

The role of the European Union in promotion of Human
Rights in Mexico

Bachelor Thesis



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Executive Summary

This bachelor thesis analyses the role of the European Union in the promotion of human rights in Mexico, and its possible efforts to combat human rights violations in this country. It wraps around three main themes. The first one is the current human rights situation in Mexico and the main actors involved in it. The second theme is the background of the European Union in relation to human rights and its external action in this question, in order to determine the interest of the Union to promote human rights in Mexico. The last, third theme are the exact forms of human rights aid offered to Mexico and their use in reality.

The methods of analysis used in this research paper are extensive desk research and semi-structured interviews. These methods contributed to the collection of primary qualitative data, including facts, figures, and opinions and experiences with expertise. Consulted sources include legal documents such as treaties and agreements, reports, strategies and academic articles. The experts who contributed with their viewpoints consisted of a Mexican human rights expert, and two Mexican human rights NGO representatives.

The most important findings are the instruments of aid from the EU to Mexico, and their practical usage. The two main human rights cooperation approaches are the political dialogues and financial aid. The political dialogues are important in order to promote human rights with the Mexican authorities, monitor the implementation of bilateral and multilateral treaties, and bring together the authorities and civil society to create strategies for human rights cooperation. The financial aid is currently offered under the Development Cooperation instrument, European Instrument for Democracy and Human Rights, and the Non-State Actors Instrument. They distribute financial aid to the Mexican government and human rights NGOs for human rights development.

The conclusions have shown the important role of the EU in promoting human rights in Mexico, as one of the most important international actors. However, the role of the EU in combatting the human rights violations has not met its full potential. The missing enforcement and conditioning measures that would create pressure on Mexican authorities are lacking in order to change the attitude of the government, which is otherwise irresponsible to recommendations drawn up by international actors.

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List of Abbreviations

ACHR	American Convention on Human Rights
CPJ	Committee to Protect Journalists
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families
CRC	Convention on the Rights of the Child
DCI	Development Cooperation Instrument
Global Agreement	Economic Partnership, Political Coordination and Cooperation Agreement between the European Community and its Member States, of the one part, and the United Mexican States, of the other part
JPC	EU-Mexico Joint Parliamentary Committee
EEAS	European External Action Service
EIDHR	European Instrument for Democracy and Human Rights
EP	European Parliament
EU	European Union
GHRC	Guatemala Human Rights Commission/USA
HRC	Human Rights Council
HRW	Human Rights Watch
IACHR	Inter-American Commission on Human Rights
ICNL	International Center for Not-for-Profit Law
ICCPR	International Covenant on Civil and Political Rights
ICSECR	International Covenant on Social, Economic and Cultural Rights
NSA	Non-State Actors
OHCHR	Office of the High Commissioner for Human Rights
OAS	Organization of American States
PI	Partnership Instrument
UN	United Nations
UNBISNET	United Nations Bibliographic Information System
UNGA	United Nations General Assembly
US	United States of America
UDHR	Universal Declaration of Human Rights
WHO	World Health Organization

CHAPTER 1 | INTRODUCTION

Mexico, given its economic development and advancement to medium-high income, is now considered a „graduated“ country. However, it is still struggling with a fierce number of human rights violations. Ironically, the state itself and its government play a high role in this problem. Other countries and regions have been concerned with this problem, the European Union being one of them. The EU has been allocating resources and finances in this country for development purposes, with one of the focuses being the human rights. However, it is not clear what the role of the EU is in promoting its western values, and especially democracy and human rights in this country.

Finding out the true role of the EU in the Mexican human rights issue is important in order to understand the basis and the feasibility of EU's external actions in this field. Clarifying this problem will shed a light on the extent of EU's commitment to human rights and their ability to influence other countries to improve practices concerning this question. The structure of this research follows a series of steps in order to determine what the role of the EU is in promoting human rights and combatting human rights violations in Mexico.

Chapter 3 covers the first main theme, which is the context of the human rights violations in Mexico. The different problems with human rights violations in this country are explained. What is the problem in this country? This is important in order to see why Mexico needs assistance in the first place. The main actors in the question and their standing points are outlined, showing the importance of the EU as an international actor. This chapter also serves as an introduction to the bigger picture of EU's human rights basis and external actions related to human rights and Mexico.

Second main theme, the EU's relations to human rights and its external actions related to human rights, is outlined in chapter 4. *The Economic Partnership, Political Coordination and Cooperation Agreement between the European Community and its Member States, of the one part, and the United Mexican States, of the other part* (Global Agreement) sets out the importance of human rights in policies of both parties and their cooperation (Council, 2000). Although this agreement may not be a recent one, it should still serve as a guideline for actions of both parties. As Desinfórmonos (2015) states, the plenary meeting of the European parliament in October 2015 has brought a strong will to enhance the cooperation between the EU and the Mexican Civil Society supporting the fight against human rights violations. These, and other external actions of

the EU are explained in order to determine the EU's commitment to human rights and its will to promote these values outside its own area. Moreover, it is interesting to see the conditions for EU-Mexico human rights cooperation, in order to clearly see EU's role in this issue, its possible interests and gains, hence, its motivation.

The third main theme, covered in chapter 5, focuses on the different forms of aid offered to Mexico by the European Union. Various EU institutions have addressed this issue and the conclusion has always been the same; the bond needs to be strengthened and the country needs to be helped. According to Kurki (2011), the European Instrument for Democracy and Human Rights (EIDHR) is one of the main instruments of the European Union for strengthening human rights in the world and helping the countries encountering problems in this direction. It is necessary to research the scope of this instrument and its feasibility. What other instruments does the EU offer to help defend the human rights? The specific country strategies and individual instruments are highlighted to show the reality of EU's assistance in defence of human rights in Mexico.

Lastly, in order to wrap-up and conclude the relevance of the role of the European Union in the defense of human rights in Mexico, the evaluation of the aid offered by the Union is presented. This is done via consulting viewpoints of different actors in the field, such as a Mexican human expert and NGO representatives. This way the feasibility of the EU's involvement in this problem can be evaluated. The comparison of the data collected through desk research and the interview-collected points of the experts draws up a picture of the EU's role in promotion of human rights, and possibly combatting human rights in Mexico.

CHAPTER 2 | METHODOLOGY

The main methodology for this dissertation was desk research. Data was collected through extensive, online and offline desk research, using the Internet and the paperback sources provided in several libraries. There was a need for another research technique. Sanders, Lewis and Thornhill (2009) suggest interview as a good source of primary data. Three interviews were conducted, two with representatives of Mexican civil society and one with a Mexican human rights expert in order to determine the affectivity of EU's aid.

A wide variety of sources were used. In order to refine the idea of the cooperation between the EU and Mexico in the matter of human rights, it was important to take a look at agreements that were made between these two parties in this field. Some of the sources are older than the others, but that does not give them less relevance, as they are important official documents signed by the involved countries and still set out certain rules. Some limitations came to terms with the language barrier, as not all of the sources in the dissertation can be in different language than English. Therefore, not that many Spanish sources could be consulted, although they would make a good contribution to the conclusion. On the other hand, the European Union provides a wide range of official documents in English; hence there might be a dominance of the EU sources. Several academic articles were consulted in order to gain different perspectives on the topic, allowing coming to a more objective conclusion.

Creswell (2009, p. 4) explains the distinction between the qualitative and quantitative research. The best method to use in this dissertation was the qualitative research, as this type is associated with researching a social or human problem, whereas the quantitative research aims to test theories using variables. Based on the focus mentioned above, certain qualitative research methodologies were chosen in order to gather and analyse all the important data.

These methods included Case studies, which, according to Creswell (2009), explore a program, event or an activity. This can be projected to the environment of the thesis, as activities researched were human rights violations in Mexico and the EU-Mexican cooperation in these matters. In this case the most important data collection types were public sources, such as newspapers, publications and legal documents, and private sources, such as journals. These data collection type had many advantages. The used sources are important mainly because they represent written objective evidence, can be accessed in a convenient manner, and as written evidence are not bound by time limitations. The list of the sources includes international agreements between the EU and Mexico, resolutions by the Commission, the Council and the

European Parliament, multilateral documents of the UN, Inter-American legal documents, etc. Additionally, audio-visual material in form of a YouTube video was consulted. As Creswell mentions, this represents an interactive, unobtrusive way of collecting data (2009).

Second research methodology was Phenomenological research, which Creswell (2009) connects to the human experience about a certain phenomenon. In this methodology, the chosen data collection type was an interview. As the author mentions, this is specifically useful due to the ability of interviewees to provide background and historical information. In the case of this dissertation, it was important to only interview qualified professionals, as it was necessary to gain only unbiased, objective information. That is why focus group or survey would not be in place for this thesis, as it can lead to indirect information biased by the view of the interviewees (Creswell, 2009).

The most suitable form of interviews was the non-standardised, semi-structured interview. Saunders, Lewis & Thornhill explain that these interviews follow a list of themes and questions to be covered. However, the questions and their order in each interview may vary depending on the respondent's organisational or expertise context, and additional questions may be added during the interview, depending on its flow. One-on-one, participant interview approach was chosen, which, according to the authors is directed by the interviewer, whilst the interviewee only answers questions. In other types of interviews, such as informant interviews, the respondents have the freedom to talk about the topic area, guiding the interview. There were three options for these kind of interviews; face-to-face, telephone, and electronic (internet and intranet-mediated) interviews (2009).

As explained above, all of the chosen interviews followed the semi-structured, non-standardised, one-to-one, participant form. However, as the first two respondents chose to answer the questions in writing, there was not much space left for adjusting or adding questions. They were both electronic interviews, and could be considered structured at some point, as the exact questions were given and no room for discussion was left. The third interview, however, was slightly changed according to its flow and resembled a discussion. The order of questions was adjusted to fit better with the respondent's answers, and additional questions were added for further clarifications. It was a telephone interview. All of the research techniques combined contributed to the formation of an educated conclusion.

CHAPTER 3 | HUMAN RIGHTS SITUATION IN MEXICO

In order to understand the context of this thesis, it is important to clarify the contemporary situation of the human rights in Mexico. This chapter first talks about the history of Mexican commitment to the human rights question, such as the ratified international treaties and conventions. Second section of this chapter analyses the most severe individual problems regarding the human rights question that the country is encountering, and their current situation. These include the forced disappearances, military abuse and torture, the criminal justice system and impunity, and the violence against women and migrants. The third and last section of this chapter sheds a light on the different stakeholders involved in the human rights question and its defence and promotion, which are the state, civil society such as NGOs and individual human rights defenders, and international actors such as IGOs, the US and the EU.

A) International Commitment

The Universal Declaration of Human Rights (UDHR) was published by the United Nations General Assembly (UNGA) on December 10th 1948 and, according to its Article 2, is applicable to all human beings in the world (The UN, 1948, Art. 2). Although the UDHR is not a treaty and therefore is not binding to any signed party, it serves as a basic western value guideline for further actions of (not only) nations who have accepted it, and for many following conventions. Mexico was one of the countries that were in favour of proclaiming the UDHR in 1948 (UNBISNET, n.d.). Besides the UDHR, Mexico has also ratified and is a state party to the two most important binding treaties of the United Nations (UN) on human rights; the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Social, Economic and Cultural Rights (ICSECR), and all the other UN specific treaties and optional protocols on Human Rights, with the exception of the Optional Protocol to the ICSECR and the Optional Protocol to the Convention on the Rights of the Child (CRC) on a communications procedure (OHCHR, 2014). Relevant specific conventions will be explained and put into context in the following paragraphs. In addition to the international UN conventions, Mexico also became party to the regional American Convention on Human Rights (ACHR), by its ratification in 1981 (OAS, 2014), as well as its Additional Protocol in the Area of Economic, Social and Cultural Rights in 1996 (ICNL, 2016).

B) Problems

Despite the fact that Mexico has ratified almost all the international human rights treaties, this country keeps struggling with severe violations of human rights on daily basis. These include basic

rights rooted in the UDHR, such as, for example, the right to life and liberty, or the right to freedom of expression (The UN, 1948, arts. 3,19). Mexico finds itself in a troublesome situation, encountering problems in many branches of human rights, including lasting forced disappearances of people, military abuses and impunity, torture, imperfections in the criminal justice system, limited freedom of expression, absent women's and girl's rights, maltreatment of migrants, and lack of labour rights. These problematic sectors are explained individually in the next paragraphs in order to illustrate the current situation of human rights in Mexico.

