
**INTER-AMERICAN COMMISSION ON HUMAN RIGHTS
RESOLUTION 2/2023**

Precautionary Measure No. 876-22

Eleven members of the Jesuit community of Cerocahui, Tarahumara, municipality of Urique,
Chihuahua regarding Mexico¹
January 22, 2023
Original: Spanish

I. INTRODUCTION

1. On November 8, 2022, the Inter-American Commission on Human Rights (hereinafter “the Inter-American Commission”, “the Commission” or “the IACHR”) received a request for precautionary measures presented by the Center for Women’s Human Rights (CEDEHM), the Miguel Agustín Pro Juárez Center for Human Rights, and the Commission for Solidarity and Defense of Human Rights (COSYDDHAC) (hereinafter “the applicants”), urging that the IACHR request the State of Mexico (hereinafter “the State”) to adopt the necessary protection measures to guarantee the rights of eleven members of the Jesuit community of Cerocahui, Tarahumara, municipality of Urique, Chihuahua² (hereinafter “the proposed beneficiaries”). According to the request, the proposed beneficiaries are at serious risk of threats and attacks, perpetrated by a criminal group, which also prevents the normal operation of their pastoral activities and their support to the communities of the area.

2. In accordance with Article 25(5) of its Rules of Procedure, the IACHR requested information from the parties on November 14, 2022. The applicants submitted information on December 2, 2022. The Commission reiterated the request for information to the State on December 5, and received its observations on December 6, 2022. For their part, the applicants provided additional information on December 5 and 20, 2022.

3. Upon analyzing the submissions of fact and law offered by the parties, the Commission considers that the proposed beneficiaries are *prima facie* in a serious and urgent situation, given that their rights to life and personal integrity are at risk. Consequently, in accordance with Article 25 of its Rules of Procedure, the Commission requests that the State of Mexico: a) adopt the necessary security measures to protect the life and personal integrity of the beneficiaries. Among these measures, their safety must be guaranteed and any acts of threat, intimidation, and violence against them by third parties must be prevented; b) adopt protective measures that allow the proposed beneficiaries to continue carrying out their pastoral work without being subjected to threats, intimidation, harassment, and acts of violence against them; c) consult and agree upon the measures to be adopted with the beneficiaries and their representatives; and d) report on the actions taken to investigate the facts that led to the adoption of this precautionary measure, so as to prevent such events from reoccurring.

II. SUMMARY OF FACTS AND ARGUMENTS PROVIDED BY THE PARTIES

1. Information provided by the applicants

4. The proposed beneficiaries are the following: 1) Jesús Reyes Muñoz; 2) A. G. C.; 3) N. C. J.; 4) Esteban de Jesús Cornejo Sánchez; 5) Sebastián Salamanca Huet; 6) Luis Ramón Avitia Aguilar; 7) Luis Gilberto Alvarado Durán; 8) M. L. R. C.; 9) Enrique Javier Mireles Bueno; 10) Alberto Munguía Gómez; and 11) Daniel Martín. These individuals are members of the Jesuit community of Cerocahui,

¹ In accordance with Article 17(2) a of the IACHR Rules of Procedure, Commissioner Joel Hernández García, a Mexican national, did not participate in the debate and deliberation of this matter.

² As requested by the representatives, the religious women proposed as beneficiaries will be identified by their initials.

Tarahumara, municipality of Urique, Chihuahua. They reportedly perform community work, both in evangelical work and in the defense and promotion of human rights in the Sierra Tarahumara. The proposed beneficiaries include the members of two women's congregations within the area. As background, reference was made to the widespread context of violence and insecurity that has been ongoing in Mexico for several years, and particularly in the Sierra Tarahumara of Chihuahua. In the Tarahumara region, there is an alleged strong presence of organized crime groups that carry out activities of drug trafficking, logging, mining, among others; and who also dispute control of the area. In this regard, they mentioned the increase in serious human rights violations since the so-called "war against drug trafficking" that began in 2006.

5. They specified that, on June 20, 2022, Jesuit priests Javier Campos Morales and Joaquín Mora Salazar were killed in the parish of San Francisco Javier of the Jesuit community of Cerocahui. They reportedly attempted to defend a man who had taken refuge in the temple. The man was persecuted by reported armed people led by J.N.P.G., alias *El Chueco*, a member of the criminal group called "Los Salazar", member of the Sinaloa Cartel. It was indicated that, after the murder, the armed persons allegedly took the bodies. Priests Jesús Reyes and Esteban Cornejo witnessed the events and survived the attack. By way of background, the applicants referred to other violent events that occurred on that same date.³

6. On June 22, 2022, the Chihuahua Prosecutor's Office released an image of J.N.P.G. and accused him of the crimes of homicide and organized crime. The Prosecutor's Office offered a reward to anyone who provided information in order to detain him. On June 24, 2022, the Governor of Chihuahua, along with the State Prosecutor and other authorities, held a meeting with the Jesuit community of the Sierra Tarahumara. This meeting included Javier Ávila, who has precautionary measures granted in PM-55-10 -, the Provincial representation of Compañía de Jesús, and the PRODH Center. During this meeting, the authorities expressed their commitment to investigating the facts and apprehending the alleged perpetrator.

7. On August 24, 2022, a man who had his face covered and who claimed to be J.N.P.G. posted a video on social networks. In it, he narrated a different version of events and threatened to attack the parish priest and proposed beneficiary Jesús Reyes Muñoz, burn the community, and murder anyone who collaborates with the Jesuit pastors in the judicial processes. The threats were specifically directed against the religious community. This person reportedly indicated that he was going to return to Cerocahui to get one of the pastors for being a "loudmouth."

8. The applicants warned that the Jesuit community has demanded justice, and issued critical information on the security in the area and state actions. In addition, after the events of June 2022, the State reportedly ordered to carry out a "prompt follow-up" on the members of the Jesuit community, including controlling the public positions on the government's security policy. The aim is allegedly to account for their activities and record whether they knew of possible links of priests and organized crime.

