

15 February 2019

Mexico: Froylán González illegally detained, ill treated and charged

On 11 February 2019, human rights defender **Froylán González** was illegally detained by public servants of the State Electoral and Citizen Participation Institute (*Instituto Estatal Electoral y de Participación ciudadana*, IEEPCO) for 48 hours. He had been taking part in a peaceful protest by the Santiago Xanica indigenous community regarding their right to self-determination. The human rights defender remained in the custody of Oaxaca State police until 13 February 2019, on fabricated charges of ‘damage to public property’, injury of public employee and theft. During that time he was subjected to ill treatment.

Froylán González is an indigenous peoples’ rights defender and member of the Committee for the Defence of Indigenous Peoples (*Comité de Defensa de los Pueblos Indígenas – CODEDI*), who has performed extensive work on community development in the location of Santiago Xanica, Oaxaca. [CODEDI](#) is an organisation that has a long term commitment to the promotion of the rights of indigenous communities to land and self-determination. It focuses on exposing illegal logging of trees, as well as violations of indigenous people’s rights regarding the implementation of tourism and extractive projects in the Costa and Sierra Sur regions.

At approximately 5:30 pm on 11 February 2019, Froylán González was detained by IEEPCO public servants in Oaxaca City. The officials exceeded their functions in an attempt to suppress the Santiago Xanica indigenous municipality’s protest calling for their right to self-determination in front of the IEEPCO building.

Since 6 February 2019, the people of Santiago Xanica have been calling on the IEEPCO to recognise their local indigenous leaders, who were elected in an Extraordinary General Assembly on 6 January 2019. Their community had been overlooked and neglected by previous municipal authorities. The IEEPCO, which is the State institution responsible for overseeing election procedures, has so far failed to recognise the elections held by the Santiago Xanica municipality.

Froylán González was taken to the premises of the Auxiliary, Banking, Industrial and Commercial Police (*Policía Auxiliar Bancaria e Industrial y Comercial*, PABIC), where he was ill treated. He did not receive adequate medical attention. The PABIC held Froylán González incommunicado for two hours, after which he was presented to the State Police (*Policía Estatal*) and formally charged with ‘damages to public property’, injury of an IEEPCO public servant and ‘theft of public property’ (namely chairs and desks of IEEPCO). He remained in the custody of the State Police until the evening of 13 February.

The Oaxaca Human Rights Ombudsperson’s office (*Defensoría de los Derechos Humanos del Pueblo de Oaxaca*) was immediately notified of Froylán González’s arrest, and was asked to request the State to provide urgent precautionary measures on his behalf. However, the organ’s response was late and failed to safeguard the human rights defender’s physical and psychological integrity.

During his detention, Froylán González has been taken to the hospital a number of times due to the police violence he was subjected to during the course of his illegal detention. However, he did not receive prompt and appropriate treatment, nor a diagnosis of the impacts on his health.

Front Line Defenders strongly condemns the illegal detention and the fabricated charges against Froylán González, and calls on state and national authorities to address the pattern of illegal detention, intimidation, harassment and attacks against members of CODEDI in Oaxaca, particularly given the history of human rights violations against them - including the killing of [Noel Castillo Aguilar](#), on which Front Line Defenders has previously expressed its concern. Front Line Defenders considers these acts against Froylán González to be a direct attack on the exercise of the rights to peaceful assembly and freedom of expression by indigenous human rights defenders in Mexico.

Front Line Defenders urges the authorities in Mexico to:

1. Drop all criminal allegations against Froylán González;
2. Carry out an immediate, thorough and impartial investigation into the allegations of inhuman and degrading treatment of Froylán González under state custody, with a view to publishing the results and bringing those responsible to justice in accordance with international standards;
3. Take all necessary measures to re-establish and guarantee the physical and psychological integrity and security of Froylán González, in coordination with him;
4. Take all the necessary steps to safeguard the rights to peaceful assembly and freedom of expression in Mexico, particularly in the State of Oaxaca;
5. Fully implement and respect the rights of indigenous communities to self-determination, which involves the exercise of their rights to free, prior and informed consent on matters that directly affect them;
6. Guarantee in all circumstances that all human rights defenders in Mexico are able to carry out their legitimate human rights activities without fear of reprisals and free of all restrictions.

Front Line Defenders respectfully reminds you that the United Nations Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, adopted by consensus by the UN General Assembly on 9 December 1998, recognises the legitimacy of the activities of human rights defenders, their right to freedom of association and to carry out their activities without fear of reprisals. We would particularly draw your attention to Article 6: *“Everyone has the right, individually and in association with others: (b) As provided for in human rights and other applicable international instruments, freely to publish, impart or disseminate to others views, information and knowledge on all human rights and fundamental freedoms; (c) To study, discuss, form and hold opinions on the observance, both in law and in practice, of all human rights and fundamental freedoms and, through these and other appropriate means, to draw public attention to those*

matters”; and Article 12 (2): “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.”

Please inform us of any actions that may be taken with regard to the above case.

Yours sincerely,

A handwritten signature in blue ink that reads "Andrew Anderson". The signature is written in a cursive style with a blue ink color.

Andrew Anderson
Executive Director