

President Enrique Peña Nieto
The President of México
Los Pinos
Casa Miguel Alemán, PB, Col.
San Miguel Chapultepec
11850, Ciudad de México
Distrito Federal
México

Brussels, 8 April 2014

Re: Concerns regarding acts of harassment against Mr Leonel Rivero Rodríguez and Mr Augusto César Sandino Rivero Espinosa, human rights lawyers

Your Excellency,

I am writing to you on behalf of the Council of Bars and Law Societies of Europe (CCBE), which, through the national Bars and Law Societies of the Member States of the European Union and the European Economic Area, represents more than 1 million European lawyers. In addition to membership from EU bars, it also has observer representatives from a further twelve European countries' bars.

The CCBE, through its Human Rights Committee, places great emphasis on respect for human rights and the rule of law. The CCBE is particularly concerned by the situation of human rights defenders in the world.

The CCBE writes to you to express its serious concern over the situation of Mr Leonel Rivero Rodríguez and Mr Augusto César Sandino Rivero Espinosa, two prominent human rights lawyers in Mexico who have repeatedly suffered harassment and intimidation as a result of their work. Mr Rodríguez and Mr Espinosa are both working on a number of sensitive cases including the alleged forced disappearance of two suspected members of an armed opposition group, as well as a case involving members of an indigenous community in Michoacán who were arrested on the grounds of their involvement in a community self-defence group.

The CCBE has been informed that these two lawyers have been the targets of multiple acts of intimidation. Mr Leonel Rivero Rodríguez reported that his office, which is also his home, was broken into on 10 March 2014. Similarly, on 4 March, three unknown men tried to force their way into a hotel where Mr Rodríguez was meeting with community members from Michoacán regarding a sensitive case that he and his colleague, Mr Espinosa, are representing. Mr Rodríguez also reported that he had received a threatening telephone call on 17 January.

In fact, according to the information that we received, both lawyers have previously received special protection measures ordered by the Inter-American Court of Human Rights following threats related to another case.

The CCBE believes that these acts constitute an attempt to silence Mr Rodríguez and Mr Espinosa, and to restrict their peaceful and legitimate activities in defence of human rights.

In this context, the CCBE wishes to draw to your attention the following Articles of the United Nations Basic Principles on the Role of Lawyers (1990):

Article 16 states that:

Governments shall ensure that lawyers (a) are able to perform all of their professional functions without intimidation, hindrance, harassment or improper interference; (b) are able to travel and to consult with their clients freely both within their own country and abroad; and (c) shall not suffer, or be threatened with, prosecution or administrative, economic or other sanctions for any action taken in accordance with recognized professional duties, standards and ethics.

Furthermore, Article 23 states that:

Lawyers like other citizens are entitled to freedom of expression, belief, association and assembly. In particular, they shall have the rights to take part in public discussion of matters concerning the law, the administration of justice and the promotion and protection of human rights and to join or form local, national or international organisations and attend their meetings, without suffering professional restrictions by reason of their lawful action or their membership in a lawful organisation. In exercising these rights, lawyers shall always conduct themselves in accordance with the law and the recognised standards and ethics of the legal profession.

In view of the above, the CCBE respectfully urges your Excellency to investigate the reported acts of harassment and intimidation in order to guarantee the security and psychological integrity of Mr Leonel Rivero Rodríguez and Mr Augusto César Sandino Rivero Espinosa. The CCBE also asks you to take all necessary measures to guarantee that lawyers in Mexico are able to perform their professional duties without fear of reprisal, hindrance, intimidation and harassment.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Aldo Bulgarelli', with a long vertical line extending downwards from the end of the signature.

Aldo BULGARELLI
President