1. Forced Disappearances

The International Convention for the Protection of All Persons from Enforced Disappearance (ICPPED) defines forced disappearance as:

(A)rrest, detention, abduction or any other form of deprivation of liberty by agents of the State or by persons or groups of persons acting with the authorization, support or acquiescence of the State, followed by a refusal to acknowledge the deprivation of liberty or by concealment of the fate or whereabouts of the disappeared person, which place such a person outside the protection of the law. (The UN, 2007, Art. 2)

This is one of Mexico's biggest problems linked directly with human rights violations. Although Mexico ratified the ICPPED in 2008 (OHCHR, 2014), the amount of missing people increases daily. There is a lack of proper investigation of individual cases and further convictions of guilty executors. According to the Human Rights Watch (HRW), Mexican authorities revealed the number of disappeared people in Mexico, which had reached over 22,000 as of August 2014, without further elaboration on the number of cases of forced disappearances. (HRW, 2015, para. 8). 2015 report by OHCHR reveals a shocking daily growing number of 26,000 people missing, claiming that this is a result of forced disappearances (OHCHR, 2015, para. 6).

A case that best illustrates the fierce problem of forced disappearances in Mexico is the story of 43 disappeared students. These young people from a college in Ayotzinapa, a city in Mexican state Guerrero, disappeared from a bus in September 2014 and the case remains unsolved. As another student, Omar (as cited in Guevara Rosas, 2015), from the same college states, one night he received a phone call from a schoolmate stating that they were being shot by the police. Subsequently, remains of only one student have been identified from ashes found at a local dump. The incapacity of the authorities to properly investigate this case has alarmed the

community on levels ranging from local to international. Ayotzinapa has become an emblem for the alarming number of forced disappearances, impunity, and inability of the state of proper investigation.

2. Freedom of Expression

Another issue is the freedom of expression. As the UDHR states, “Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers” (1948, Art. 19). Regardless of this statement, the journalists in Mexico face danger in their everyday lives. The HRW pointed out the harassment and attacks against journalists reporting on crime or criticizing officials. The report adds the number of 102 killed and 24 disappeared journalists between 2000 and 2014, with the authorities repeatedly failing to investigate these cases (HRW, 2015, para. 24-25).

This can be illustrated by several concrete cases, including the one of Carmen Aristegui. Fortunately, Carmen Aristegui, one of the most famous Mexican journalists did not disappear, nor she was murdered. Instead, she was fired from MVS, a Mexican radio station at which she worked as a talk show host. According to Parish Flannery (2015), she and her team were dismissed after exposing scandals hurting the reputation of the Mexican president Enrique Peña Nieto through MexicoLeaks. Political activist Denise Dresser (as stated in Parish Flannery, 2015) named her actions of creating MexicoLeaks, a platform for Mexicans to denounce corruption anonymously, a crime. Another example is the very recent case of a murder of the Mexican journalist Manuel Santiago Torres Gonzales on Saturday May 14th, after covering a local electoral campaign, reported by the Committee to Protect Journalists (CJP, 2016).

These are just two of many cases of murdered or dismissed journalists as result of their reporting work. CJP states, that for journalists, Mexico is one of the most dangerous countries in the world to work (2016). Fierro Alvidrez adds that journalism is one of the three most dangerous career paths in Mexico, along with firefighters and professional boxers (2000). In the 2015 CPJ’s impunity index, which highlights the murders of journalists and the lack of conviction of the guilty, Mexico ranked eighth (CPJ, 2015). These facts and the provided cases illustrate the urgency of the situation and the struggle of the journalists. It becomes apparent, that the liberty of expression is very limited in Mexico.

Human rights defenders are facing assaults and harassment in Mexico as well. As HWR reports, not even a protection law for journalists and human rights defenders has ceased the danger, nor increased the safety of these people (HRW, 2015, p. 37). Furthermore, there has been evidence about the involvement of the state in aggression against human rights defenders, HRW adds (2015, para. 36). The situation has fiercely escalated and the involvement of state agents in human rights violations makes it apparent that this country is not fulfilling its commitment to human rights. There are several actors involved in the efforts to improve the situation.

3. Military abuses and Torture

Mexico ratified, and thus became a state party, to the UN Convention against Torture and Other Cruel, Inhumane or degrading Treatment or Punishment (CAT) in 1986, including ratification of its Optional Protocol in 2005 (OHCHR, 2014). However, these practices are still far from being eliminated. As Esmeralda Lopez, the Amnesty USA country specialist for Mexico states, in response to the 2014 report by the UN Special Rapporteur on Torture, the Mexican government sentenced 119 for torture, from which only four were convicted (2014). Amnesty International also reports that despite the Mexican efforts to combat these problems, the complaints of torture and other ill treatment in this country in 2013 (1,505 complaints), rose by 600% compared to a decade before in 2003 (Amnesty International, 2014).

As a human rights expert from Mexico (who decided to remain in anonymity) claims, the military has been in streets since 2007, and their aim is to “exterminate the enemy”, not to help with investigations and arrests related to human rights violations. He adds that there are more than a thousand denounces of military forces abusing their power. Moreover, he adds that the use of torture by these authorities (including police and naval forces) is a common practice, despite the fact that it is illegal according to the law and requires severe punishment (C.H., e-mail interview, June 8, 2016). Police and military forces often abuse their power. The link between forced disappearances (see above) and this issue can be deducted from the provided information. However, it is hard to make any conclusions about this topic, due to the high impunity in Mexico, and missing evidence in many cases.

4. Criminal injustice and impunity

As previously mentioned, in the CPJ’s Impunity Index of 2015, Mexico took the eighth place (CPJ, 2015). Confirmed by the facts and examples provided in the sections above, it is possible to say

that the Mexican criminal justice system repeatedly fails to investigate cases properly and provide justice to the victims of crimes and human rights violations. There are several reasons for this. HRW states that some of these reasons may include corruption, the abetting of public defenders and prosecutors, or missing proper training and resources (2015). Due to the fault of proper investigations, the culprits often end up without prosecution, adequate penalty, or remain free.

UN High Commissioner for Human Rights, Zein Ra'ad Al Hussein, pressured the Mexican authorities to properly investigate the aforementioned case of 43 disappeared students from Ayotzinapa. He focused on this case, and took it as an example of the prevailing impunity in this country. According to his words, the possible proper investigation of this case could have a positive impact of solving many other similar problems that Mexico is facing. This would involve the identification, prosecution, and conviction of the perpetrators (OHCHR, 2015). However, even after this public pressure, Mexican authorities are still failing to close the case of Ayotzinapa. This failure is a standard for investigations of all similar cases.

5. Gender Violence

The violations of women's and girl's rights is another big issue that Mexico suffers from, despite becoming state party to the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) by its ratification in 1981, followed by the ratification of its Optional protocol in 2002 (OHCHR, 2014). The violence against women increases rapidly, as well as the presence of its most extreme form; femicide and feminicide. There is a need for definition of these two terms. According to the Guatemala Human Rights Commission/USA:

Femicide is defined as the killing of women, female homicide, or the murder of a person based on the fact that she is female. (GHRC, n.d., para. 1)

The same organisation defines feminicide as the following:

Feminicide connotes not only the murder of women by men because they are women but also indicates state responsibility for these murders whether through the commission of the actual killing, toleration of the perpetrators' acts of violence, or omission of state responsibility to ensure the safety of its female citizens. (GHRC, n.d., para. 2)

As explained by CIDSE, the number femicides increases mainly in places with presence of armed forces, organised crime, drug trafficking and conflict in general (2014). As can be understood from the previous paragraphs, Mexico is one of the countries that suffers from all of these problems, therefore falls under the category mentioned by CIDSE. The United Nations High Commissioner for Human Rights adds: “Thousands of women and girls are sexually assaulted, or become victims of the crime of femicide. And hardly anyone is convicted for the above crimes” (OHCHR, 2015, para. 5).

Although the Mexican law allows abortion and provides emergency contraception and access to abortion to victims of rape, it fails to protect women and girls against domestic violence. Some of the legislation is against international standards, such as the measurement that determines the punishment according the level of „chastity“ of the victim. The practice has shown that these provisions are limited and in combination with fear, intimidation by authorities and lack of provided information, women and girls often do not report crimes of violence (HRW, 2015). What makes the situation alarming is that Mexico not only suffers from a high number of femicides, the incompleteness of the legislation protecting women and girls brings forward even a bigger problem; feminicide.

6. Migration

Due to its strategic position between the rest of Latin America and the United States of America, Mexico often serves as a transitioning country for migrants trying to move from the south to the US. Many of the migrants stay in Mexico because of its slightly better economic situation than many other Latin American countries, or for the long and difficult journey all the way to the north. In other words, Mexico has become the „shelter“ to many migrants. As Furman, Epps and Lamphear (2016) report, 103,820 undocumented migrants were captured and detained by the Mexican authorities only between January and October 2014.

The authors add that these migrants are on their journey facing several dangers from the locals, including abuse and other forms of human rights violations. However, the most severe violations come from the state agents and organised groups, who practice ill treatment of migrants throughout the whole territory. This is alimented by the corruption and the brutal control over migration established by the Calderon’s war on drugs and continued during Nieto’s administration (Furman, Epps, Lamphear, 2016). Although the state ratified the UN International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families

(ICRMW) in 1999 (OHCHR, 2014) and has adopted its own Migration Law, the legislation contains several loopholes that permit ill treatment of migrants by locals and the authorities with as much impunity as many other human rights violations happening in this country.

Alas, the abovementioned problems are not the only issues connected to human rights Mexico is encountering. Various NGOs, the UN bodies, and other organisations have reported on many other violations of human rights in the country, such as arbitrary arrest and detention, poor labour law, exploitation of child labour, abuse and threats against the indigenous population, the LGBTI community, and the persons with disabilities, trafficking in persons, or poor prison conditions. To sum up, the situation of human rights in Mexico can be considered grave, and there are several different actors involved in helping the country with this issue.

C) Stakeholders

The next paragraphs focus on the different stakeholders involved in the human rights situation in Mexico. They are divided into three main sections; Mexican civil society, the Mexican state and international actors. In the interest of this thesis, particular attention is paid to the role of the EU as an international actor. Other international actors, such as IGOs and the US, for example, are introduced as well, but compared to the EU; the extent of information about these stakeholders is fairly limited. It is important to limit this information, in order to keep the focus on the main actor connected to the research topic of this thesis; the European Union. The information provided on the role of the EU in this chapter serves as an introduction to the next chapter, which will be focused on the specific forms of international cooperation between the EU and Mexico in the human rights sector.

1. The Mexican State

A very important actor in the question of human rights is the Mexican state. This involves the legislation, the government, state agents, and other relevant bodies. It is interesting to see the double-faced card of the role of the Mexican state in the problem of human rights violations. On one hand, the state has implemented several measures in order to increase the transparency and the efficiency of the criminal justice system. On the other hand, it seems that the authorities are fairly involved in the problem of human rights violations itself.

According to the words of Roberto Domínguez, the administration of Mexico by Vicente Fox between 2000 and 2006 brought attempts of positive change in the policies for the protection of human rights. This included „adding 26 supplementary legal instruments, the creation of the

Special Prosecutor's Office for Crimes of the Past, and the Inter-Secretarial Commission on Government Policies in the area of Human Rights" (Domínguez, 2010, p. 9). This was possibly motivated by the entry into force of the Global Agreement, the first treaty and instrument of democratization and the promotion of human rights between the European Union and Mexico.

However, as Domínguez adds, this has not turned Mexico into completely "free" country, the illiberal features of government remain and the country is facing raising amounts of violence (2010). Although the President Enrique Peña Nieto stated that the "war on drugs" led by his forerunner Felipe Calderón has led to severe military abuse and violence (HRW, 2015), almost half of the disappearances that have taken place since 2007 have happened under his administration (Guevara Rosas, 2015).