9. The applicants indicated that the alleged assailants are at large, despite the fact that there is a criminal investigation and that the authorities have efforts to detain them. In Cerocahui, according to the applicants, the local authorities were allegedly imposed by J.N.P.G., who hired assassins. The applicants indicated that he was seen around the region on September 16, 2022. In the area of San Rafael, located 60 km from Cerocahui, there is information that the gunmen are patrolling around the

³ According to public information and presented by the Chihuahua State Prosecutor's Office, on the morning of June 20, an armed group of civilians led by J.N.P.G. arrived at a home in Cerocahui looking for brothers P.O. and A.B. He opened fire on the former and deprived the latter of his liberty. He then set fire to the house. The motive for the attack was related to a baseball game that took place a few days earlier. Around noon of the same day, in a second event, the same criminal group leader who participated in the first event entered the Misión Cerocahui Hotel, where after an argument with a tour guide - Mr. P.P.G. -, he was removed from the Hotel and deprived of his freedom. According to the information provided by the prosecutor's office, an injured P.P.G. managed to escape and arrived at the temple of San Francisco Javier.

town, armed and instilling fear in its inhabitants. Due to this situation, the surviving priests were unable to make a statement in the judicial process, and questions were presented against the director of the municipal police of Urique regarding his relationship with J.N.P.G. It was indicated that he reportedly only has security agents.

10. After submitting the request for precautionary measures, through a communication dated November 29, 2022, the applicants indicated that they allegedly continued receiving reports from the inhabitants of the communities surrounding Cerocahui about the presence of both J.N.P.G., and a group of hitmen. They reportedly continued to threaten to attack the group of proposed beneficiaries and all those who help them in their effort. These threats have been communicated orally among the population. They also pointed out that, when the presence of State security agents in the area decreased, the criminal group allegedly went back to having a huge and evident presence in the area, and the situation went back to “normal”. As an example, they indicated that in the town of Bahuichivo, located 17 kilometers from Cerocahui, J.N.P.G. was seen at a party. In addition, in several communities in which the proposed beneficiaries work, one of the main operators of J.N.P.G., surnamed “Cantú”, has been spotted. This person is allegedly responsible for communicating threats against proposed beneficiaries. The applicants indicate that proposed beneficiaries feel watched and threatened.

11. On October 8, 2022, in San Rafael, a town located approximately 50 kilometers from Cerocahui, two men, identified as brothers of one of the main criminal operators of J.N.P.G, were arrested. These men possessed weapons and grenades. Subsequently, a judge released them, and they allegedly continue to loiter around the community. In this regard, it was stressed that this is not the first time that people linked to J.N.P.G. have been arrested in possession of firearms. According to the applicants, the aforementioned clearly showcases the power of criminal groups, and why the proposed beneficiaries fear being victims of an attack at any time.

12. Various messages were reported from the highest-level authorities questioning the complaints of the Jesuit community regarding their access to justice. For example, they indicated that messages sent by various social media users against the Jesuit community circulate on social networks, particularly on Twitter,⁴ where they are deemed “phonies” or “hypocrites.” They also mentioned threatening messages such as: “the last one has to turn off the light...”; “they have no choice but to turn the other cheek, they are Catholics, religious, believers, (...) when it is their turn, it is until it the end”; and “What happened to this guy from the church??? Doesn’t God care about them and protect them?”. They also indicated that some messages justify the murders of the priests Mora and Campos, stating that it was a “job well done”. The Jesuits are also accused of being accomplices and receiving money from criminal groups. They even refer to the priest Jesús Reyes – a murder witness - who they accuse of letting the perpetrator leave with impunity. Some of those messages are: “We’ll see what those Jesuits did as their work, that’s weird”; “Wasn’t the CHURCH complicit in ORGANIZED CRIME? When have they ever spoken out against it? The narco’s money is purified in the Church”; “You saw him [J.N.P.G.] grow, you could have denounced him, he walked around the town with his thugs and everyone fell silent”; “The Catholic church in the mountains has always stayed where there is money, how else can they survive?, but ask Father Pato that just talks about Human Rights when it suits him “; “But of course they accept the alms of the narco”; “Until today, they talk because they killed two of their own, they have been making assholes of themselves for years living on what the narco pays them “; “And when the church receives money from drug trafficking, do they not review their ecclesiastical policy then????” “And the father Jesús Reyes brought him before the authorities, or let him go.”

⁴ The applicants attached a file entitled “Annex 2 Screenshot of messages on social networks against the Jesuit community”, in which each of the messages is observed, as well as the accounts from which they were written and the date of issue.

13. On the other hand, in the messages, the Jesuit community seeking justice is reproached, giving an example of the following:⁵ “Why so much attention to the catholic priests”; “Until they got a taste of their own medicine, they coughed up more than 120,000 dead.... And just now cry out. Fucking hypocrites”; and “The Catholic Church has no moral authority to speak of impunity. It is one of the institutions that have done the most damage to humanity”. The Jesuits are reportedly also singled out for questioning the federal government’s security strategy, saying they are calling for more violence; that the church is “the mother of violence”; “neither the Jesuits nor any other religious group should intervene in the country’s politics”; “they believe themselves to be morally honest in speaking out and criticizing but they, as well as the bishops, are largely responsible for keeping silent in the face of atrocities and corruption”; “Father, you mean you want BULLETS? Are hugs not worth anything in the church?”; “Incredible, the Jesuits asking for bullets”; or “Let’s see, because if they already knew this homicidal offender, why weren’t they brave enough to denounce him, it is easy to blame others and wash their hands of it.”

