

Minister of the Interior
Lic. José Francisco Blake Mora
Secretario, Sec. de Gobernación
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Delegación Cuauhtémoc,
México D.F., C.P. 06600, MÉXICO
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Re: Further concerns regarding the case of lawyer Alba Cruz

Dear Mr Minister,

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 one million European lawyers. In addition to membership from EU bars, it has also observer representatives from a further eleven 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.

We are writing to you once again to reiterate our serious concerns over the situation facing Alba Cruz, a prominent human rights lawyer in Oaxacan. The CCBE previously sent you a letter dated 15/03/2010 expressing our strong objection to the attacks Ms Cruz has endured and death threats she has repeatedly received.

According to new information, on 11 January at 11.33am Alba Cruz received a text message on her mobile phone. The message included the following phrase: "*We know more about your protégés, how many steps you walk per block (...) you didn't accept what we offered (...) we're back*" (sabemos mas de tus protegidos que tu cuantos pasos por cuadra (...) no aceptaste lo que te ofrecimos (...) ya bolvimos [sic]). The message was sent from the same mobile number as previous threats against her and one of her defendants.

In 2007 the Inter-American Commission on Human Rights ordered Mexico to provide Alba Cruz with protection measures. Your government had agreed with Alba Cruz on a number of steps to be taken. To date, however, it has failed to grant her any meaningful protection, and those responsible for the threats and acts of intimidation remain at large. The CCBE is alarmed by these facts which indicate a repressive environment for the exercise of the legal profession in Mexico.

In this context, the CCBE wishes to draw to your attention once again to 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, economics or other sanctions for any action taken in accordance with recognized professional duties, standards and ethics.

Furthermore, the CCBE wishes to note the provisions of the Declaration on Human Rights Defenders, adopted on December 9, 1998 by the United Nations General Assembly, in particular:

- *article 12.2 which provides that "the State shall take all necessary measures to ensure the protection by the competent authorities of everyone, individually and in association with others, against any violence, threats, retaliation, de facto or de jure adverse discrimination, pressure or any other arbitrary action as a consequence of his or her legitimate exercise of the rights referred to in the present Declaration".*

In view of the above, the CCBE respectfully urges you to investigate the above mentioned facts and to take immediate and effective steps to guarantee the safety of Ms Alba Cruz and other human rights defenders, in order to preserve the independence and integrity of the administration of justice in Mexico.

We urge you also to ensure that all actions and threats against lawyers for the legitimate exercise of their professional duties are immediately and effectively stopped.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'G. Dal', written over a horizontal line that extends to the right.

GEORGES-ALBERT DAL
President