From the sections above it can be concluded that although the state has adopted various laws and provisions in order to combat human rights violations, in many cases these laws are ignored or overlooked in practice. In other cases, completion, perfection, and addition to the provisions is needed in order to establish a fully democratized government. It becomes apparent, that many times it is the state actors themselves who are involved in the human rights violations; thus, it would be contradictory to list the state as an actor of human rights defence.

2. Mexican Civil Society

- **NGOs**

There is an involvement of the Mexican and international civil society in this issue. However, the action of monitoring, controlling or direct involvement by civil society is fairly limited. This happens for a mixture of reasons varying from aforementioned high risk of danger and insufficient security, to limited access to relevant information (CIDSE, 2014). The representative of a Mexican NGO operating in the human rights sector Justicia Ciudadana [Citizen Justice], José Migoya, states that in his opinion the main actor involved in defending human rights are NGOs. He lists some of the most important Mexican NGOs fighting against human rights violations, such as *Causa en Común*, *INSYde*, *México Unido contra la Delincuencia*, *Mexico SOS* and *RENACE*. He adds that one of the fundamental aspects of the work of NGOs is participation in the so-called Social Prevention of Crime of Violence. It is a program for creating awareness and action between government and society, directing joint responsibility for public security to both sides (José Migoya, online interview, June 8, 2016).

- **Individual Human Rights Defenders**

The European External Action Service (EEAS)(2) defines human rights defenders as: “civil society activists, journalists, bloggers, or anyone who works to promote human rights in a non-violent way” ((2)n.d.). These people form an important part of the Mexican (or in some cases) international civil society, and truly fight against the violations of human rights. However, the response to this fight has been contrary to the one expected. 2015 report “In Defense for Life” explains the problem of legitimate and peaceful protests often being criminalized, and called violations of law, leading to arrest and detention of human rights violations. Moreover, the source states, that human rights defenders in Mexico face “harassment, slander, surveillance, theft of data, unfair legal proceedings, death threats, and even murders and enforced disappearances” (Fidh, 2015, para. 2).

- **The Media**

The World Health Organisation (WHO) mentions that some definitions include media as part of the Civil Society (WHO, 2016). The *UN Human Rights* mentions that the media has the opportunity to raise awareness of the public about their rights, and the treaty body process and its outcome, for example (2015). The Mexican media has gained so much power in defending human rights, that journalists and reporters face assaults and harassment on daily bases. As mentioned above, this situation has worsened to the extent, that the Mexican government was forced to create a law for protection of journalists and human rights defenders.

3. Key International Actors

- **IGOs**

It is important to mention the major role of intergovernmental institutions in the human rights question in Mexico. First, the *UN Human Rights* highlights the importance of the UN Human Rights Council (HRC), established in 2006, which promotes universal respect and protection of all human rights and fundamental freedoms for all people. Second, the source also mentions the UN Office of the High Commissioner for Human Rights (OHCHR), which works as a secretariat of the HRC, and forms part of the UN Secretariat. This body assists the work of HRC, including the 4-year periodic review of the human rights records of all member states, followed by feedback. Moreover, OHCHR supports the work of the human rights treaty bodies. As previously mentioned, this country has ratified all the nine core binding human rights treaties of the UN and their optional protocols, with the exception of two optional protocols (ICESCR and CRC). Each of these treaties has established its own committee, which monitors its implementation in each member

state. Some of the functions of these treaty bodies include considering reports, adopting general comments, considering inter-state communication, or conducting inquiries about violations of treaty concerns (UN Human Rights, 2015).

Moreover, the *UN Human Rights* shows the role of other UN specialised agencies, such as the International Labor Organisation, the UN High Commission for Refugees, and other intergovernmental bodies like the International Organisation for Migration, all of which provide valuable information on specific issues concerning the treaty implementation (2015). Another IGO necessary to mention in this section is the Organization of American States (OAS), in particular its Inter-American Commission on Human Rights (IACHR), which oversees the ACHR, which, as mentioned in the „International Commitment“ section, was ratified by Mexico and is therefore another binding treaty for this country concerning the commitment to human rights. According to the general information provided on the IACHR website, some of their core functions include dealing with individual petition of human rights violations, monitoring the human rights situation in member states including on-site visits, drawing up recommendation for improvement, creating awareness and educating in form of seminars and lectures, and so forth (IACHR, 2011).

As can be seen, there are several intergovernmental organisations that monitor the human rights situation in Mexico, in particular in relation to fulfilling its commitments based on the regional and international treaties it has ratified. However, it can also be drawn up from the information above, that the role of these organisations is mainly advisory. They all evaluate the Mexican reports on current human rights situation, and provide this country with feedback, comments and recommendations. There is only a limited enforcement power these organisations have, which creates certain boundaries in their ability to force Mexican government in improving.

- **Global Civil Society**

The global Civil Society, such as international NGOs for example, plays an important role in the reporting on human rights situation in individual countries. That is why it is necessary to address them in this section. In addition to the individual assessment of countries' human rights records and the feedback provided by the HRC, NGOs write shadow reports in order to shed a light on the possibly forgotten or concealed facts regarding the human rights situation in these countries. In the case of Mexico and in the context of this thesis, it is worth mentioning two key NGOs that report on the human rights situation in Mexico: the Human Rights Watch and the Amnesty International. Reports created by these two organisations were used in this thesis to clarify the

current human rights situation in Mexico, and they are two of the biggest international human rights NGOs, with strong ability to raise awareness.

Additionally, there are several other international NGOs that monitor human rights, such as the Human Rights Action Center, Human Rights Without Frontiers, International Service for Human Rights, the International Federation for Human Rights, Human Rights First, Interights, and so forth. There are also several international NGOs that are focusing on particular human rights, such as Children's Defense Fund for example. Moreover, Ikenberry lists additional members of the global civil society, such as "social movements, tourists, academics, artists, cultural performers, ethnic and linguistic groups" (Ikenberry, 2003, para. 1). As the Council of Europe argues, the international civil society has a big influence on the human rights situation worldwide, through direct assistance, collecting accurate information, campaigning and lobbying, and human rights education and raising awareness (Council of Europe, n.d.). Thus, their role in the defence of human rights in Mexico is important and worthy mentioning in the context of this thesis.

- **United States of America**

When listing the key international actors, it is important to mention the role of the United States. Directly neighbouring with Mexico results in the interest of the United States in the safety situation in this country, including the human rights question. The U.S. Department of State states that since 2008, the country has assigned US\$2.3 billion to Mexico through the Merida Initiative, a U.S. – Mexico partnership aimed at combatting organized crime and associated violence, with support to human rights. According to the source, some changes brought by the Merida Initiative are; training in justice sector, including police and military forces, exchange in criminal investigation, anticorruption program, and on-going cooperation with the Mexican government and civil society to promote and nourish human rights (U.S. Department of State, n.d.).

However, as the HRW reports, the U.S. Department of State has repeatedly reported to the U.S. Congress that Mexico has met the human rights requirements necessary for keeping 15% of the Merida Initiative budget (which would have to be returned in the opposite case), despite the apparent reality that these criteria have not been met. HRW adds that these reports by the U.S. Department of State are stating incomplete and vague progress and stating that the criteria have been met, although the evidence shows the opposite. Therefore, the U.S. Congress has released the funds, although Mexico has not met the set human rights criteria (HRW, 2015). Moreover, as LaSusa mentions, the U.S. support to militarized approach to combat organized crime and human rights violations has not brought success in achieving its objectives, and has in some cases helped

to nurture the targeted groups and contributed to the problems its aiming to solve (2015). These facts show the U.S. commitment to promote and support human rights in Mexico, and the big role that this country plays in the situation. However, gaps have been revealed that allow Mexican government to continue their practices and not improve the human rights situation, without further sanctions or cuts in the Merida Initiative support.

- **European Union**

Some of the core values of the European Union are freedom and democracy. The EU is very committed to the human rights to the extent that they are more than keen on promoting these values in other parts of the world, for example through the Instrument for Democracy and Human Rights Worldwide, the European External Action Service, etc. Moreover, Mexico was one of the countries that voted for the adoption of the Universal Declaration of Human Rights in 1948 (Grand Council of Crees, 2005, p. 2). This shows that the EU is very eager to promote human rights and democratisation in countries that already have inclination towards these western values, such as through the Global Agreement.

The EU has been Mexican partner in democratisation and promotion of human rights for nearly twenty years. As Dominguez (2010, p. 10) points out, the Global Agreement implemented in 2000 was the first agreement between the EU and a Latin American state; therefore it can be considered a starting point for EU-Mexican cooperation in the field of human rights. This agreement sets out the importance of considering human rights as much in creation of national policies of both parties, as in international cooperation of these parties. The fact of this agreement being the cornerstone in EU-Mexican cooperation highlights the possibility of it being slightly out-dated and shows a need for modernisation.

In the next chapters, the concrete examples of international cooperation between the European Union and Mexico in the field of human rights will be named and examined. The conditions under which Mexico receives the aid in the human rights sector will be analysed, in order to see the EU's commitment to these values, and to gain a better image of the role that EU represents in promoting them in this country.

CHAPTER 4 | EU AND HUMAN RIGHTS

This chapter analyses the human rights base of the European Union in regard to its internal matters and external actions. The first part looks at the way human rights are rooted in the legislation of the EU, and its relation to the international treaties and law. With respect to the main research question of this paper, the overview of external actions of the Union is given, with particular focus on the past/on-going/future projects in Mexico. Key actors within the structure of the EU, in matters of the international cooperation with Mexico in the human rights question, are highlighted. All of the information analysed in this chapter serves in order to draw up a conclusion about the EU interest in helping Mexico, its commitment to human rights and the responsibility it has taken in promoting and protecting human rights worldwide, in particular in this country. This will be discussed in the last section of this chapter, looking as possible reasons why the EU is committed to helping Mexico with its human rights issues.

A) Human Rights Base of the EU

According to the information retrieved from the website of EEAS (b), the internal human rights principles of the EU are laid out in the founding treaties of the Union (n.d.). The ones currently in force, thus necessary to mention, are: the Treaty on European Union, the Treaty on the Functioning of the European Union, and the Treaty establishing the European Atomic Energy. Moreover, as EEAS (b) website points out, the human rights base of the EU was strengthened by the creation of the EU Charter of Fundamental Rights in 2000 and by the legally binding status it obtained in 2009, when the Lisbon Treaty entered into force (EEAS (b), n.d.).

Gotev (2015) states that the Treaty of Lisbon also requires the EU's accession to the European Convention on Human Rights (ECHR). The European Convention for the Protection of Human Rights and Fundamental Freedoms, guided by the European Court of Human Rights (former European Commission on Human Rights), was written with consideration of the UDHR and its core principles (Council of Europe, 2002, p. 5). As the Council of Europe is not a EU body, the Union is not automatically a party to the EXHR. Although the Court of Justice of the European Union rejected the draft accession of the EU to ECHR, the EU shows its commitment and will to continuously make efforts to create a compatible accession plan. This is important in order to show the compliance with the UDHR and other treaties under international law, connecting the human rights base of the EU and Mexico, showing potential in mutual cooperation in this matter.

Regarding the external actions of the Union and their relations with third countries, the core principles are embedded in the Treaty of Lisbon:

The Union's action on the international scene shall be guided by the principles which have inspired its own creation, development and enlargement, and which it seeks to advance in the wider world: democracy, the rule of law, the universality and indivisibility of human rights and fundamental freedoms, respect for human dignity, the principles of equality and solidarity, and respect for the principles of the United Nations Charter and international law. (The Lisbon Treaty, 2013, Art. 21, para. 1)

This article, followed by several related ones, and the mentioned respect for the UN Charters and international law, shows the EU commitment to human rights within its internal, as well as external matters. Moreover, most of the articles of the EU Charter of Fundamental Rights were drawn up with accordance to the Universal Declaration of Human Rights, and other UN human rights conventions.

In addition, the EU has implemented a series of guidelines in the sector of human rights, aimed at directing EU's internal and external actions within compliance with International Humanitarian Law. They cover issues relevant for the context of this thesis, such as: torture; human rights dialogues with third countries, children, human rights defenders, freedom of expression, LGBTI community, or women and girls. It can be noted that the EU human rights guidelines cover the same topics as the UDHR, and the other binding human rights treaties of the UN. These guidelines are not legally binding, however, being adopted by the Council of the EU under the EEAS, they represent a strong will of the EU to prioritise issues embedded in these guidelines (EEAS (c), n.d.).

B) External initiatives

1. International Cooperation with Mexico

Article 21 of the Treaty of Lisbon makes it an obligation for the EU to: "assist populations, countries and regions confronting natural or man-made disasters" (The Lisbon Treaty, 2013, Art. 21, para. 2g). It is important to highlight the "man-made disasters", which implies the grave human rights situation in Mexico. The EU incorporates the focus on democratisation and promotion of human rights into all its external policies and international cooperation with third

countries, as the importance of these factors is laid out in all of the EU founding treaties and all bilateral documents EU is a party to.

As explained in the ending of the previous chapter, the EU and Mexico have been cooperating since signing the Global Agreement in 2000, the first agreement between the EU and a Latin-American country. Its main focuses are political dialogue, cooperation, and trade. This agreement set out, besides the economic cooperation, the promotion of democracy and human rights in Mexico. This shows that the humanitarian assistance in the sector of democratisation and human rights to Mexico is a fairly young practice that still finds itself in the process of development. Domínguez mentions that the Global Agreement also started the process of funding Mexican NGOs by the EU, and led to, before non-existent, monitoring elections becoming a standard practice. Moreover, the Global Agreement for the first time included a clause about human rights, democratisation and refugees, which widened the international cooperation scope of the EU (2010). As the European Commission points out, one of the priorities of the Global Agreement is social development and reduction of inequality (2007).

The developing situation in the EU and Mexico, as well as many changes and developments in the international cooperation between these two parties, have led to the process of modernisation of the Global Agreement. Domínguez and Velasco express the need to put further emphasis on the cooperation in fields of human rights, rule of law, combating corruption, public security, poverty, social cohesion, and social inequality. As they point out, development has been made in the economic areas, whereas the aforementioned sectors still need stronger development. The authors also suggest the creation of the Joint Consultative Committee, which would formalise the incorporation of the Mexican and EU civil society in the activities of bilateral cooperation of these two parties (2015).

The Global Agreement was followed up by several sectoral agreements between the EU and Mexico. These included agreements in the fields of Education and Culture, Environment, and Fisheries, and others (European Commission, 2007, p. 10). The 2004 EU-Mexico Sectoral Agreement on Science and Technology, yet another bilateral agreement between Mexico and the European Commission, brought, in parallel to cooperation in the sphere of science and technology, projects and initiatives concerning the human rights issue. Four years later, in 2008, the EU and Mexico launched their Strategic Partnership, which aimed to, amongst other, strengthen the political context of international cooperation between these two stakeholders,

creating more opportunities to deal with issues such as human rights, democracy and rule of law (European Commission, 2008).

This was strengthened by the Joint Executive plan, which complements the Global Agreement, and which laid out the base for the bilateral dialogue between Mexico and the EU. As the Council of the EU explains, the aim is to enhance the dialogue and cooperation in promoting protection of human rights on multilateral and bilateral level, with special attention to vulnerable groups such as women and indigenous population, and its possible evolvement into joint initiatives. The dialogues established are: biennial Joint Councils on Ministerial level, annual Joint Committees on Vice-Ministerial/senior official's level, biennial Presidential Summits, biennial Civil Society dialogue Forums, and sectoral dialogues in education, science and technology, social cohesion, and environment (2010).

The European Consensus on Development, agreed upon the Council, individual EU member states, the European Parliament and the Commission, sets out the Union's main goals in the development sector; eradicating poverty, promoting democratic values, and nourishing nationally-focused development. One of the main themes of this consensus is the focus on human rights, which are set as one of the priorities in the EU's development activities (European Commission, 2006). In 2009, the Lisbon Treaty established European External Action Service, the EU diplomatic service. Through the EEAS, the EU acts as a partner to the UN and as a defender of human rights in third countries. Working together with all other EU institutions, EEAS is the core of the Union's international cooperation with third countries, carrying out the foreign policies of the EU. Some of the main actions of the EEAS include the Strategic Framework on Human Rights and Democracy, the Action Plan on Human Rights and Democracy, Annual Reports on Human Rights and Democracy, and country strategies for implementation of projects in individual countries. The Strategic Framework on Human Rights and Democracy is a permanent document, highlighting EU's priorities within the sectors of human rights and democracy. The other EEAS activities are explained below.

- **Country Strategy**

Three temporary country strategies for Mexico have been created since the application of the Global Agreement; for the 2002-2006 period, 2007-2013 period, and the 2014-2020 period. These strategies include the financial support given to Mexico for the development of human rights, and embed individual projects with the same aim. These include the Development Cooperation Instrument (DCI), the Partnership Instrument (PI), the European Instrument for Democracy and

Human Rights (EIDHR), and thematic programmes. These individual instruments of EU support to Mexico in the sector of human rights will be detailed in the next chapter.

- **Action Plan on Human Rights and Democracy**

As previously mentioned, part of the EEAS' work is the creation and implementation of the Action Plan on Human Rights and Democracy. As of today, two action plans were created; one for the period of 2012-2014, and the second one for longer period of 2015-2019. These action plans cover all the aspects of EU's commitment to human rights, explaining the ways of promoting human rights and democracy, and their implementing in Union's external actions. They lay out guidelines, objectives, and obligations for the EU actors, such as the member states, the Commission, and the Council. As Jaraczewski explains, the first action plan contained a list of broader objectives and goals, focusing mostly on the inclusion of human rights approach in the external policies of the EU, as can be seen in most of its chapters, such as *Human rights and democracy throughout EU policy*, *Pursuing coherent policy objectives*, *Human rights in all EU external policies*, or *Promoting the universality of human rights*. On the other hand, the second action plan seems to pay attention to more specified objectives, including boosting ownership of local actors in form of support to national human rights institutions, or addressing human rights challenges (2015).

Both of the action plans embed the EU cooperation with civil society in third countries. The more recent one, however, dedicates a whole section explaining the different ways of the support for civil society, especially NGOs and human rights defenders, whilst the first action plan only shortly mentions this point. This shows the development of the understanding of importance of civil society in the fight against human rights violations. The EIDHR is only shortly mentioned in both action plans, not providing any concrete information. The first action plan also mentions the Civil Society Facility, assisting civil societies in third country. Neither of the action plans explains specific projects and measures that support Mexico financially in the process of combatting human rights violations. These are laid out in the country strategies specifically designed for this country, and will be explained in the next chapter.

- **Annual Report on Human Rights and Democracy**

The Annual Report on Human Rights and Democracy is a report adopted by the Council of the EU. It comprises of two parts; the first part reflects on the current Action Plan on Human Rights and Democracy, its achievements and goals yet to be accomplished, whilst the other part includes human rights report on the human rights situation in individual countries and their cooperation

with the EU in this matter, Mexico included. The 2014 Annual Report on Human Rights and Democracy summarises most important cooperation instruments between the EU and Mexico on human rights; bilateral and multilateral dialogues and monitoring activities; and initiatives of financial help in forms of DCI, EIDHR, and the Non-State Actors (NSA) instrument (Council of the EU, 2015). These projects will be further explained in the following chapter, examining the concrete forms of assistance and their use.

2. EU stakeholders involved

- **European Commission**

The European Commission holds several important roles within the EEAS, and cooperates with the institution in various areas. According to the EEAS website, the Commission retains lead and control over the areas of development, enlargement, energy, and aid (EEAS (d), n.d.). Moreover, as Puetter points out, the EEAS developed a supranational dimension by incorporating parts of the Commission's hierarchy into the institution (2014). The most important role of the Commission in the context of this thesis is its authority over the EIDHR. The European Instrument for Democracy and Human Rights, "the concrete expression of the EU commitment to support and promote democracy and human rights in third countries" (European Commission, n.d.), is the EU instrument for supporting human rights in third countries, with financial contributions to civil society. Next chapter will analyse the concrete actions of the EIDHR in Mexico.

- **Council of the EU**

The Working Party on Human Rights (COHOM) of the Council of the EU is an important actor of the EU's external human rights actions. It sets the Union's human rights strategic priorities in third countries; oversees the development and implementation of external EU policies in this field, such as the EU human rights guidelines and the human rights dialogues with third countries; and coordinates the position of EU member states in international human rights assemblies (Council of the EU (a), n.d.). The Foreign Affairs Council of the EU, which also forms part of the Council of the EU, is another important actor in the human rights sector. This council is responsible for all the external actions of the EU, including foreign policy, defence and security, trade, and most importantly, development cooperation and humanitarian aid. Besides other important matters, the Foreign Affairs Council is responsible for the adoption of the EU Action Plan on Human Rights and Democracy, after its creation by the COHOM and the Political and Security Committee, which also endorses the country strategies. In addition, the Council yearly adopts the Annual Report on Human Rights and Democracy (Council of the EU (b), n.d.).

- **European Parliament (JPC – EU-Mexico Joint Parliamentary Committee)**

The Global Agreement led to the creation of the EU-Mexico Joint Parliamentary Committee (JPC), which forms part of the European Parliament (EP) and falls under the delegations of the EU. Its main task is to monitor the Global Agreement and its implementation. The JPC meets twice a year for an inter-parliamentary dialogue, creating resolutions to increment cooperation between Mexico and the EU (European Parliament, n.d.). Next chapter will shed a light on individual JPC resolutions connected to human rights.

C) EU interest

This part analyses the possible interest of the EU in improving the human rights situation in Mexico. In order to find out what the role of the EU in this issue is, it is necessary to discuss different reasons, why the EU is/could be interested in offering bilateral dialogue and financial help to Mexico. Three most probable reasons for interest will be discussed. These reasons were concluded from the information provided in this and the previous chapter, and additional sources.

1. Commitment to Human Rights

Considering the deep roots of human rights in the structure of the EU, it can be assumed that the Union is fairly committed to human rights and their promotion and protection. This chapter talked about the human rights base in the founding treaties of the Union. Additionally, they are strengthened by several following instruments introduced in this chapter. It can be seen that the EEAS, and European external actions in general, follow human rights very strictly and put them as a base of all bilateral and multilateral agreements created. Thus, it can be said that simply the Union's commitment to human rights is the drive to assistance to Mexico in this issue, trying to help more third countries outside the EU develop, and be able to protect its citizens' rights.

2. Partnership with responsible countries

The establishment of the Global Agreement has led to a large increase in trading relations between the EU and Mexico. As can be seen in the table on the next page, the total trade between these two countries increased by 108% between 2000 and 2013, starting at EUR 21.6 billion in the beginning of the Global Agreement in 2000, all the way up to EUR 44.9 billion in 2013 (Domínguez & Velasco, 2015, p. 74).

Table 7 EU-Mexico Trade (EUR billions)

	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2000-13
Total Trade	21.6	22.3	21.9	20.9	21.6	26.0	29.7	33.1	35.6	26.0	35.1	40.1	47.3	44.9	108%
Trade Balance	8	8.1	8.7	7.8	7.8	7.6	8.6	8.8	7.9	5.8	7.5	6.8	8.5	9.8	23%
Imports	6.8	7.2	6.5	6.5	6.9	9.2	10.5	12.1	14.01	10.1	13.7	17.01	19.4	17.5	157%
Exports	14.8	15.1	15.3	14.3	14.7	16.8	19.1	20.9	21.9	15.9	21.3	23.9	27.9	27.4	85%

Moreover, as the tables below show, the EU was Mexico's second largest importer of goods, and third largest overall trading partner in 2014. In 2015, Mexico was EU's 14th largest overall trading partner in 2015 (European Commission (a), 2016, pp. 8-9).