14. They also indicated that the Special Rapporteur on human rights defenders; the Special Rapporteur on extrajudicial, summary, or arbitrary executions; and the Special Rapporteur on the rights of indigenous peoples of the United Nations Organization have expressed concern about the murders and the fact that they were directly related to their human rights work. In response to these Rapporteurships, on September 19, 2022, the State allegedly recognized the vulnerability that the community faces.⁶

15. Regarding the protection measures, the applicants reported that dialogue tables were established between the authorities of the state of Chihuahua and representatives of the Jesuit community along with their legal representatives. In these spaces, the general state of the matter and the essential needs of the region were monitored. They indicate that the need for measures to protect the proposed beneficiaries and that the course of the investigations have not been followed up in a timely manner.

16. The Jesuit community requested a meeting with the Chihuahua Attorney General, which took place in October 2022. On that occasion, they requested security measures for the proposed beneficiaries, and that an analysis be carried out of the level of risk in the different areas and communities in which they perform their work. The aforementioned is with the aim of having objective information on the following: how the risk situation has changed since the recent events; where they must take extreme preventive actions; and establish a protocol to continue carrying out their tasks in safe conditions. In this regard, they pointed out that despite the fact that officials of the ministerial police visited the area, the risk analysis was reportedly not materialized. They allegedly only suggested that they “continue being careful”. The proposed beneficiaries continue to perform their work despite their fear and uncertainty, particularly whenever they travel to other communities.

17. In addition, it was reported that some members of the National Guard are present in the parish facilities. Occasionally, these members accompany proposed beneficiaries when they visit communities. This security measure is reportedly inadequate, given the inadequacy of personnel. In particular, on weekends, they cannot cover all the needs of the religious team, both of those who travel and those who stay in the community. The agents must attend to tasks other than the protection of the religious community and there is no formal protection plan agreed with the proposed beneficiaries. In this regard, they mentioned that no coordination mechanism has been established

⁵ The attached messages were issued on June 22, 25, 26, 27, 29, and 30; August 24; September 25, 26; and November 21, 2022.

⁶ The applicants attached Annex 4 - Report of the Mexican State (September 19, 2022) which refers to the joint communication AL MEX 09/2022 signed by the Special Rapporteur on human rights defenders; the one on extrajudicial, summary or applied executions; and the one on the rights of indigenous peoples, page 1. The Sierra Tarahumara, like other indigenous regions of the country, faces conditions of violence by armed groups, coupled with extreme poverty and historical marginalization by the country’s authorities. In these communities, the religious communities often monitor and seek respect for human rights, work for which they are regularly subject to attacks and threats by armed groups.

between the security agents and the proposed beneficiaries, nor have they determined operational issues such as schedules or shifts. As an example, they mentioned that the agents cannot guarantee the supply of fuel for all the proposed beneficiaries' trips to other communities. Members of the National Guard allegedly lack minimum conditions for their presence, such as lodging or bathrooms, and the community itself must provide it. This not only limits the space used for pastoral work, but imposes a burden on the community, as this has not yet been justified as an indispensable measure due to the lack of risk assessment.

18. It was specified that the authorities provided the proposed beneficiaries with a satellite internet access port that allows them to have free connectivity in the parish facilities. The measure is allegedly not adequate nor sufficient. According to the applicants, a continuous electrical energy load is needed. This prevents it from being a mobile satellite communication medium that can be used during their travels. The applicants indicated that the authorities have allegedly not informed the proposed beneficiaries about what to do in the event of a threat or incident at their premises or transfers. They have not received a basic protocol for an imminent situation presenting a risk, nor an emergency telephone number to which they can communicate in these situations. In the cases of Enrique Javier Mireles Bueno, Alberto Munguía Gómez, and Daniel Martín, who travel from Creel to Cerocahui every weekend, they indicated that they do not have any type of protection measure that guarantees a safe transfer. They are therefore exposed and are perceived as vulnerable during their journey.

19. On November 9, 2022, a judge issued preventive detention against F.C., alias "*El Cuervo*", who was captured during operations to locate J.N.P.G. On November 10, 2022, the Undersecretary of Federal Security reported that as part of the operation to execute the arrest warrant against J.N.P.G., for his participation in the murders of the Jesuits, a total of 31 people had been arrested. Regarding detaining the operators for J.N.P.G. and the actions carried out for his apprehension, the applicants indicated that the proposed beneficiaries fear being subject to retaliation.

20. On December 19, 2022, the Jesuit community issued a communication – signed by some of the proposed beneficiaries - in which they recalled that six months had elapsed since the priests' murders. The communication condemned the situation and publicly called on the State to adopt protective measures. They warned that, in December, the arrival of foreigners to Cerocahui and surrounding communities was going to increase. This could lead to the presence of criminals who take advantage of this situation to attack the proposed beneficiaries, who have many activities within the communities. At the same time, the State institutions' response, such as the coordination for the deployment of the few security measures already in place, may become less adequate and effective. They emphasized that impunity over the murders means that the risk of the proposed beneficiaries persists.

2. Response from the State

21. The State reported that it has transmitted, in open media, the condemnation regarding the events that occurred on June 20, 2022. In addition, it has expressed its commitment to intensifying efforts through State institutions to generate working groups and programs that promote governance and strengthen security in the area. In turn, the Attorney General's Office is committed to the development and integration of the investigation. In addition, they revealed that there has been constant communication with Presbyter Javier Ávila, who is a beneficiary of the precautionary measures of the IACHR.⁷

22. As indicated, the Government's public policies have been redirected, through the implementation of the Comprehensive Care Plan (*Plan de Atención Integral*) for the Sierra

⁷ The annexed document of the Ministry of the Interior of the State of Chihuahua indicates that it is PM-55-10.

Tarahumara, as one of the commitments made within the framework of the measures dictated by the inter-American system. Government strategies were strengthened as a result of these developments. Efforts had previously been made to coordinate the various powers and institutions in order to strengthen security strategies in the region. The representatives of the beneficiaries of measures before the inter-American system participate in these efforts. This has made it possible to finalize agreements for the strengthening of security in the Serrano Zone, through the Coordination for the Construction of Peace (*Coordinación para la Construcción de la Paz*), under the Secretariat of Public Security and Citizen Protection in the State of Chihuahua.

23. Within the agreements reached, it was indicated that it will establish a Mobile Inter-Agency Operating Base considering cultural relevance. This is with the aim of strengthening the permanence and performance of police corporations in the community area, among others. Specifically, it has been proposed that these operations will take off at an itinerant state table, either in Guadeloupe and Calvo or Guachochi; including the community of Cerocahui.⁸ In addition, the installation in Choreachi of a sub-site of the Public Prosecutor's Office, which visits every fortnight to attend to matters within its competence, is also noteworthy. Its feasibility of weekly visits is being analyzed, considering the conditions of cultural relevance, specifically the translation of the language.

24. Since the events occurred, the Government of the State of Chihuahua has had several meetings with authorities and representatives of Compañía de Jesús in order to meet their needs and provide care derived from the event in Cerocahui in the Sierra Tarahumara and address the problems of the different communities.⁹ The State reported that the following agreements were reached: a) Permanent presence of military forces in strategic areas of the Sierra; and b) Creation of an inter-agency working group to structure a plan, with the main objective of creating support programmes and the allocation of resources for the benefit of the Sierra Tarahumara.

25. The State reported that, with the creation of the Comprehensive Care Plan for the Sierra Tarahumara, led by the State Commission for Indigenous Peoples, the request of Compañía de Jesús was materialized, in order to "guarantee security for the community of Cerocahui and design a comprehensive rescue program for regions affected by violence such as the Sierra Tarahumara". This Plan has carried out the following actions: a) On August 8, 2022, at the tables of the Coordination Group for the Construction of Peace, at the request of the Commander of the 42nd Military Zone, it was agreed to maintain the permanent presence of all the corporations in the municipality of Urique to continue with the special operation of Cerocahui¹⁰; and b) The Secretary General of Government met with Father Javier Ávila on October 5, 2022, and the Secretary assured he would review and request the support of the 42nd Military Zone for the protection of the priests of the area, and reinforce general security to the community. They also reported the creation of the State Commission on Forced Internal Displacement (*Comisión Estatal de Desplazamiento Forzado Interno*), and expressed their interest in having it participate in a Commission session.

26. On October 13, 2022, in the extraordinary session of the Commission on Internal Forced Displacement in Chihuahua, the direct link of Father Ávila was materialized for the specific cases processed by him. It was also agreed that the units will review their budgets to label a specific item to address the problem of displacement and to be in a position to grant humanitarian aid. On October 26,

⁸ The National Guard and State Public Security Secretariat mentioned the possibility of having the Mobile Inter-Agency Task Force Base remain in each of these communities for several days and rotate throughout the region in order to limit the mobility and influence of armed groups in the area.

⁹ They referred to the following: i) June 24, 2022, a meeting was held with Compañía de Jesús and the Governor of the State, as well as with various state and federal authorities, in order to attend to the Jesuit representatives for the event that occurred in Cerocahui; ii) July 4, 2022, the progress of investigations and security in the area continued to be requested and reviewed in the Coordination Group for the Construction of Peace; and iii) July 15, 2022, at the request of the provincial head of Compañía de Jesús in Mexico, and the Director of the Human Rights Center Miguel Agustín Pro Juárez, met in Ciudad Cuauhtémoc, Chihuahua.

¹⁰ This agreement was reportedly fulfilled and has been implemented with the participation of the members of the State coordination group for peacebuilding.

2022, a meeting was held with civil society organisations.¹¹ It presented the Commission's operations; and requested its collaboration to carry out the Protocol of Action for Attention (*Protocolo de Actuación para la Atención*) emergent to cases of internal forced displacement in the State. Furthermore, on November 10, 2022, the Governor informed that the State Commission for Indigenous Peoples will become the Secretariat of Indigenous Peoples and Communities. This seeks to directly address the underlying problems of these communities and to influence them with the aim of ending welfare.

27. Regarding the actions aimed at safeguarding the life and personal freedom of the members of the community, the State reported that, since June 20, 2022, personnel are permanently commissioned in Cerocahui. This is performed through eight agents and three units, which carry out prevention rounds in the surrounding towns, with the support of the Creel detachment in case of any difficulty. The integration of the operational force available under the Strategic and Operational Information Coordination which reports to the Undersecretariat of Police Deployment was also detailed.¹²

28. The State provided details of the State Defense Plan III and the actions carried out in the area.¹³ It was indicated that surveillance actions continue to be carried out at strategic points.¹⁴ The seizure of people linked to organized crime, as well as weapons, narcotics, and 75 vehicle checks, and inspections was also confirmed. In addition, air deployment, surveillance tours, and designated observation points for organized crime, among others, were carried out.

29. It was also reported that the State Investigation Agency has deployed an operation made up of its agents, the National Guard, and State Authorities, thereby reactivating the opening of the command located in the Bahuichivo detachment. The foregoing is in order to provide a more immediate response to a possible act of violence, capture, and arrest those responsible for the events that occurred in June 2022, and in order to safeguard the life and integrity of the inhabitants of the communities of Urique, Baotipilas Chinipas, and Guazaparez.

30. For its part, the Attorney General's Office reported that the Early Intervention Unit (*Unidad de Atención Temprana*) in the City of Hidalgo del Parral, Chihuahua, is carrying out an investigation on J.N.P.G., alias "*El Chueco*" and/or whoever is responsible for belonging to an organized crime group. Moreover, the Attorney General's Office of Chihuahua advances another investigation for the events that occurred in June 2022 within which various investigative actions have been carried out, and for which there is a protected witness.

