

January 15, 2025

To: Ternium SA

Mr. Paolo Rocca  
Chairman of the Board of Directors

Mr. Máximo Vedoya  
Chief Executive Officer

Ternium SA  
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**Dear Mr. Rocca and Mr. Vedoya,**

We, the undersigned human rights organizations and advocates, express profound concern over the ongoing lack of progress in the investigation into the forced disappearances of Mexican human rights lawyer Ricardo Arturo Lagunes Gasca and Indigenous leader Antonio Díaz Valencia, which occurred almost two years ago. Both individuals were actively involved in the defense of indigenous rights from the Ternium-owned Las Encinas iron ore mine in Aquila, Mexico, prior to their disappearance on January 15th, 2023. Their whereabouts remain unknown, and their families are demanding truth and justice. We urge Ternium to uphold its human rights commitments and duty of due diligence by actively utilizing its resources to help locate the missing defenders and ensure their safe return to their families. We request that Ternium work directly with the families and their representatives in this endeavor.

As documented by Global Witness in its annual report [Missing Voices](#), and by the Fair Steel Coalition in its report, [The Real Cost of Steel](#), enforced disappearance of human rights defenders in Mexico is of grave concern, and impunity predominant. From 2012-2023, 203 Environmental defenders were killed, 36 of them were victims of enforced disappearances, and 21 in Michoacán. 70% of the attacks in 2023 were against indigenous people defending their lands from the mining industry, with a concentration of cases along the Pacific Coastal States of Michoacán-Colima-Jalisco. Hundreds of bodies and human remains have been discovered in the region since January 15, 2023, many of which remain unidentified due to incomplete forensic analysis. This lack of progress hinders efforts to determine whether any of the remains belong to the missing defenders or individuals connected to their case. Those who orchestrate attacks on environmental defenders

often operate with impunity, as the majority of cases go unsolved and the masterminds remain free.

In the case of Ricardo Arturo Lagunes Gasca and Antonio Díaz Valencia, despite the arrest of two suspects, crucial questions about the motives and the individuals responsible for planning the disappearances [remain unanswered](#). This underscores the urgent need for Ternium to address the ongoing human rights concerns in the region and take concrete steps to ensure the safety and protection of individuals who speak out against potential abuses.

According to the UN Working Group on Business and Human Rights, [due diligence](#) requires companies to have ongoing mechanisms in place to prevent and mitigate violence and conflicts, both from armed actors operating in the area and from conflicts generated by their activities in the community. Businesses must actively engage with members of those who have been forcibly disappeared, local communities and groups in conflict, violence and post-conflict situations. Likewise, companies must have internal investigation and sanction mechanisms for their employees, as well as complaint mechanisms for the community to comply with reparation standards. The UN has also provided important [guidance](#) for companies on ensuring respect for human rights defenders.

Mr. Díaz Valencia, a respected educator and Indigenous leader in Aquila, has been a prominent advocate for the community's land rights and self-governance. Mr. Lagunes Gasca, a lawyer with extensive experience in defending collective land rights, provided legal aid to the Indigenous community in Aquila regarding Ternium's mining operations. The mining activities have led to concerns regarding alleged corruption, environmental damage, and issues related to benefit-sharing agreements. Following their disappearance, their vehicle was found abandoned, numerous clandestine graves containing unidentified human remains have been discovered in the region, and several [articles](#) highlighted possible threats by [Ternium's officials](#).

Several UN Special Procedures mandate holders [expressed concerns](#) regarding Ternium's alleged failure to respect human rights and requested information on corrective actions taken to address negative impacts on human rights, including the intimidation of human rights defenders and the protection of those at risk. The UN also sought information on steps taken to facilitate the search for the missing individuals. [Ternium's response to the UN](#) denied any involvement in the disappearances stating that “Ternium did not have any implication, nor direct or indirect, in the disappearance” and attributing the events to “regional insecurity and a conflict within the community.” The company emphasized that its relationship with the missing individuals “has been in every moment of absolute respect and dialogue” and reaffirmed its “unrestrictive collaboration with the investigative authorities in its inquiries.” Despite its statement to the UN suggesting a strong dialogue between the company and the local community, in its 2022 Annual Report Ternium acknowledged having “difficulties in relationships” with the same, characterizing these challenges as operational risks and potential threats to economic performance, with a clear

emphasis on a profit-oriented viewpoint. [The 2023 report goes further](#), highlighting the disappearances and stating that if violence and conflict continue to increase in the regions where Ternium has its mining operations, Ternium's mining activities in Mexico may be "partially or totally suspended, or even permanently shut down." Missing from these reports are any mentions of the need for a thorough corporate investigation into the possible involvement of local directors or other company representatives in the alleged threats and forced disappearances.

Furthermore, Ternium's response to the UN lacks information regarding specific actions taken to address and prevent future attacks on human rights defenders, to investigate internally into the alleged threats or possible involvement of its executives, or provide remedies to the affected families. The company's recent decision [to move the head of Aquila mine to Brazil](#) and the modification of its code of conduct, which fails to incorporate explicit protections for human rights defenders, raises further concerns about its commitment to human rights due diligence, especially considering the heightened risks for defenders associated with operating in conflict-affected areas.

We call upon Ternium to:

1. **Engage meaningfully with the families searching for Ricardo and Antonio** and their representatives at the highest executive level in Luxembourg, granting a meeting during the next General Assembly of Ternium in Luxembourg in 2025.
2. **Adopt immediately all measures available to help find** Ricardo Lagunes Gasca and Antonio Díaz Valencia, providing all relevant information from your finances and private security system, using your influence in commercial, political, social and security relations within the region, to collaborate with the families on the safe return of Ricardo Lagunes Gasca y Antonio Díaz Valencia.
3. **Recognize that the enforced disappearances** of Ricardo Lagunes Gasca and Antonio Díaz Valencia are due to their environment and human rights defense work in Aquila and send a public message to captors to return them.
4. **Explain the reasons to transfer Ternium's Aquila's executive to Brazil**, activate internal mechanisms to investigate and, if necessary, take appropriate measures if company personnel are found to have played a role or found to have mismanaged the local company's response regarding the forced disappearances of Ricardo Arturo Lagunes Gasca and Antonio Díaz Valencia.
5. **Conduct a comprehensive human rights impact assessment** focusing on the disappearances of Ricardo Lagunes Gasca and Antonio Díaz Valencia as a salient issue and priority, adopting as a central axis a political position aimed at eradicating violence against defenders of natural resources.
6. **Implement robust human rights due diligence processes** to identify, prevent, mitigate and remedy the impact of its operations on human rights, with particular attention to enhanced measures for protecting human rights defenders at risk and operating in conflict-affected areas.

7. **Postpone any major operational decisions or expansions of the company** in Mexico until the safety and whereabouts of the missing defenders are confirmed and the human rights concerns in the region are adequately addressed.

We urge Ternium to demonstrate its commitment to transparency and human rights by meeting with us, and to support efforts to hold those responsible for the disappearances accountable.

Please contact us if you have any questions or wish to discuss this matter further.

Sincerely,

Alejandra Gonza, Global Rights Advocacy Executive Director and representative of the families of environmental defenders

Jean-Louis Zeien, Initiative pour le devoir de vigilance

Eduardo Mosqueda, Tsikini Executive Director

Fernanda Venzon, Environmental Defender Law Center (EDLC) Executive Director

David McKean, Executive Director, International Corporate Accountability Roundtable