

We demand justice for Higinio and the defenders of life in Ayotitlán
Press release
November 29, 2023

We, various organizations defending environmental rights and human rights, denounce the murder of Mr. Higinio Trinidad de la Cruz, an indigenous defender of the territory of the Sierra de Manantlán. Higinio was first a victim of forced disappearance and then a victim of homicide; his body was found on the "Las Marías" ranch in the indigenous community of Ayotitlán, in the state of Jalisco, to which he belonged and defended.

Higinio was summoned by the Municipal President of Cuautitlán de García Barragán for a meeting on November 24. The defender attended the meeting and was seen entering the municipal presidency; however, at no time was he seen leaving through the main entrance. After several hours without being able to locate him, his family reported his disappearance to the authorities that make up the Federal Mechanism for the Protection of Human Rights Defenders and Journalists, of which he had been a beneficiary since 2021, as well as to the National Human Rights Commission, among other state actors and human rights defense organizations.

The defender was found dead the next day, November 25. His forced disappearance and homicide impact and affect not only his family and community but all of Mexico, which continues to be one of the most dangerous countries for indigenous defenders who protect their territory and the environment, with at least 31 environmental defenders murdered in 2022.

Higinio was a Councilor of the State Indigenous Council (Consejo Estatal Indígena) in Jalisco and manager of productive projects for the indigenous community of Ayotitlán. He defended his territory against illegal logging and mining and promoted and demanded respect and fair payment for the extraction of iron from the Peña Colorada mining company, owned by Ternium and ArcelorMittal. He also promoted several trials for the recognition of the rights of his community. He was a respected, loved, and recognized community leader. Higinio worked in defense of the community together with Celedonio Monroy, a leader who disappeared in 2012.

Higinio had been receiving constant threats. In February of this year, after having given interviews to the media about the defense of the territory and having been in contact with the Federal Protection Mechanism, armed people entered his home and threatened him. For his protection, the Federal Mechanism fenced his house with cyclone mesh, an unsuitable measure.

On May 20, 2022, Higinio Trinidad de la Cruz and another defender from the same community were taken from their homes to a cruise ship where they were aggressively interrogated and threatened. Both were released after pressure from human rights organizations on federal and state authorities.

On July 11, 2021, another community defender was officially summoned by the same Municipal Presidency of Cuautitlán de García Barragán. Upon arrival, he was kidnapped and interrogated about who were the defenders of the territory, being warned of possible attacks on those who defended the community.

On April 4, 2021, defender J. Santos Isaac Chávez was found dead with signs of torture, after threats and torture to his family. Higinio and J. Santos defended the community together.

The defenders of the Ayotitlán territory have experienced a routine of threats and violence, particularly when they have filed legal actions that could affect the interests of the mining company and the illegal mining that occurs within the same concession. Indeed, all the authors of an amparo lawsuit filed in 2019 were threatened, and in one case even kidnapped, to force them to desist from the action,

following a court order to suspend mining activities. In previous years, disappearances, kidnappings, threats, and other serious crimes have taken place under similar conditions.

The indigenous defenders of the Ayotitlán community have denounced on multiple occasions the constant threats and violence they face as a result of defending their territory and environment, requesting to be included in the Federal Mechanism for the Protection of Defenders and Journalists. Due to the serious level of risk, Precautionary Measures were also requested from the IACHR, which are still expected to be granted.

We regret that the crimes committed against community leaders and defenders remain unpunished and that the risk to which they are subjected increases every day. In just 3 years, 3 leaders of that same community were murdered, not counting all the other crimes.

The violence faced by members of the Ayotitlán community is totally unacceptable and indicates that the Mexican state has failed to guarantee the most basic protection of the community's human rights, and in particular the right to life of its leaders. However, and despite this context of serious and systematic violations, the mining operations of Peña Colorada remain undisturbed, authorized by the same state.

International bodies have recognized that transnational extractive activities should not take place in high conflict zones where the state cannot ensure the most basic protection of affected people. In these areas, large-scale extractive operations can exacerbate conflict and risk for affected communities and defenders.

Therefore, we demand:

FIRST: That the responsible authorities carry out the investigation, clarification, and punishment of those responsible for the forced disappearance and murder of Higinio Trinidad de la Cruz, as well as truth and justice.

SECOND: That the Attorney General's Office and the Financial Intelligence Unit investigate and punish the people responsible for all previous homicides, disappearances, and illegal mining in the territory of the community of Ayotitlán.

THIRD: That the government of the Republic of Mexico guarantees the integral security of the communities and defenders of Ayotitlán through preventive measures, including the permanent presence of the National Guard in the municipality of Cuautitlán, as has been done in other municipalities in Jalisco.

FOURTH: That the government of the Republic suspend the mining operations of Peña Colorada until it can ensure the protection and safety of the members and defenders of the Ayotitlán community.

The following organizations sign:

Environmental Defender Law Center - EDLC
Economic, Social and Cultural Rights Project - ProDESC