31. The State indicated that a comprehensive security strategy called "Sentinel Platform" (*Plataforma Centinela*) is under development. Through it, the government of Chihuahua seeks to strengthen surveillance throughout the State.¹⁵ The strategy is aimed at generating risk containment through systematic, comprehensive, and preventive security along with technological implementation, improving training, and knowledge of operational and administrative elements. In

¹¹ Among them, Alianza Sierra Madre, CONTEC Community Technical Consultancy, COSYDDHAC, and CEDEHM.

¹² 48 SWAT tactical operators, two SWAT tactical operators with paramedic specialty, 30 rural operations personnel, 18 radio patrol vehicles, five tactical armored vehicles, uninterrupted operation segmented into two work groups with 24x24 shifts, work groups divided to service need in coordination with the Mexican Army and National Guard.

¹³ Such as: i) Recovery of spaces in conflict; ii) Search and location of victims and offenders; iii) Recovery of victims; iv) Arrest or neutralization of aggressors; v) Tactical intervention of spaces; vi) Tours to strengthen the security of tourist, commercial and recreational operations of the community; and vi) Support to patrol tasks of containment of crime and high-impact events.

¹⁴ In the following road sections: Pedernales, La Junta and San Pedro; Entronque Tacuba; Puente Pampas and Casa Colorada; San Juanito, Bocoyna, and Cree.

¹⁵ The State indicated that the Sentinel Platform will have subcenters located in strategic points throughout the State, in the cities of Delicias, Camargo, Ojinaga, Jiménez, Parral, Guachochi, Bocoyna, Madera, Nuevo Casas Grande, Cuauhtémoc, Ciudad Juárez, and Chihuahua, with the intention of generating timely and efficient responses according to the needs and priorities of the entire entity. It is expected to install more than 3,000 PTZ cameras, 4,800 fixed cameras, in addition to 1,791 license plate reading cameras, 102 Sentinel Arches, 11 Sentinel filters, and more than 800 workstations.

addition, it seeks to promote the security and permanence of security agents in the area, mainly, regarding the transfers of the Jesuit and religious pastors, in the Sierra Tarahumara. It was indicated that, through dialogue between the security commanders and the comprehensive care strategy of the Government of Chihuahua, the situations that have threatened the peace of the Community of Cerocahui have been addressed. The State acknowledged that geographical barriers have posed a challenge to implement more immediate security measures.

32. Lastly, the State called for the request for precautionary measures be rejected, taking into account that the security of the territory and the population is being addressed in an inter-institutional manner.

III. ANALYSIS OF THE ELEMENTS OF SERIOUSNESS, URGENCY, AND IRREPARABLE HARM

33. The mechanism of precautionary measures is part of the Commission's function of overseeing compliance with the human rights obligations set forth in Article 106 of the Charter of the Organization of American States. These general oversight functions are established in Article 41(b) of the American Convention on Human Rights, as well as in Article 18(b) of the Statute of the IACHR. The precautionary measures mechanism is described in Article 25 of the Rules of Procedure of the Commission. In accordance with that Article, the Commission grants precautionary measures in serious and urgent situations in which these measures are necessary to avoid an irreparable harm to persons.

34. The Inter-American Commission and the Inter-American Court of Human Rights ("the Inter-American Court" or "I/A Court H.R.") have repeatedly established that precautionary and provisional measures have a dual nature, both protective and precautionary.¹⁶ Regarding the protective nature, these measures seek to avoid irreparable harm and protect the exercise of human rights.¹⁷ To do this, the IACHR shall assess the problem raised, the effectiveness of state actions to address the situation described, and the vulnerability to which the persons proposed as beneficiaries would be exposed if the measures are not adopted.¹⁸ Regarding their precautionary nature, these measures have the purpose of preserving legal situations while under the consideration of the IACHR. They aim to safeguard the rights at risk until the petition pending before the inter-American system is resolved. Their object and purpose are to ensure the integrity and effectiveness of an eventual decision on the merits and, thus, avoid any further infringement of the rights at issue, a situation that may adversely affect the useful effect (*effet utile*) of the final decision. In this regard, precautionary or provisional measures enable the State concerned to comply with the final decision and, if necessary, to implement the ordered reparations.¹⁹ In the process of reaching a decision, according to Article 25(2) of its Rules of Procedure, the Commission considers that:

¹⁶ See in this regard: I/A Court H.R. Matter of the Yare I and Yare II Capital Region Penitentiary Center. Request for Provisional Measures submitted by the IACHR regarding the Bolivarian Republic of Venezuela. Order of the Inter-American Court of Human Rights of March 30, 2006, considerandum 5; I/A Court H.R. Case of Carpio Nicolle et al. v. Guatemala. Provisional Measures. Order of July 6, 2009, considerandum 16.

¹⁷ See in this regard: I/A Court H.R. Matter of Capital El Rodeo I and El Rodeo II Judicial Confinement Center. Provisional Measures regarding Venezuela. Order of the Court of February 8, 2008, considerandum 8; I/A Court H.R. Case of Bámaca Velásquez. Provisional measures regarding Guatemala. Order of the Court of January 27, 2009, considerandum 45; I/A Court H.R. Matter of Fernández Ortega et al. Provisional Measures regarding Mexico. Order of the Court of April 30, 2009, considerandum 5; I/A Court H.R. Matter of Milagro Sala. Request for Provisional Measures regarding Argentina. Order of the Inter-American Court of Human Rights of November 23, 2017, considerandum 5 [only in Spanish].

¹⁸ See in this regard: I/A Court H.R. Matter of Milagro Sala. Request for Provisional Measures regarding Argentina. Order of the Inter-American Court of Human Rights of November 23, 2017, considerandum 5 [only in Spanish]; I/A Court H.R. Matter of Capital El Rodeo I and El Rodeo II Judicial Confinement Center. Provisional Measures regarding Venezuela. Order of the Court of February 8, 2008, considerandum 9; I/A Court H.R. Matter of the Criminal Institute of Plácido de Sá Carvalho. Provisional Measures regarding Brazil. Order of the Inter-American Court of Human Rights of February 13, 2017, considerandum 6 [only in Spanish].

