Group of Human Rights Defenders of the Taula per Mèxic, as well as the Greens/European Free Alliance (Greens/EFA) in the European Parliament for their support.

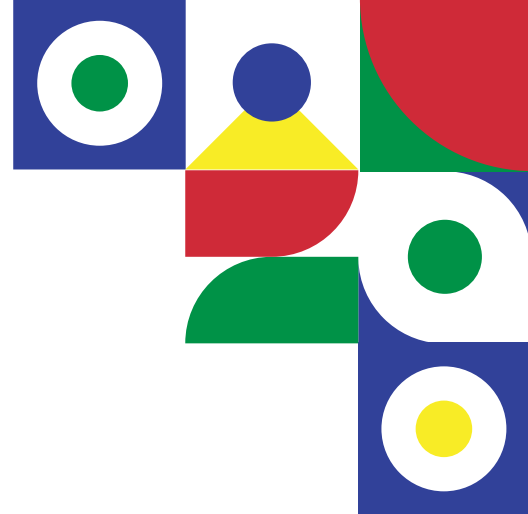
About the author

Pablo Ramírez Obando is the coordinator of the International Solidarity Area of the Working Group of Human Rights Defenders of the Association for Peace and Human Rights, Taula per Mèxic. The area focuses on the international protection of human rights defenders when their life or integrity is at risk precisely because of their work defending human rights, as well as on international cooperation, the development and strengthening of alliances, both in Mexico and in Europe, the generation of collective efforts that contribute to preventing or ceasing human rights violations, the exercise of rights, as well as strengthening peace-building processes in Mexico from Europe.

CC 2024 Asociación por la Paz y los Derechos Humanos Taula per Mèxic

Contact:

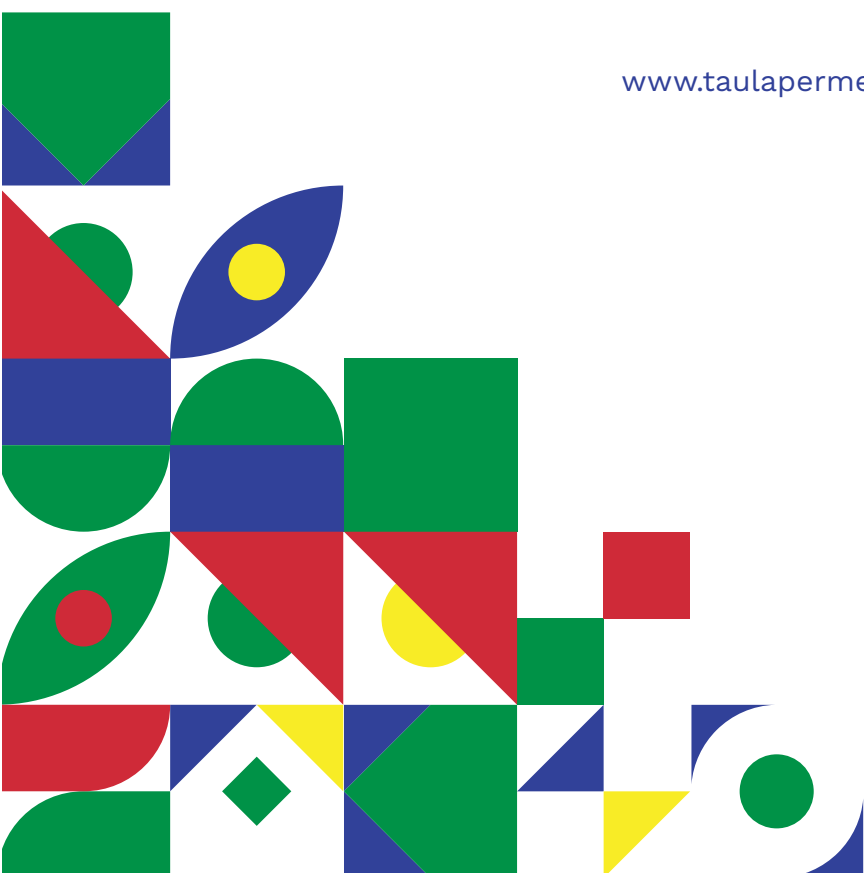
Asociación por la Paz y los Derechos Humanos Taula per Mèxic
Carrer Tàpies, 1-3, 08001 Barcelona
solidaritat@taulapermexic.org



About the Taula per Mèxic

The Association for Peace and Human Rights “Taula per Mèxic” is an association that has worked in Europe since 2016 for peace and human rights in Mexico. Through our work, we seek to contribute to peace, promotion and protection of human rights and social justice in Mexico and Europe; to build spaces for encounters between civil society actors that foster and promote the defence of human rights and peace in Mexico and Europe; to analyse, investigate and report on the situation of human rights and social justice in Mexico and Europe; to facilitate the temporary reception in Catalonia of human rights defenders and journalists at risk for exercising their right to defend rights, and their right to information and freedom of expression; to influence governmental and non-governmental bodies for them to assume their commitments and co-responsibility regarding the defence and promotion of peace and human rights in Mexico and Europe; and to recover the historical memory of social mobilizations and relations between Mexico and Catalonia.

www.taulapermexic.org



Con el apoyo de:

