



The Honorable Antony Blinken
Secretary of State
U.S. Department of State
2201 C Street NW
Washington, DC 20520

March 28, 2023

Dear Secretary Blinken,

The undersigned human rights organizations and advocates write to express our deep concern regarding the forced disappearances of Mexican human rights defender and lawyer, Ricardo Arturo Lagunes Gasca and of Indigenous leader Antonio Díaz Valencia. Lagunes Gasca and Díaz Valencia [disappeared](#) on January 15, 2023 shortly after participating in a community meeting that addressed issues related to the operation of a mine in Aquila, owned by Ternium, a Luxembourg-based mining company with locations across the Americas, including in the United States. We call on the United States Government to act within its diplomatic capacity to urge the State of Mexico to fulfill their obligations to effectively investigate the disappearance of Mr. Lagunes and press Ternium to cooperate with all investigations.

At the time of the disappearance, Lagunes Gasca was a member of the [Mechanism for the Protection of Human Rights Defenders and Journalists](#)¹ and Díaz Valencia was the leading candidate for the presidency of the *ejidal* commissariat of Aquila Michoacán, a position that represents the communal land interests to third parties. Both individuals had reported threats from Ternium and requested government intervention. Their vehicle was found abandoned on the side of a highway close to the border between the state of Michoacan and Colima, with multiple bullet holes. Their families believe that their disappearance may be connected to the company and is a human rights consequence of unsustainable mining practices.

Ricardo and Antonio's disappearance took place in a context of ongoing violence against Indigenous defenders and lawyers protecting human rights and the environment in Mexico. According to information from the local community, Ternium has not complied with the

¹ The Mechanism for the Protection of Human Rights Defenders and Journalists (Mecanismo de Protección para Personas Defensoras de Derechos Humanos y Periodistas) is a federal government body in Mexico created to implement protection measures that guarantee the life, integrity, liberty and security of human rights defenders and journalists at risk.

economic and social commitments it made to community members, and for approximately four years, Ricardo Lagunes has provided legal support to the community with the goal of pressing the company to comply with these commitments.

The UN Committee on Enforced Disappearance (CED), six UN Special Procedures Mandates, and the Inter-American Commission of Human Rights demanded urgent action to search and find the human rights defenders. Specifically, the CED required Mexico to build a strategy for an exhaustive search and investigation, including the context analysis in which their disappearances occurred and to include in the investigations the hypothesis that the motivation for their disappearance is related to their human rights defense work. Furthermore, several UN Special Procedures insisted on the need for answers related to the role of Ternium, sending communications to Mexico, the Ternium Company, and the Governments of Argentina and Luxembourg.

The Biden administration has repeatedly expressed a commitment to promote human rights worldwide and protect the role of civil society. The United States has also [stated](#) its commitment to the UN Declaration on Human Rights Defenders and to “continue to engage, both bilaterally and in multilateral fora, to protect and promote fundamental freedoms and the role of human rights defenders.” This forced disappearance is a direct attack on human rights and environmental defenders working to protect their fundamental rights and freedoms. A threat against human rights and freedom of expression is a threat against justice and democracy everywhere, and in order to protect human rights and human rights defenders, State and non-State actors must be held accountable for their role in the suppression of these rights and freedoms.

Therefore, we as the undersigned human rights organizations and advocates, call on the United States government to:

- 1) Recognize the work of Ricardo Lagunes Gasca and Antonio Díaz Valencia and amplify their voices through public and silent diplomacy with Mexico and other global allies, including Argentina and Luxembourg***
- 2) Document their case and include it in the annual U.S. Department of State Country Reports on Human Rights Practices***
- 3) Consider their names for the annual Human Rights Defender Award and its celebration of Human Rights Week each December***
- 4) Provide necessary support for humanitarian recovery***
- 5) Activate any additional relevant support mechanisms for human rights defenders at the Department of State Bureau of Democracy, Human Rights, and Labor***

- 6) *Urge the Mexican government to find the human rights defenders Ricardo Lagunes Gasca and Antonio Díaz Valencia, and do everything in its power to return them to their families and communities alive*
- 7) *Urge the Mexican government to effectively investigate the forced disappearances, including:*
- Determine the possible involvement of the security forces of the two states (Michoacán and Colima);
 - Determine the possible involvement of the federal security forces present in the area (National Guard and Army), by action, authorization, acquiescence or tolerance;
 - Investigate and determine the role of all armed groups in the area; and
 - Require the Company to, at minimum, activate its mechanisms for internal investigations and sanctions against members of the board of directors whose names may emerge in the investigations before Prosecutors and Search Commissions.
- 8) *Urge the company Ternium to use its influence in the region to search and find the whereabouts of Ricardo Lagunes Gasca and Antonio Díaz Valencia, in compliance with enhanced duty of due diligence (prevent, mitigate, remedy)*
- 9) *Urge the company Ternium to cooperate in all investigations regarding the disappearance of the two human rights defenders, including through the disclosure of all relevant information, and to:*
- Activate its internal mechanisms for investigation and sanction against members of the board of directors whose names emerged in the investigations before Prosecutors and Search Commissions; and
 - Adopt strong, effective human rights due-diligence processes to identify, prevent, and mitigate the impact of business operations on human rights in the future, with special recognition of the need for enhanced measures when operating in conflict or where there are heightened risks

We ask the U.S. government to demonstrate its continued commitment to promoting human rights and democracy by supporting the ability of these human rights defenders to safely exercise their right to freedom of expression and ensuring that those responsible for their disappearance are held to account. If you have any questions or would like to discuss this issue further, please contact David McKean at david@icar.ngo.

Sincerely,

Alianza Americas

ALTSEAN-Burma

Center for Constitutional Rights

Chicago Religious Leadership Network on Latin America-CRLN

Colectivo Mujeres Trasnacionales

Colectivo Yopoi (Argentina)

Due Process of Law Foundation (DPLF)

Durango Unido en Chicago

Earthrights International

Environmental Defender Law Center

Freedom House

Global Legal Action Network (GLAN)

Global Rights Advocacy

Hawai'i Institute for Human Rights

Heartland Initiative

Illinois workers in action & Center for Immigrant Progress

Inclusive Development International

Initiative Pour Un Devoir De Vigilance (Luxembourg)

Idheas Litigio Estratégico en Derechos Humanos

The International Corporate Accountability Roundtable (ICAR)

International Human Rights Clinic at Santa Clara Law

Just Ground

Latin America Working Group (LAWG)

New Mexico Environmental Law Center

Project on Organizing, Development, Education, and Research (PODER).

Protection International Mesoamérica

Robert F. Kennedy Human Rights

Seattle University School of Law's International Human Rights Clinic

Tsikini

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