¹⁹ See in this regard: I/A Court H.R. Matter of Capital El Rodeo I and El Rodeo II Judicial Confinement Center. Provisional Measures regarding Venezuela. Order of the Court of February 8, 2008, considerandum 7; I/A Court H.R. Matter of "El Nacional" and "Así es la Noticia" newspapers. Provisional Measures regarding Venezuela. Order of the Court of November 25,

- a. “serious situation” refers to a grave impact that an action or omission can have on a protected right or on the eventual effect of a pending decision in a case or petition before the organs of the inter-American system;
- b. “urgent situation” refers to risk or threat that is imminent and can materialize, thus requiring immediate preventive or protective action; and
- c. “irreparable harm” refers to injury to rights which, due to their nature, would not be susceptible to reparation, restoration or adequate compensation.

35. In analyzing those requirements, the Commission reiterates that the facts supporting a request for precautionary measures need not be proven beyond doubt. The information provided should be assessed from a *prima facie* standard of review to determine whether a serious and urgent situation exists.²⁰ Similarly, the Commission recalls that, by its own mandate, it is not called upon to make any determination on any individual criminal liabilities for the facts alleged. Moreover, in this proceeding, it is not appropriate to rule on violations of rights enshrined in the American Convention or other applicable instruments.²¹ This is better suited to be addressed by the Petition and Case system. The analysis performed herein relates exclusively to the requirements set forth in Article 25 of the Rules of Procedure, which can be resolved without making any determinations on the merits.²²

36. As regards the applicable *context*, the Commission recalls that, on June 23, 2022, it condemned the murder of the two Jesuit priests in Chihuahua, Mexico that occurred on June 20, 2022.²³ On that occasion, and in line with what was alleged by the parties in this procedure, the Commission identified that the facts were framed in a context of well-known violence in the state of Chihuahua.²⁴ The Commission stressed that, through its various mechanisms, it received information on the violence faced by numerous indigenous communities of the Sierra Tarahumara in regards to alleged conflicts between drug trafficking cartels that allegedly contest the control of the territory for planting and illicit crops.²⁵ Lastly, the Commission called on the State to ensure the safety of the people living in the community in Cerocahui, as well as the survivors.²⁶

37. Similarly, in the *Matter of Members of the Indigenous Community of Choréachi*, located in the Sierra Tarahumara, municipality of Guadalupe and Calvo of the state of Chihuahua, the Inter-American Court issued a resolution of provisional measures of September 23, 2021. In this resolution, it stressed that the situation that is allegedly experienced in the area is the product of a convergence of factors, such as the exclusion and discrimination of the communities, and the violence caused by drug trafficking and the government’s fight against organized crime, including reprisals against the indigenous authorities that defend their territory, among others.²⁷

2008, considerandum 23; I/A Court H.R. *Matter of Luis Uzcátegui*. Provisional Measures regarding Venezuela. Order of the Court of January 27, 2009, considerandum 19.

²⁰ See in this regard: I/A Court H.R. *Matter of Members of the Miskitu Indigenous Peoples of the North Caribbean Coast regarding Nicaragua*. Extension of Provisional Measures. Order of the Inter-American Court of Human Rights of August 23, 2018, considerandum 13 [only in Spanish]; I/A Court H.R. *Matter of Children Deprived of Liberty in the “Complexo do Tatuapé” of the Fundação CASA*. Request for extension of provisional measures. Provisional Measures regarding Brazil. Order of the Inter-American Court of Human Rights of July 4, 2006, considerandum 23.

²¹ IACHR. Resolution 2/2015. Precautionary Measure No. 455-13. *Matter of Nestora Salgado regarding Mexico*. January 28, 2015, para. 14; IACHR. Resolution 37/2021. Precautionary Measure No. 96-21. *Gustavo Adolfo Mendoza Beteta and family regarding Nicaragua*. April 30, 2021, para. 33.

²² In this regard, the Court has indicated that “[it] cannot, in a provisional measure, consider the merits of any arguments pertaining to issues other than those which relate strictly to the extreme gravity and urgency and the necessity to avoid irreparable damage to persons.” See in this regard: I/A Court H.R. *Matter of James et al. regarding Trinidad and Tobago*. Provisional Measures. Order of the Inter-American Court of Human Rights of August 29, 1998, considerandum 6; I/A Court H.R. *Case of Barrios Family v. Venezuela*. Provisional Measures. Order of the Inter-American Court of Human Rights of April 22, 2021, considerandum 2 [only in Spanish].

²³ IACHR. [IACHR condemns murder of Jesuit priests in Chihuahua](#), Mexico, June 23, 2022

²⁴ IACHR. [IACHR condemns murder of Jesuit priests in Chihuahua](#), Mexico, June 23, 2022

²⁵ IACHR. [IACHR condemns murder of Jesuit priests in Chihuahua](#), Mexico, June 23, 2022

²⁶ IACHR. [IACHR condemns murder of Jesuit priests in Chihuahua](#), Mexico, June 23, 2022

²⁷ I/A Court H.R. [Matter of Members of the Choréachi Indigenous Community regarding Mexico](#). Provisional Measures. Order of the Inter-American Court of Human Rights of September 23, 2021. Considerandum 6.