Mexico, Trade with World

Total Goods: Top trading partners 2014

Source IMF

Imports			Exports			Total trade		
Partner	Value Mio €	% World	Partner	Value Mio €	% World	Partner	Value Mio €	% World
World	331,182	100.0	World	298,930	100.0	World	630,112	100.0
1 USA	161,691	48.8	1 USA	239,643	80.2	1 USA	401,334	63.7
2 China	54,860	16.6	2 EU 28	13,870	4.6	2 China	59,349	9.4
3 EU 28	35,608	10.8	3 Canada	8,065	2.7	3 EU 28	49,478	7.9
4 Japan	14,527	4.4	4 China	4,489	1.5	4 Japan	16,490	2.6
5 South Korea	11,411	3.4	5 Brazil	3,568	1.2	5 Canada	16,382	2.6
6 Canada	8,317	2.5	6 Colombia	3,563	1.2	6 South Korea	12,938	2.1
7 Malaysia	5,432	1.6	7 India	2,034	0.7	7 Brazil	7,271	1.2
8 Taiwan	5,273	1.6	8 Japan	1,963	0.7	8 Malaysia	5,579	0.9
9 Brazil	3,704	1.1	9 Chile	1,617	0.5	9 Taiwan	5,568	0.9
10 Thailand	3,605	1.1	10 South Korea	1,527	0.5	10 India	5,120	0.8
3 EU 28	35,608	10.8	2 EU 28	13,870	4.6	3 EU 28	49,478	7.9

World trade: excluding intra-region trade

Top partners: excluding region member states

% Growth: relative variation between current and previous period

European Union, Trade with World

Total Goods: Top trading partners 2015

Source Eurostat Comext - Statistical regime 4

Imports			Exports			Total trade		
Partner	Value Mio €	% Extra-EU	Partner	Value Mio €	% Extra-EU	Partner	Value Mio €	% Extra-EU
World	1,727,125	100.0	World	1,791,534	100.0	World	3,518,659	100.0
1 China	350,424	20.3	1 USA	371,223	20.7	1 USA	619,660	17.6
2 USA	248,437	14.4	2 China	170,484	9.5	2 China	520,909	14.8
3 Russia	135,711	7.9	3 Switzerland	150,875	8.4	3 Switzerland	253,199	7.2
4 Switzerland	102,323	5.9	4 Turkey	79,107	4.4	4 Russia	209,622	6.0
5 Norway	74,260	4.3	5 Russia	73,911	4.1	5 Turkey	140,714	4.0
6 Turkey	61,607	3.6	6 Japan	56,550	3.2	6 Norway	123,128	3.5
7 Japan	59,768	3.5	7 Norway	48,869	2.7	7 Japan	116,318	3.3
8 South Korea	42,347	2.5	8 United Arab Emi...	48,512	2.7	8 South Korea	90,248	2.6
9 India	39,448	2.3	9 South Korea	47,901	2.7	9 India	77,589	2.2
17 Mexico	19,691	1.1	15 Mexico	33,668	1.9	14 Mexico	53,360	1.5

These two actors have been actively involved in the Global Agreement since the 2000, which implies a joint free trade market for over 15 years. They have signed several other trading and cooperation agreements as well. In addition, they are considering a revision of the Global

Agreement, due to, besides other reasons, the growth in trade and strengthened connections between the EU and Mexico. In view of this, it can be assumed that the EU and Mexico are fairly important trading partners for each other. Taken into consideration EU's commitment to human rights, which are deeply rooted in the founding treaties and followed in the bilateral and multilateral treaties with third countries, it becomes apparent that EU wishes to cooperate with responsible countries.

The high development of EU countries and their positive evaluations in human rights, freedom and transparency creates the impression of a strong democratic Union. Improving the Mexican human rights issue would not only help this Central American country, but it serve as a proof that the Union is cooperating and exchanging goods with a responsible country, able to help its citizens, and promote and protect human rights. This would contribute to the EU's appearance of a responsible stakeholder as well.

3. Responsibility

According to CIDSE, the trade of the EU's primarily manufactured products with high added value for Latin America's natural resources is unequal, and creates, amongst other issues, unequal distribution of wealth and social conflicts (2014). The graph below shows the big difference in imported and exported products. It becomes apparent that in 2015, the Union's imports of Mexican crude materials and mineral fuels (nr. 2&3; EUR 854 Million & EUR 4,049 Million) were much higher than their export to this country in (EUR 252 Million & EUR 1,252 Million). On the other hand, the table shows that the EU's export of manufactured goods to Mexico (EUR 3,963 Million) was over five times higher than their import over the course of the same year of 2015 (EUR 740 Million) (European Commission (a), 2016, p. 5).

European Union, Trade with Mexico

Trade flows by SITC section 2011 - 2015

Source Eurostat Comext - Statistical regime 4

	Imports				Exports			
	Value Mio €				Value Mio €			
	2012	2013	2014	2015	2012	2013	2014	2015
Total	19,532	17,515	17,980	19,691	27,971	27,402	28,422	33,668
0 Food and live animals	669	688	747	822	405	414	472	602
1 Beverages and tobacco	233	196	209	240	329	366	358	433
2 Crude materials, inedible, except fuels	621	576	739	854	263	248	205	252
3 Mineral fuels, lubricants and related materials	5,098	4,945	4,720	4,049	2,462	2,122	1,836	1,252
4 Animal and vegetable oils, fats and waxes	22	20	20	26	40	50	47	69
5 Chemicals and related prod, n.e.s.	1,246	1,242	1,220	1,310	4,722	4,695	5,037	5,951
6 Manufactured goods classified chiefly by material	596	587	670	740	3,613	3,517	3,537	3,963
7 Machinery and transport equipment	7,502	6,761	6,233	8,208	13,102	13,087	13,562	17,077
8 Miscellaneous manufactured articles	2,085	1,999	2,320	2,831	2,414	2,404	2,727	3,405
9 Commodities and transactions n.c.e.	1,255	315	331	363	175	176	270	321
Other	205	185	772	249	444	322	371	343

This confirms the CIDSE's theory of unequal trade between raw materials and natural resources for manufactured goods with added value in Mexico as well. The source highlights the relationship between mining and social conflicts, adding the fact that only a small percentage of the population receives benefits from this model of trade (2014). European Commission confirms this statement: "The exploitation of the country's natural resources (forests, soil, water, etc.) has played a major role in the development of Mexico" (2007). It could be possible that the EU feels partially responsible for the grave human rights situation in Mexico, or wants to make compensation to this country for creating unequal trading environment, which has led to problems. Making efforts to make change and improve the Mexican human rights problem in form of bilateral and multilateral dialogues and financial help, could be the way the Union can boost its self-image, or even its appearance in the international community.

4. Stability of the Country

As the human rights expert states, the main concern of the US about Mexico has been its instability and the instability of its government. He sees this as the true priority of the US, not the human rights (Human rights expert, e-mail interview, June 8, 2016). Following the theory of the human rights expert, it could be assumed that the US bases its actions in the human rights sector in Mexico on its interest in the stabilisation of the country. This could be seen from the point of view of self-security needs of a neighbour and a trading partner.

He adds that when it comes to international cooperation with Mexico, the EU is acting as the shadow of the US, reflecting its movements and steps (Human rights expert, June 8, 2016). Although the EU is not a neighbouring country of Mexico, the free trade contract between these two countries has been running for over a decade and a half now. Considering the strong trading trends between these two countries, we can consider them as important trading partners for each other. This could give the EU a similar interest to the one of the US, thus to control the situation of stability in the country, for its own safety reasons.

CHAPTER 5 | EU INITIATIVES

As explained in the chapters before, the EU has been cooperating with Mexico in the sector of human rights for several years. Chapter 5 focuses on the concrete projects in forms of financial support and bilateral dialogues in the context of human rights. EU strategies for three time periods are analysed, paying special attention to the recent cooperation. Therefore, a separate sub-section was created for the year 2014, which is the last year documented by the Annual Report on Human Rights and Democracy. The individual projects, such as DCI, EIDHR, NSA and CSO-LA instruments are mentioned as well. This shows the development in focus of the EU and its actual commitment to help protect human rights in Mexico.

A) Cooperation in Form of Concrete Projects

1. Country Strategy

Since the start of the bilateral trade and cooperation between the EU and Mexico, the Union has created three temporary strategies for cooperation with this country. These strategies include; objectives of the cooperation, analysis of the current situation in the beneficiary country (political, economic, social), overview evaluation of past and current cooperation, and the strategy for upcoming years. The first strategy was created for the period 2002-2006, second one for 2007-2013, and third for 2014-2020. These three strategies will be analysed in the next paragraphs, to see the EU efforts to promote human rights.

- **2002-2006**

In this period, the EU allocated a total of EUR 56.2 Million to Mexico, focused on: Social development, economic growth, consolidation of the rule of law, scientific and technical cooperation, and other non-focal sectors. The table below shows the exact amount allocated to each sector. The most important sector for the sake of this thesis is the rule of law. This part contains the focus on human rights, financing the National Institution for Human Rights, the main partner - Ministry for External Relations, but also other ministries and public bodies, and NGOs (European Commission, 2002, p. 27).

YEAR	SECTOR OF ACTIVITY	AMOUNT (indicative)
2002	Consolidation of the rule of law: justice system reform	4 M€
2002	Social development and reduction of inequalities	15 M€
2003	economic growth / support for economic reforms – competition :	20 M€:
	- Micro and small and medium size enterprises' support	12 M€
	- Facilitation of the EU-Mexico FTA	8 M€
2005	Scientific and technical research	10 M€
TOTAL		49 M€

It can be seen that this is the smallest part of the whole envelope that EU provided to Mexico; total of EUR 4 Million. However, other EUR 7.2 Million remaining resources, which are not mentioned in the table, were allocated to other non-focal sectors, including gender issues, civil society participation, and fight against corruption (European Commission, 2002). These sectors are also important in combatting the human rights violations in Mexico.

Moreover, this strategy briefly mentions also the cooperation of the EU and Mexico before the Global Agreement, already since the 1990. Most of the resources allocated to Mexico served economic purposes and supported mainly economic growth and trade. However, the source adds that human rights and democratisation were part of several projects in the past, and at the time of this strategy human rights were experiencing increasing demand for cooperation and financing (European Commission, 2002). This strategy contains no other cooperation information apart from the mentioned financial envelope. The concrete thematic cooperation projects were mostly launched during the strategic period 2002-2006 or after its completion.

- **2007-2013**

In the period 2007-2013, the EU provided Mexico with a development envelope in the total amount of EUR 55 Million. This development assistance was divided in three main sections; social cohesion, sustainable economy and competitiveness, and education and culture. The table bellows shows the total division of allocated resources between these sections (European Commission, 2007, p. 26).

Focal sector	2007	2008	2009	2010	2011-2013	
1. Social Cohesion (and support to other sectoral policy dialogues)	5 %		15 %		20 %	40 %
2. Sustainable Economy and Competitiveness		5 %		15%	15 %	35 %
3. Education and Culture						25 %
Special Fund	2%	2%	2%	2%		
Scholarships and University Cooperation	8%				9%	
TOTAL	15%	7%	17%	17%	44%	100%

As can be seen, the largest part (40%) of the allocated money was directed towards social cohesion. This includes support to policy dialogues in other sectors as well. This is the most

important part to mention in the context of this thesis, as achieving social cohesion requires eradicating the vast problem of human rights violation this country is encountering. One of the aspects of the social cohesion under this program is the human rights situation. The Social Cohesion Laboratory I, the first part of the social cohesion package, was executed during this period and consisted mainly of support to families, as well as contribution to shaping strategies on social protection policy. The second phase, Social Cohesion Laboratory II, will be explained below, as it was launched after this strategy period and falls mainly under the DCI initiative, which will continue its project until 2018.

- **2014-2020**

According to the European Commission, due the updated status of Mexico as a “graduated country” no more EU development envelopes are going to be allocated to this country in the future. However, the main bilateral programme of the previous 2007-2013 strategy was kicked off in 2014, and its activities will continue with 26 institutions in the country until the end of 2018. Moreover, Mexico will still be eligible for the EU thematic financial instruments for human rights development, such as EIDHR, DCI, Civil Society Organisations and Local Authorities (CSO-LA) programme, and the NSA Instrument (European Commission, 2016, (b)). The development assistance will be replaced by the Partnership Instrument, which is a newly developed cooperation under the Europe 2020 strategy, based on quasi-equal position of both actors, as Mexico is now considered to be a medium-high income country, thus not holding the developing status anymore (EEAS, 2014).

