

“Defending the Territory in Mexico”
Side event with the Special Rapporteur on the Rights of Indigenous Peoples,
Victoria Tauli-Corpuz
39th Session of the Human Rights Council

Concept note

Date and time: September 20th, 2018 at 10 am

Place: Palais des Nations, Room XV, Geneva.

Context:

Mexico is a country with a large population of indigenous peoples. There are around 12 million indigenous people in the territory, which stands for about 10% of the total population. Although there is a set of internationally recognized rights for indigenous peoples and indigenous communities in treaties that Mexico has ratified and has been a great promoter of, such as the ILO Convention 169 and the Declaration of the United Nations on the Rights of Indigenous Peoples, the gap between the recognition and effective guarantee of the rights of indigenous peoples remains enormous.

The territories of many indigenous peoples are not yet demarcated and legally recognized. Also, in recent years the Mexican government has created laws that go against the rights of indigenous peoples, such as the so-called *energy reform* that continues to favour the interests of individuals and bypasses the territories of indigenous communities and peoples.

One of the most serious violations to the right to territory of indigenous peoples is the excessive implementation of megaprojects (extractive, energy or tourism, for example), without performing or guaranteeing a free, prior, informed and culturally appropriate consent, effective consultation processes, as well as respect to community and judicial resolutions that order the suspension of the projects. This situation often triggers social conflicts and, in many cases, has produced a breakdown of the community social fabric.

In addition, the misuse of the law to criminalize members of indigenous communities who oppose megaprojects silences defenders, brings damage to their reputation, traps them into long and expensive legal trials and suppresses their critical voices.

The report of the UN Special Rapporteur on the Rights of Indigenous Peoples, Victoria Tauli-Corpuz, on her visit to Mexico in November 2017, reveals the profound discrimination that indigenous peoples face and the enormous challenge to exercise their human rights. In this

document, the UNSR states that *"in addition to the lack of self-determination and free, prior, informed and culturally appropriate consultation, territorial conflicts, forced displacement, criminalization and violence arise against indigenous peoples who defend their rights."*

The report will be presented to the Human Rights Council of the United Nations on September 19th , 2018. Therefore, Mexican and international organizations organize the side event *"Defending the Territory in Mexico"*, in which they will analyze the patterns of systematic discrimination and violence against indigenous peoples, as well as the worrying situation of the defenders of the territory in Mexico, taking up two emblematic cases: The Council of *Ejid*os and Communities Opposed to La Parota Dam (CECOP) in the municipality of Acapulco, Guerrero; and the Tepehuana and Wixárika indigenous community of San Lorenzo de Azqueltán in the municipality of Villa Guerrero, Jalisco.

The event will be attended by the Special Rapporteur, who will share her findings of her visit and the relevance of the report for these two cases. Likewise, specific recommendations will be presented based on the recommendations offered to the Mexican State in the rapporteur's mission report to Mexico.

Organisers:

- Tlachinollan Human Rights Centre
- The National Network of Civil Human Rights Organizations *"Todos los Derechos para todas y todos"* (TDT Network)
- World Organization against Torture (OMCT)
- German Coordination for Human Rights in Mexico
- Peace Brigades International (PBI)

Panelists:

- Victoria Tauli-Corpuz, Special Rapporteur on the Rights of Indigenous Peoples
- Sandra Alarcón, Tlachinollan Human Rights Centre
- Zúe Valenzuela, TDT Network
- Kim-Mai Vu, PBI

Chairperson:

- Sandra Schleimer, German Coordination for Human Rights in Mexico

The event is public and is aimed at representatives of the member States, UN staff, civil society organizations and the general public.

Registration at least 3 working days before the event if you are not yet accredited:

reg.unog.ch/event/19196/

For further information please contact:

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The Council of *Ejidos* and Communities Opposed to La Parota Dam (CECOP)

The hydroelectric project of "*La Parota*" dam aims to build a hydroelectric plant in the Papagayo and Omitlán river basins in order to provide with electricity the touristic area of Acapulco. The construction of the dam would produce the flooding of 21 indigenous communities, the forced displacement of more than 20.000 people and would affect more than 70.000 people who live near the rivers. For this reason, these communities organized into the *Council of Ejidos and Communities Opposed to La Parota Dam* (CECOP) and have undertaken a fight against the imposition of this megaproject, which directly violates their human rights, such as the right to consultation, to self-determination, to information and to the best interest of peoples and communities to the preservation of lands, territories and resources. Despite the existence of judicial resolutions ordering the suspension of such a project, the construction plans continue in force. Due to the struggle of CECOP to claim their rights through an indigenous and peasant organization, a smear and repression campaign was initiated by state authorities. Several of its members have been subjected to threats, torture, execution and criminalization of various types.

For more information: internacional@tlachinollan.org

San Lorenzo de Azqueltán

San Lorenzo de Azqueltán is an indigenous *Tepehuana* community that for several decades received *Wixaritari* families in its territory. Thus, today the community identifies itself as *Tepehuana* and *Wixarika*. The community maintains a judicial and administrative dispute over the demarcation of its territory. The role played by the municipal authorities of Villa Guerrero, Jalisco, making excessive use of their faculties, is particularly delicate. The TDT Network has documented numerous evidence of clearly discriminatory actions against indigenous peoples, which criminalize their claiming of rights and feed the climate of social conflict. In the context of a national and regional atmosphere of tension and violence, it is particularly important the example of the *Tepehuana* and *Wixárica* communities that have decided to join efforts in favour of their development as indigenous peoples, calling national and international law on indigenous populations.

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