38. The Commission understands that, in the context of identified and existing violence in the area, the current eleven members of the Jesuit community of Cerocahui allegedly continue to carry out their social and pastoral work activities. According to the applicants, in addition to the work they perform in the area, the Commission notes that, pursuant to information from the Office in Mexico of the United Nations High Commissioner for Human Rights, the lines of work of the Jesuit community of Cerocahui include the strengthening of the culture of the Rarámuri community in all its dimensions and the preservation of the environment.²⁸

39. Regarding the requirement of *seriousness*, the Commission notes that the situation of the proposed beneficiaries is framed in a context of violence and insecurity that particularly affects the inhabitants of the Tarahumara region, Chihuahua. In the particular case of the proposed beneficiaries, the Commission understands that the risk situation materialized with two Jesuit priests being murdered inside their own temple on June 20, 2022. This Commission identifies as particularly serious the allegations that: i) the murder has been attributed to a criminal group linked to the Sinaloa Cartel, which is reportedly recognized worldwide as one of the main drug trafficking organizations;²⁹ ii) the people of the criminal group entered the temple of the Jesuit community armed and shot inside it; and iii) after the murder, the armed people took the priests' bodies. The aforementioned, in the Commission's opinion, reflects the high margin of action that armed persons, allegedly linked to organized crime, had at the time of committing the murders against two members of the Jesuit community.

40. Subsequently, and after the beginning of the investigations into the murders, the applicants have indicated that the proposed beneficiaries have continued with their pastoral and social work, as well as with the demands for justice for the events that occurred. In this context, the request indicates that they have continued to be subject to death threats. A video of an organized crime leader was even released in August 2022. In that video, the organized crime leader indicates that he would attack Jesuit parish priest Jesús Reyes Muñoz; set fire to the Jesuit community; and murder anyone who collaborates with Jesuit pastors in judicial proceedings.

41. In addition, the applicants have indicated that armed persons or hit men are reportedly present in areas near Cerocahui, where the Jesuit community is based, and from where they travel to visit other nearby communities. The request indicates that, after the initial submission of the request for precautionary measures to the Commission, reports have been submitted of hitmen in neighboring communities reportedly threatening to attack the proposed beneficiaries. The Commission notes that, on the basis of the information available, persons linked to the leader of the criminal organization have been identified at large, either in or around areas near Cerocahui. According to the applicants, this allegedly demonstrates that they are being watched. As an example of the capacity of the criminal organization in the area, the applicants indicated that, in October 2022, two people from the aforementioned group were arrested and it was found that they had weapons and grenades in their possession.

42. In addition to the above, the Commission notes that, as alleged by the applicants, there is a context of stigmatization and delegitimization of the proposed beneficiaries after their complaints and actions linked to the investigation into the murder of Jesuit priests. This context is reportedly reflected in messages and comments through the social network *Twitter*. Among the messages reported to the Commission are those that seek to disqualify proposed beneficiaries and relate to the activities of criminal groups (see *supra* para. 12 and 13). Other messages call for violence by referring to "bullets"

²⁸ UN. [UN-HR condemns the murder of priests Javier Campos Morales, S.J. and Joaquín César Mora Salazar, S.J.](#), in Chihuahua, June 23, 2022.

²⁹ The Sinaloa Cartel, often described as the largest and most powerful drug trafficking organization in the Western Hemisphere, is an alliance of some of Mexico's most important kingpins. Available [in Spanish] at <https://en.insightcrime.org/noticias-crimen-organizado-mexico/sinaloa-cartel/>

(see *supra* paras. 12 and 13). Similarly, the applicants also indicated that the proposed beneficiaries' position on State security policies is also being questioned (see *supra* para. 12 and 13).

43. After people linked to the criminal group were arrested in November 2022, the Commission warns that the applicants alleged fear of possible reprisals given that they are promoting apprehensions and actions in search of justice. At the same time, the applicants also submitted allegations of links between local authorities and the criminal organization.

44. The Commission notes that following the request for information made in accordance with Article 25 of the Rules of Procedure, the State reported the following: i) Public condemnation of the events that occurred on June 20, 2022 for those involved in the murder of the two Jesuit priests; ii) Adoption of measures to promote governance and strengthen security in the area; and iii) Implementation and strengthening of the Comprehensive Care Plan for the Sierra Tarahumara, which includes agreements to: strengthen security in the Serrano Zone; the establishment of a Mobile Interagency Operations Base considering cultural relevance, including operations in the community of Cerocahui; and the installation in Choreachi of a sub-site of the Public Ministry, which would be used every fifteen days to attend to the matters of its competence. The State referred to the measures taken under the Comprehensive Care Plan (see *para.* 25). After meetings with representatives of Compañía de Jesús and in the light of the events that occurred, the State indicated that it was agreed to take security measures in the face of the problems that different communities in the area experience (see *supra* para. 24).

45. The State also referred to the creation of the State Commission on Internal Forced Displacement in Chihuahua and the actions taken by it, and on the conversion of the State Commission for Indigenous Peoples to the Secretariat for Indigenous Peoples and Communities. Regarding concrete measures regarding members of the Jesuit community, the State indicated that, since June 20, 2022, there has been a police deployment in Cerocahui (see *supra* para. 27). It also referred to the State Defense Plan III, surveillance actions at strategic points, measures to capture persons linked to organized crime, and deployment of surveillance (see *supra* para. 28). The State referred to the State Investigation Agency that has deployed an operation with its agents, the National Guard, and State Authorities, thereby reactivating the opening of the command located in the Bahuichivo detachment (see *supra* para. 29.) The State also referred to the security strategy "Platform Sentinel", and to the safety of Jesuit and religious pastors during transfers in the Sierra Tarahumara (see *supra* para. 31). Lastly, the State referred to two investigations. One against the leader of the organized crime group and the other for the events of June 2022 (see *supra* para. 30).