2. Annual Report on Human Rights and Democracy 2015

According to the most recent Annual Report on Human Rights and Democracy, published in 2015, most of the work of the EU in the human rights sector in Mexico throughout 2014 consisted of dialogues and monitoring. The report states that the dialogue between the EU and Mexico implied high level meetings (including the fourth EU-Mexico High Level Dialogue on Human Rights), meetings of the Permanent Working Group with Civil Society on Human Rights, field visits, multilateral work with the UN, and close monitoring of certain cases. It becomes apparent that the EU is mostly interested in cases involving itself and its citizens, such as the case of Jyri Jaakkola, a murdered Finnish supporter of human rights defenders in Oaxaca, Mexico in 2010. The EU keeps pressuring the authorities to further the investigation and resolve the case (Council of the EU, 2015).

According to the Mexican human rights specialist, the support of the EU in the field of human rights in form of stimulation of the Mexican government and authorities leads to the complication of the situation. He is under the impression that the “friendly” governments act under some sort of diplomatic simulation, based on agreements and declarations that do not necessarily lead to severe consequences, if infringed (C.H., e-mail interview, June 8, 2016).

3. Development Cooperation Instrument

DCI was established on December 18, 2006, by the European Parliament and Council Regulation No. 1905, and started its work in Mexico with the following strategy period 2007-2013. DCI is responsible for the aforementioned social cohesion section of the EU’s development envelope for Mexico, named Social Cohesion Laboratory. The first part was explained in a few paragraphs above (see section “2007-2013”).

The second and main phase of the DCI bilateral cooperation programme with Mexico for 2007-2013 was signed in 2013, and kicked off in 2014. It is known as the Social Cohesion Laboratory phase II, and will be running until 2018, cooperating with 26 key institutions in Mexico. Some of its substantial parts are human rights and justice, with special focus on “gender-related violence, illegitimate use of force, protection of human rights defenders and journalists, and indigenous peoples' rights, as well as on providing support to the criminal justice reform process” (Council of the EU, 2015, p. 372). According to the EEAS, the main principle of the Social Cohesion Laboratory II is strengthening bonds between institutions and civil society. The whole social cohesion project (including phases I and II), were supported with a total of EUR 18.2 Million from the EU (EEAS, 2014).

4. European Instrument on Democracy and Human Rights

As the European Commission states, in 2002 the EIDHR set Mexico as one of the three countries with priority in Latin America. This led to the steer from almost pure economic cooperation between the EU and Mexico, to increased international cooperation in the field of human rights. In the 2007-2013 period, 19 on-going projects in Mexico were supported with total amount of EUR 3.2 Million through the EIDHR initiative (2007).

The total amount available for allocations within the EIDHR for the period 2014-2020 is EUR 1.578 Million. In 2014, nine projects were run under the EIDHR initiative, with financial contribution

over EUR 9 Million. These projects focus on helping the most vulnerable groups in Mexico in the question of human rights, which are women and girls, migrants, and human rights defenders and journalists (EEAS, 2014).

5. NSA & CSO-LA Instruments

Cooperation with Non-State Actors is another initiative of EEAS led by the EU Delegation to Mexico, which is currently running 15 projects in the country, summing up to a contribution of EUR 5 Million in total. This programme cooperates with Mexican civil society on several human rights issues, such as combatting crime, violence and poverty, development of indigenous communities, or citizen participation and collaboration with local authorities (EEAS, 2014). Along with the NSA Instrument there is also the CSO-LA programme, aimed to encourage local authorities and civil society to engage with each other and with the development issue. It was established by the same regulation as the DCI. CSO-LA directs 39 projects in Mexico, with over EUR 10 Million budget (European Commission, 2016, (b)).

B) Conditions

The Mexican human rights expert is sceptical about the cooperation between the international actors and Mexico. He believes that this international cooperation is following treaties and declarations that do not take responsibility in following up their consequences (Human rights expert, e-mail interview, July 8, 2016). Alexandra Jimenez mentioned the democratic clause, which accompanied the Global Agreement. As mentioned in the second chapter, the Global Agreement was the beginning of free trade area between Mexico, and cooperation in the human rights sector. Especially thanks to the democratic clause, the elections that followed application of this agreement were monitored for the first time in Mexico's history, and this started the path for further democratisation and human rights advocacy. It can be said that the bilateral free trade was conditioned by the effort of Mexico to improve their democracy and human rights situation. She suggests further democratic conditioning for economic support, which is hardly seen in the following agreements, signed between the EU and Mexico (Skype interview, July 10, 2016).

As an example she states the Merida initiative from the US, which has democratic conditioning. As mentioned in the first chapter explaining the role of the US, for many years the U.S. Department of State evaluated Mexico positively in the human rights sector, therefore no

sanctions were given to this country. But as Jimenez states, last year for the first time Mexico was sanctioned, and the 15% of financial aid had to be returned back by Mexican authorities. She claims that more conditioning in this direction would help force the authorities implement measures to reduce the human rights violations (Alexandra Jimenez, Skype interview, June 10, 2016).

C) Usage

This section examines the practical usage of the bilateral cooperation in the sector of human rights between the EU and Mexico. It takes a look at the two main forms of cooperation; the financial instruments and the dialogues on a political and civil society level. Points of view of experts in the field are considered as an important element in evaluating the feasibility of EU's assistance in the Mexican human rights crisis. Their personal experience and expertise helps draw up a conclusion about the EU's overall role in promoting human rights in Mexico.

1. Financial Instruments

José Migoya states that Justicia Ciudadana [Citizen Justice], Mexican human rights NGO he represents, has never benefited from any EU financial help allocated to Mexico. On the other hand, this organisation has made usage of an analysis México Evalúa, which was financed by the EU and focuses on crime prevention policies in Mexico. As the Director of the Security Observatory of Puebla, Mexico, he participated in several International researches and forums. However, these were always on a multilateral, or Inter-American level, such as financed by the Inter-American Development Bank, or organised by the UN. This organisation does not cooperate with any European NGOs either; their work stays mostly on national or Latin American level (José Migoya, online interview, June 8, 2016).

Alexandra Jiménez, the Institutional Development Coordinator of Centro Pro Derechos Humanos (Centro Pro) [Centre for Human Rights], another Mexican human rights NGO, provided an insight of their experience with international cooperation with the EU in the question of human rights. According to her words, they have received funding from two of the aforementioned EU instruments; the EIDHR and NSA instruments. The project financed by EIDHR took place between 2009 and 2010 and it was focused on security and human rights. The second, on-going project runs under the NSA initiative, and involves another organisation and a university. Its aim is to monitor constitutional reforms, and the compliance with the international human rights treaties

in national courts. This project has been financed by roughly EUR 200,000 for 36 months, under the European Instrument for Human Rights and Democracy (Alexandra Jimenez, Skype interview, June 10, 2016).

2. Bilateral Dialogues

Jimenez also mentions their experience with the international dialogues. As she points out, Centro Pro is coordinating the civil society within the bilateral dialogues between the EU and Mexico. The next dialogue will be the third time Centro Pro will participate (Alexandra Jimenez, Skype interview, June 10, 2016). The CJP meets twice a year and after each meeting draws a joint declaration, reflecting positions of the CJP members on different issues, and containing recommendations and suggestions to the Mexican authorities and other institutions (European Parliament, n.d.). As Jimenez adds, the dialogues organised by the EU have been useful to some extent, but they have much further potential to develop. The first dialogue, according to her words, was not successful, as they met with NGOs that they had already been cooperating before. Since then, the dialogues have had more success, but mostly only in connecting Mexican civil society with European civil society. (Alexandra Jimenez, Skype interview, June 10, 2016).

As for the political dialogues with, Jimenez states that they are a space the civil society to present their statements. However, the NGOs have only two to five minutes to present their findings during the meetings, and as she suggests, that is not sufficient. She suggests that creating more space before the political stakeholders could bring more success. Although, she explains that this is not only a responsibility of the EU, but blames the lack of political will of Mexican authorities. According to her words, although the EU has been working to open spaces for meetings between the Mexican authorities and the civil society, sometimes medium-level instead of high-level authorities are sent to the meetings, the meetings are cancelled, or the government does not follow up on the recommendations. She sees the problem of the political dialogue being overly focused on the cooperation between the governments, overlooking the role of the civil society. (Alexandra Jimenez, Skype interview, 2016).

When asked about the feasibility of the bilateral dialogues between the EU and Mexico, Jimenez concludes that: "I don't think they make a clear difference with the Mexican government. The Mexican government has demonstrated that they do not worry about the recommendations even if they come from the international bodies" (Alexandra Jimenez, Skype interview, June 10, 2016).

3. Overall Feasibility

Moreover, evaluating the words of the Mexican human rights expert, it seems that the Mexican government is not necessarily interested in international support in the question of human rights. He explains that the group of independent Inter-American investigators first received “pretended” support from the government, but was practically expelled from the country, after it seemed apparent that the government was involved in the disappearance of the 43 students from Ayotzinapa (Human rights expert, e-mail interview, June 8, 2016). Alexandra Jimenez adds that the presentation of their findings was delayed and cancelled several times by the Mexican authorities. She suggests that putting more international pressure on the Mexican government (such as by the EU) could make more real difference in the human rights improvement (Alexandra Jimenez, Skype interview, June 10, 2016).

The Mexican human rights expert states that the international support to the Mexican government complicates the situation, as the Mexican authorities do not have an interest in defending the human rights of the citizens. He claims that the government has a long history of simulations, and its interest has never been to contribute to the protection of human rights, and the “friendly” governments are also wrapped in sort of diplomatic simulation. On the contrary, he believes that the international media, without which many cases of Mexican human rights violations would never be revealed, has exhibited the true pressure and is the form of international cooperation with true feasibility (Human rights expert, e-mail interview, June 8, 2016).

Jimenez concludes by saying that the EU has made progress in the perspective it is looking at. It has come forward from looking solemnly at the economic aspect, to a broader perspective, collaborating with the civil society, working on multispectral projects, and focusing on the gravest issues of the country. However, she adds that the EU has far more potential in opening dialogue with the Mexican authorities, bringing more recommendations, promoting civil society statements and making the Mexican problem visible in Europe (Alexandra Jimenez, Skype interview, June 10, 2016).

CHAPTER 6 | ANALYSIS/DISCUSSION

As understood from the literature review, the European Union has been cooperating with Mexico since the signing of the Global Agreement in 2000, establishing free trade between these two partners. Although they were already cooperating in a wide range of sectors before this agreement, it marked the beginning of rising significance of the EU as a key player in the Mexican human rights crisis. As can be seen, EU is one of the most important trading partners for Mexico, and vice-versa. In the human rights question, alongside the UN, other IGOs and the US, EU has a crucial role as well. The EU has been cooperating with Mexico on several different levels, in form of political dialogues and financial aid. These efforts are directed mainly towards the authorities and civil society.

The first effort is the political dialogue. The EU directs high-level and medium-level political dialogues with Mexican authorities. Additionally, since the demand of the Mexican civil society, dialogues are created to open spaces for meetings between European and Mexican civil society, and Mexican civil society and the authorities. During these events, statements are presented by all parties and lead in recommendations and suggestions on the possible changes in practices towards improving the human rights situation. However, as pointed out by Alexandra Jimenez, the director of institutional development of Centro Pro, Mexican NGO directing the civil society within these dialogues, the recommendations are not enough.

She explained that the Mexican government does not direct sufficient importance to these recommendations, and does not follow them. This can be seen as a trend in the context of any bilateral or multilateral recommendations, for example following the UN meetings on human rights. It was also affirmed by the human rights expert and Alexandra Jimenez. It seems that there is not enough pressure on Mexican government in order to apply changes. The democratic clause conditioning the Global Agreement led to changes in the practices concerning elections. Further conditioning is in order, to be able to force Mexico to follow with changes in practices in the context of human rights.

This can be seen in the cooperation between the US and Mexico. After several years of “threatening” Mexico with withdrawing 15% of human rights related financial aid allocated in Mexico if the human rights violations would not be limited, last year this happened for the first time. This will force Mexico to strengthen their efforts to protect human rights. Similar

conditioning practices are suggested to be applied by the EU in the future, as to date they are almost invisible.