46. The Commission takes into consideration and assesses the information provided by the State on the adopted security measures, particularly those applicable to security in that region. Similarly, the Commission recognises the geographical difficulties that allegedly arise when implementing more immediate security measures. However, with regard to the specific situation of the eleven members of the Jesuit community in Cerocahui, the Commission notes the following from the information available to the parties:

- i. Since October 2022, the proposed beneficiaries have requested an assessment of their risk level from the Chihuahua Attorney General's Office with a view to identifying their security situation in the different areas and communities where they perform their pastoral and social work. According to the information available, this assessment has not been materialized to date. Approximately four months have elapsed since it was formally requested, and approximately eight months have elapsed since the assassination of the two Jesuit priests;
- ii. While the National Guard is reportedly present on the premises of the Jesuit community parish, and occasionally accompany them in their visits to communities, the available

information indicates that it does not meet the needs of all the religious team, whether they stay within the community or decide to travel;

- iii. There is allegedly no “formal” protection plan agreed upon with the proposed beneficiaries, which would imply having a coordination mechanism and clarification of protection schedules and shifts. As it is not formally foreseen, there are no guarantees that the members of the National Guard can accompany in all transfers of members of the Jesuit community given the additional costs that would imply the supply of fuel;
- iv. There is an alleged additional economic burden on the proposed beneficiaries as a result of the support they are providing to members of the National Guard. In this regard, the applicants indicated that they allegedly provided accommodation, lodging, and sanitary facilities;
- v. The Jesuit parish has a free satellite internet connection that depends on continuous electric power. In this sense, it is not useful for times when transfers are made to other communities;
- vi. The proposed beneficiaries reportedly have no information on what to do in the event of a threat or incident at their premises or transfers. Nor do they have a basic protocol for an imminent risk situation;
- vii. The authorities have not provided them with an emergency telephone number to which they could communicate in these situations.

47. Given the questioning of the security measures currently in place, the Commission understands that an appropriate and effective security plan is not in place to efficiently protect the proposed beneficiaries. In that regard, given that there is a pending request for a risk assessment, the Commission considers that it is necessary for that assessment to be carried out. This would allow the proposed beneficiaries and the State to know what additional actions or measures should be implemented in light of the current situation and the events that would be presented in the surrounding communities to which they travel to for work purposes. Similarly, performing this evaluation would allow the State to begin to have spaces for consultation on the proposed beneficiaries’ specific risk situation.

48. With regard to the investigations being carried out, the Commission considers that certain arrests have been made against members of the criminal group that allegedly operate in the area. At the same time, it observes that the leader of the organization, who was also the one who threatened the proposed beneficiaries, has not been captured. Given that the proposed beneficiaries continue to seek justice and participate in criminal proceedings, the Commission cautions that there is a possibility of reprisals against them given the current security conditions. The Commission also observes that, according to the information available, the members of the criminal organization have been continuously seen in nearby villages, and their presence is now “normalized”. At the same time, it was reported that the presence of security agent forces in these territories has decreased.

49. In the light of the foregoing, by analyzing the characteristics of this matter in the light of the *prima facie* assessment criterion of the precautionary measures mechanism, the Commission considers that the rights of the proposed beneficiaries are at risk.

50. Regarding the requirement of *urgency*, the Commission considers that it is fulfilled, to the extent that, despite the passage of time, protection measures adequate to the situation placing the proposed beneficiaries at risk have not yet been provided, which may affect their rights to life and integrity at any time. In this regard, the Commission observes that in the specific situation, it is possible for it to be prolonged in time. It therefore requires immediate measures be provided

complementary to those already adopted to safeguard the rights to life and personal integrity of the proposed beneficiaries. The above considerations are relevant to the extent that a risk assessment is pending in order to identify the adoption of adequate protection measures that allow them to continue exercising their pastoral duties.

51. As it pertains to the requirement of *irreparable harm*, the Commission finds it met, since the possible impact on the rights to life and personal integrity constitutes the maximum situation of irreparability.

IV. BENEFICIARIES

52. The Inter-American Commission declares that the beneficiaries of this precautionary measure are: 1) Jesús Reyes Muñoz.; 2) A.G.C.; 3) N.C.J.; 4) Esteban de Jesús Cornejo Sánchez; 5) Sebastián Salamanca Huet; 6) Luis Ramón Avitia Aguilar; 7) Luis Gilberto Alvarado Durán; 8) M.L.R.C.; 9) Enrique Javier Mireles Bueno; 10) Alberto Munguía Gómez; and 11) Daniel Martín. All these persons are duly identified in this proceeding.

V. DECISION

53. In view of the aforementioned background, the IACHR considers that this matter meets *prima facie* the requirements of seriousness, urgency, and irreparable harm set forth in Article 25 of its Rules of Procedure. Consequently, the Commission requests that the State of Mexico:

- a) Adopt the necessary security measures to protect the life and personal integrity of the beneficiaries. Among these measures, their safety must be guaranteed and any acts of threat, intimidation, and violence against them by third parties must be prevented;
- b) Adopt protective measures that allow the proposed beneficiaries to continue carrying out their pastoral work without being subjected to threats, intimidation, harassment, and acts of violence against them;
- c) Consult and agree upon the measures to be adopted with the beneficiaries and their representatives; and
- d) Report on the actions taken to investigate the facts that led to the adoption of this precautionary measure, so as to prevent such events from reoccurring.

54. The Commission also requests that the Government of Mexico kindly inform the Commission, within a period of 15 days as of the date of this communication, on the adoption of the precautionary measures that have been agreed upon and to periodically update this information.

55. The Commission emphasizes that pursuant to Article 25(8) of the Commission's Rules of Procedure, the granting of precautionary measures and their adoption by the State do not constitute a prejudgment regarding the possible violation of the rights protected in the American Convention and other applicable instruments.

56. The Commission instructs the Executive Secretariat of the IACHR to notify this resolution to the State of Mexico and the applicants.

57. Approved on January 22, 2023, Julissa Mantilla Falcón, President; Edgar Stuardo Ralón Orellana, First Vice-President; Margarette May Macaulay, Second Vice-President; Esmeralda Arosemena de Troitiño; and Carlos Bernal Pulido, members of the IACHR.

María Claudia Pulido
Assistant Executive Secretary