However, there is a visible difference in the focus between the US and the EU. Whilst the US tends to support more assertive approach, such as measures under the “war on drugs” Mexican approach, the EU seems to follow more humanistic approach, focusing on dialogues and institutional strengthening of NGOs defending human rights. This could be the result of different interests in the topic. The US, being the neighbour of Mexico and highly affected by its conflicts, can be more concerned about its own security. As suggested by the human rights expert they are mostly focusing on the instability of the country. On the other hand, the EU seems driven mainly by its commitment to human rights, its status of a responsible player in the world, and wanting to be associated with similarly responsible and stable countries.

Another flaw of the political dialogues is their inability to connect the authorities with civil society. As can be seen in the rising focus on aid for NGOs and other civil society members, and confirmed by Jiemenez’s words, there is a trend of increasing importance of the civil society in world and in Mexico. With each strategy period, more aid is directed towards civil society, and they are gaining more control in the consultation process. However, there is a need for more effort to connect the civil society with the authorities. Therefore, there is much more potential in the dialogues than they are actually practicing.

The main human rights issues of Mexico are enforced disappearances, gender violence, torture, military abuse, impunity, limited freedom of expression, and the migration question. There is a trend of these gravest issues becoming more prioritised by the EU. As proven by the changing strategies for every period and by words of Jimenez, the EU is shifting from sole economic focus to more humanitarian one, focusing more and more on the biggest human rights in the country. This shows EU’s shift from an economic role to more humanitarian role. Although, as mentioned in chapter 5, the development aid (in form of DCI instrument) is going to stop in 2018. This is due to Mexico’s recent economic development and its newly achieved status of a graduated country with medium-high income. The Partnership Instrument, which is going to substitute the DCI, might result in less humanitarian focus in sake of the economic one.

There seemingly is a conflict between EU’s human rights commitment, embedded in the founding treaties and all following bilateral or multilateral agreements, and its economic interest. As

mentioned several times before, the EU's economic interest in cooperation with Mexico surpasses the efforts put into enforcing democratic principles and human rights in this country, and the conditioning that should be applied with all agreements, treaties and offered aid. Although the trends have been changing towards a more humanitarian approach, the end of development cooperation replaced by the partnership instrument could slide the EU back. On the other hand, its own interest mentioned in chapter 2, such as possible feeling of responsibility and interest in stable and responsible partners, could drive the international pressure beyond current limits.

There were certain limitations to this thesis, and there are recommendations on what to look at with further research. First, there is not enough scholarly literature on the topic. More academic input is needed in order to come to an objective conclusion. To resolve this, further search for scholarly literature is recommended, or consulting more experts and academics in the field. Second, it became visible during the research that the view of NGOs is extremely important in order to determine the feasibility of EU's support to human rights in Mexico. It is recommendable to interview more members of Mexican civil society, to learn about their projects and the usage of aid provided by the EU. This could be done in form of questionnaire or semi-structured interviews with representatives of more NGOs. Third, the update of the most recent information is necessary to analyse EU's current position. As the most recent sources available are reports from 2014, and the website of the EU Delegation to Mexico was also last updated in this year, it is in place to consult the reports published in the nearest future.

CHAPTER 7 | CONCLUSION

This thesis researched the role of the European Union in promoting human rights in Mexico, and possibly helping this country combat the severe human rights violations it is encountering. In order to determine this, it was necessary to discuss three main themes. First, the topic had to be put in context by analysing the human rights situation, thus the main problems Mexico is encountering in relation to human rights, and the main actors involved in this question. Second, the human rights basis of the EU, its external action in relation to his topic, and its interests were outlined to see its history of commitment to human rights. And third, the reality of the availability and usage of offered aid was analysed to determine the feasibility of EU's efforts. Combining, comparing and analysing this information led to the determination of EU's role in the aforementioned question.

Themes researched were the human rights situation in Mexico and main actors involved in the cooperation with Mexico in this field, the EU's base and their external actions in relation to human rights, its interest to promote them in Mexico, and the concrete forms of assistance and its feasibility. This was done via extensive desk research, collecting primary qualitative data from legal documents and reports, enriched by points of view of academics and relevant practical experience of human rights experts and defenders. Three interviews were conducted, one with a Mexican human rights expert, and two with Mexican human rights NGO representatives. These inputs were especially contributing to see the overall role of the EU in promotion of human rights in Mexico.

The research has shown that the EU indeed has a role in promoting human rights in Mexico. It is one of the main international actors involved in promoting and trying to defend human rights in this country, alongside with the US, the UN, and other relevant IGOs and NGOs. This was determined in the first chapter, after introducing the context of Mexican human rights crisis and the main players involved. The second chapter reaffirmed this statement, showing the general structure of EU's external aid with focus on Mexico. This chapter also revealed possible self-interest of the EU in this question. Furthermore, the importance of EU's role in trade with Mexico was outlined, proving the effect that possible pressure applied to Mexican authorities could show. For these sections mainly desk research was applied. This was done with need to support the arguments with strong, relevant and credible evidence that can be provided by the various legal documents, agreements, treaties and reports. Three experts in the field contributed to the findings with their own opinions and experiences.

The third chapter looked at the practical feasibility of the offered help by the EU. This helped to determine to what extent the EU has the ability to influence the human rights scene in Mexico. It became apparent that the role of the EU is rather based on promoting human rights, than trying to combat the violations. This is based on the steps taken by the EU, such as political dialogue and financial help. The political dialogues, whilst opening space for discussion, are lacking a conditioning or enforcement element. These elements would contribute to the role of the EU in combatting human rights violations in Mexico. These information were determined based on further desk research enriched by the view of several important Mexican actors involved in the question, such as a human rights expert and two NGO representatives, one of which directs the civil society involvement in the political dialogues.

This report has shown that in order to contribute to combatting human rights violations in Mexico, more pressure on the Mexican authorities is needed, given their lack of interest in following the recommendations of international actors that do not impose enforcement on them. This was proven by the words of the human rights expert and Centro Pro representative Alexandra Jimenez. Furthermore, showing the extensive amount of input by several international actors, such as the US, the UN and the EU on the possible improvement of practices related to human rights, which are being overlooked by the Mexican authorities, showed their lack of follow-up actions. As the EU does not impose sufficient pressure or conditioning on Mexico, its role can be determined as a “promoter” of human rights in this country.

There is enough room left for possible further research in this field. Once the EU’s development cooperation aid to Mexico will be terminated in 2018, the system will change to a more equal partnership scheme. This might change the approach taken by the EU, possibly to a more economic-focused one. It will be necessary to re-evaluate the instruments of humanitarian aid. Furthermore, more NGOs can be interviewed and their points of view on the feasibility of the cooperation taken into consideration. Lastly, more viewpoints of scholars can be analysed.

The overall research contributed to the determination of the EU’s commitment to human rights and democracy, and its will to promote these values beyond its own borders. It evaluated the feasibility of the EU’s efforts to promote and defend human rights in Mexico, showing its role in this question. The findings have proven that the EU plays a significant role in promoting human rights in Mexico, in its own interest and its commitment to the western values. However, its abilities to combat human rights violations in Mexico are yet fairly limited, given the incapacity to enforce resolutions and recommendations with Mexican authorities.

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APPENDICES

APPENDIX 1: Student Ethics Form

European Studies Student Ethics Form

Your name: Andrea Gasparova

Supervisor: Ms Michaela Anghel

Instructions/checklist

Before completing this form you should read the APA Ethics Code (<http://www.apa.org/ethics/code/index.aspx>). If you are planning research with human subjects you should also look at the sample consent form available in the Final Project and Dissertation Guide.

- a. Read section 3 that your supervisor will have to sign. Make sure that you cover all these issues in section 1.
- b. Complete sections 1 and, if you are using human subjects, section 2, of this form, and sign it.
- c. Ask your project supervisor to read these sections (and the draft consent form if you have one) and sign the form.
- d. Append this signed form as an appendix to your dissertation.

Section 1. Project Outline (to be completed by student)

(i) Title of Project:

Bachelor Thesis: The role of the European Union in promoting the human rights (HR) in Mexico

(ii) Aims of project:

- To find out what is the role of the EU in promoting HR in Mexico.
- To find out whether the EU makes effort to help Mexico combat HR violations.
- To find out what are the EU practices in promoting HR in Mexico.
- To find out what is the actual use of these practices, thus, what the role of the EU is.

(iii) Will you involve other people in your project – e.g. via formal or informal interviews, group discussions, questionnaires, internet surveys etc. (Note: if you are using data that has already been collected by another researcher – e.g. recordings or transcripts of conversations given to you by your supervisor, you should answer ‘NO’ to this question.)

YES / ~~NO~~

If no: you should now sign the statement below and return the form to your supervisor. You have completed this form.

This project is not designed to include research with human subjects. I understand that I do not have ethical clearance to interview people (formally or informally) about the topic of my research, to carry out internet research (e.g. on chat rooms or discussion boards) or in any other way to use people as subjects in my research.

Student's signature _____ - date _____

If yes: you should complete the rest of this form.

Section 2 Complete this section only if you answered YES to question (iii) above.

(i) What will the participants have to do? (v. brief outline of procedure):

Interviews: The participants will answer my questions about the topic. This will be done either via face-to-face, telephone, Skype, or e-mail interviews. Additionally, if one of these techniques is not available, other channels can be used to contact people and conduct the interviews.

(ii) What sort of people will the participants be and how will they be recruited?

The participants will be researchers, scholars or other experts in the field. The group will also include members of NGOs or governmental organisations connected to the topic. They will be recruited on the bases of my current network.

(iii) What sort stimuli or materials will your participants be exposed to, tick the appropriate boxes and then state what they are in the space below?

Questionnaires[]; Pictures[]; Sounds []; Words[]; Other[].

I will only ask my interviewees interview questions about my topic. I do not think this counts as any of the above mentioned.

(iv) Consent: Informed consent must be obtained for all participants before they take part in your project. Either verbally or by means of an informed consent form you should state what participants will be doing, drawing attention to anything they could conceivably object to subsequently. You should also state how they can withdraw from the study at any time and the measures you are taking to ensure the confidentiality of data. A standard informed consent form is available in the Dissertation Manual.

(vi) What procedures will you follow in order to guarantee the confidentiality of participants' data? Personal data (name, addresses etc.) should not be stored in such a way that they can be associated with the participant's data.

The information will be kept, but anonymity, when requested, will be granted. I will not record the name or any personal data of the person who asked for anonymity.

Student's signature: **date:**

Supervisor's signature (if satisfied with the proposed procedures):



date: 10/06/2016

APPENDIX 2: Interview Transcript 1**Interview 1: Jose Migoya – transcript of the conversation and interview****May 18, 2016, 1:18PM****Andrea Gasparova**

Estimado Jose:

No se si te acuerdas de mi interés en servicio social con el CIC que te mandé hace tiempo. Quiero que sepas que aún estoy interesada, tengo planeado regresar a México y me gustaría mucho pasar un tiempo ayudar con su trabajo.

Pero por ahora estoy finalizando mi carrera en Holanda, y como la última cosa estoy escribiendo mi tesis. Por mi interés sobre la situación de derechos humanos en México, el tema de mi tesis también se ubica en este campo. Mi tema es: El papel de la Unión Europea en la lucha de México contra la violación de derechos humanos.

Te quiero preguntar si estarías interesado en hacer una entrevista que podría usar en mi tesis. Estoy investigando en que manera la Unión Europea está apoyando a México solucionar este problema. He encontrado informaciones sobre muchas formas de apoyo financiero y conferencias mutuales, pero quiero saber si el apoyo hace algún cambio en realidad.

Si lo entiendo bien, el trabajo de CIC también se ubica en el campo de derechos humanos. Me interesaría saber un poco sobre el papel de la sociedad civil en este problema, un poco más del trabajo de tu organización y sobre su experiencia con el apoyo internacional (si la tienen). Sería un honor tener la opinión de algún especialista en este campo. Por poder usar esta entrevista con buen valor, se realizaría en inglés. La podríamos realizar por Skype, duraría más o menos una hora, dependiente de sus disponibilidades. Si no es posible por Skype, también le podría mandar algunas preguntas por correo electrónico, sin embargo, le daría más valor a la entrevista si se podría realizar por Skype o por teléfono.

Espero podamos encontrar alguna manera de cooperación. Sería un honor para mí poder hacer esta entrevista contigo o también con algún colega tuyo que estaría interesado en responder unas preguntas. Sin embargo, si no disponen con el tiempo para apoyarme, lo entiendo completamente. Me imagino que están muy ocupados con el trabajo que hacen.

Muchísimas gracias de antemano por tu apoyo y quedo al pendiente de tu respuesta.

Saludos,

Andrea

May 18, 2016, 4:45PM

Jose Migoya

Cuenta con la entrevista. Me encantaría conocer previamente las preguntas para poder analizar desde un principio si tengo las respuestas y por su puesto ver si las puedo decir oralmente en inglés.

Mi inglés escrito es mucho mejor que el hablado. Por favor:

Avísame si me puedes enviar previamente las preguntas por escrito y si gustas las podría responder tanto por escrito como por teléfono.

Una vez conocido lo anterior podemos fijar fecha para la llamada por skype

May 18, 2016, 5:10PM

Andrea Gasparova

Muchísimas gracias! Sí, claramente te puedo mandar las preguntas de antemano. Ahora estoy acabando mi primer capítulo, ya tengo varias preguntas. Las voy a poner en un documento y te lo mandaré hasta el fin de semana. Y luego ya vamos a ver como prefieres responder. Muchas gracias otra vez ! Quedamos en contacto

May 19, 2016, 5:29AM

Jose Migoya

Muchas gracias. Te mando un afectuoso saludo.

May 19, 2016, 9:50AM

Andrea Gasparova

Estimado Jose: aquí te mando las preguntas que tengo hasta ahora. Tú decide si prefieres responderlas en escrito o si te sientes comfortable hacer una sesión de Skype/Facetime. Es posible, si tenemos una conversación por Skype que vienen más preguntas o que adicionalmente te mandaré unas preguntas adicionales. Como aún no he escrito completamente todo el texto, no estoy segura si voy a necesitar tu opinión sobre más cosas.

Otra cosa: Si hacemos la sesión de Skype, necesito grabarla, estás de acuerdo con esto? La grabación no la voy a subir con la tesis, es sólo para las personas que van a evaluar mi tesis. Te voy a mandar un formulario de consentimiento informado para firmar, si estás de acuerdo Por ahora, las preguntas:

[Attachment]: [Interview questions.docx](#) open react-text: 14 /react-text react-text: 15 · /react-text react-text: 16 /react-text download

May 19, 2016, 10:27AM

Andrea Gasparova

[Attachment]: [Informed Consent Form.docx](#) open react-text: 14 /react-text react-text: 15 · /react-text react-text: 16 /react-text download

Aquí está el formulario de que te hablé: si no quieres que use tu nombre, lo puedes pedir y no lo voy a usar, no es ningún problema :)

May 28, 2016, 6:22PM

Andrea Gasparova

Hola Jose, que opinas sobre la entrevista?

May 28, 2016, 10:47PM

Jose Migoya

Estimada Andrea la revisaré el lunes. Una disculpa por la tardanza.

May 28, 2016, 11:06PM

Andrea Gasparova

Estimado José, muchas gracias y no te preocupes, lo entiendo completamente. Perdón por molestarte el fin de semana. Hablamos la próxima semana. :-)

June 6, 2016, 12:45PM

Andrea Gasparova

Estimado Jose, solo te escribo por preguntar si has revisado las preguntas? No te quiero molestar, por eso te pido decirme si no te da tiempo o si crees que no eres un buen candidato para las preguntas. Sólo tengo que saber si tengo que buscar a otra persona para la entrevista, como ya tengo que entregar mi tesis en una semana y las entrevistas son muy importantes para mi conclusión.

June 8, 2016, 4:19AM

Jose Migoya

Interview questions:

1. In two-three sentences, would you describe what your organisation does and its linkage to the Human Rights issue in Mexico?

- Justicia Ciudadana is a NGO which its principal purpose, is to offer legal and psychological support to violence victims. Our organisation looks to prevent crime and to give to the local police useful information and to create ways to prevent crime. As our work, Justicia Ciudadana looks to protect human rights of the victims by giving them for free, the support of our staff (lawyers, psychologists and social workers).

2. Who would you say are the main actors involved in the Human Rights question, mainly in defending human rights?

- In My opinion, In Mexico, the main defenders of Human Rights are the NGO's such "Causa en Común", INSYDE, "México Unido contra la Delincuencia", "Mexico SOS" y "RENACE". On the other hand, the media is also very important because they expose human rights violations.

3. Talking about defenders, what other actors are involved in the problem besides civil society, individuals, NGOs, and the state?

- Well I would say Universities and International organizations such as US-AID, the Inter-American Development Bank; UNDP; UNODC; the International Centre for the Prevention of Crime (they are

form Canada); from France I would say The National Observatory of Crime (Observatoire national de la délinquance et des réponses pénales (ONDRP-France) and the European Union.

4. What would you say is the main role of the civil society in the issue of human rights violations? Is there a chance of making a difference, or is it rather a movement for creating awareness?

- I consider there are two fundamental aspects that civil society has to do about to human rights protection:

1. To participate in what we call Social Prevention of Crime and Violence. This participation, besides creating awareness, includes actions between government and society, where both are jointly responsible in the public security, obviously, each one from its scope.

2. Every citizen must report to the authorities any human right violation and also to demand law enforcement to punish those responsible.

5. Can you talk a bit about your experience with international actors?

- As a Director of the Security Observatory of Puebla, I participated in a research about crime observation in Latin America and the Caribbean. This investigation was financed by the Inter-American Development Bank. I also participated in the International Seminar on Social Prevention of Violence and Crime, Human Rights, Adversarial System of Criminal Justice and Social Cohesion in November 2014. In October of the same year, I traveled to Ecuador to share experiences with the representatives of that country about "Citizen Security". Those approaches with such international actors have given us bases to replicate some of the successful experiences over the world about human rights protection. In that sense, based on a New York Police Department experience, we (as Justicia Ciudadana) are georeferencing citizen reports of violence, crime and human rights violations.

6. There are several initiatives from EU itself to promote human rights in Mexico. Have you, as a representative of your organisation, ever come in contact with any of the EU initiatives?

- No, I have not. Even that, Mexico Evalua analysis about crime prevention policies in Mexico has been useful for us. That analysis was financed by the EU.

7. For example, in 2015 the EU allocated eur 1,000,000 to Mexico, to „support human rights defenders and civil society in working on Human Rights“. Has your organisation received any financial aid, or any other form of help from the EU? If you have, has it in any way affected your work?

- No, never.

8. Are you in contact with any European NGOs? Have you established any form of cooperation?

- No, we have not. Our cooperation has been focused on National or Latin American NGOs.

June 8, 2016, 4:20PM

Jose Migoya

Estimada Andrea, te pido una disculpa por la demora, por cuestión de tiempo opté por respondertelas por escrito, si gustas hacer una llamada por Skype te puedo contactar con Rodrigo Cepeda quien es un experto en Derechos Humanos que trabaja con nosotros.

APPENDIX 3: Informed Consent 1

Informed Consent Form

Informed Consent Form

- 1) The role of the European Union in promoting the Human Rights in Mexico
- 2) Mexico suffers from a big problem of violations of human rights. There are several international efforts and initiatives to promote democratisation and human rights in Mexico, and help this country limit the number of human rights violations. The European Union itself is involved in the promotion of human rights in this country. The aim of this research is to find out what the actual role of the European Union in this issue is. This will be done through researching several subjects, such as the current situations of human rights in Mexico, comparison of different stakeholders, and close analysis of the aid provided by the EU. This involves the forms of aid (such as financial, dialogue/conferences, awareness creation, etc), the efforts for promotion of HR, the conditions under which Mexico can receive this aid, and finding out the practical usage of the provided aid.

If you agree to take part in this study please read the following statement and sign this form.

I am 16 years of age or older.

I can confirm that I have read and understood the description and aims of this research. The researcher has answered all the questions that I had to my satisfaction.

I agree to the audio recording of my interview with the researcher.

I understand that the researcher offers me the following guarantees:

All information will be treated in the strictest confidence. My name will not be used in the study unless I give permission for it.

Recordings will be accessible only by the researcher. Unless otherwise agreed, anonymity will be ensured at all times. Pseudonyms will be used in the transcriptions.

I can ask for the recording to be stopped at any time and anything to be deleted from it.

I give the researcher my permission to use my name in the thesis and in the transcriptions of the interview. The consent to use my name will be secured and anonymity if requested will be guaranteed.

I consent to take part in the research on the basis of the guarantees outlined above.

Signed: _____ Date: July 7th 2016

José Migoya Nuño

APPENDIX 4: Interview Transcript 2

Interview 2: Human rights expert – transcript of the conversation and interview (note: this respondent wishes to remain in anonymity. Therefore, his name will be substituted with a pseudonym “human rights expert” in all of the mentioned communication and interview.)

May 18, 2016, 1:43PM

Andrea Gasparova:

Estimado profe:

No se si se acuerda de mí, estuviera su estudiante de intercambio en la clase de la Educación para la Paz y la Justicia durante la primavera del año pasado (2015). Espero se encuentre muy bien! Jenni me ha contado que visitó su casa para cena y plática y que le encantó. En cuanto visita México de nuevo, espero nos pongamos en contacto para platicar.

Por ahora le estoy escribiendo con una solicitud de un favor. Ahora estoy finalizando mi carrera en Holanda, y como la última cosa estoy escribiendo mi tesis. Por mi interés sobre la situación de derechos humanos en México, el tema de mi tesis también se ubica en este campo. Mi tema es: El papel de la Unión Europea en la lucha de México contra la violación de derechos humanos.

Le quiero preguntar si estaría interesado en hacer una entrevista que podría usar en mi tesis. Estoy investigando en que manera la Unión Europea está apoyando a México solucionar este problema. He encontrado informaciones sobre muchas formas de apoyo financiero y conferencias mutuales, pero quiero saber si el apoyo hace algún cambio en realidad. Me interesaría saber su punto de vista del papel de la sociedad civil, la situación, los problemas, etc. Sería un honor tener la opinión de un especialista en este campo, como usted. Por poder usar esta entrevista con buen valor, se realizaría en inglés. Si esto es un problema, también la podemos hacer en español. La podríamos realizar por Skype, duraría más o menos una hora, dependiente de sus disponibilidades. Si no es posible por Skype, también le podría mandar algunas preguntas por correo electrónico, sin embargo, le daría más valor a la entrevista si se podría realizar por Skype o por teléfono. Espero podamos encontrar alguna manera de cooperación. Sería un honor para mí poder hacer esta entrevista con usted o también con algún colega suyo que estaría interesado en responder unas preguntas. Sin embargo, si no dispone con el tiempo para apoyarme, lo entiendo completamente. Me imagino que está muy ocupado con su trabajo.

Muchas gracias de antemano por cualquier apoyo y quedo pendiente de su respuesta.

Saludos sinceros,

Andrea Gašparová

May 20, 2016, 12:53AM

Human rights expert

Hola, Andrea. Me da mucho gusto saber que estás en tu etapa de tesis de titulación, y que el tema que has elegido está relacionado con México. Con mucho placer contestaría tus preguntas, de preferencia en español, pues con el inglés tengo poca práctica y se me dificulta bastante. No soy exactamente un especialista en materia de DDHH, pero si pudieras mandarme por correo preguntas concretas al respecto con gusto te las contesto, y en caso de no estar calificado para responder a algunas, podría canalizarte con algún colega más enterado de esos asuntos, que creo nos conciernen a todos los que buscamos una mejor calidad de vida y de convivencia para los habitantes de nuestro país y del mundo en general. Por supuesto que, si regresas a Puebla algún día, a mi esposa y a mí nos encantaría saludarte y pasar un buen rato como lo hicimos con Jennifer. Espero tus preguntas, y también poderte ser de utilidad en este trabajo de tesis. Un abrazo cordial de: [Human rights expert]

May 24, 2016, 7:14PM

Andrea Gasparova

Estimado profe:

Muchas gracias por su respuesta y por su oferta de apoyarme. Ahora estoy juntando todas las informaciones importantes y escribiendo los capítulos de mi tesis. En cuanto tenga listas unas preguntas (en español), le mandaré un correo y por supuesto está bien si me las responde por el correo. Muchas gracias otra vez!

Saludos y quedamos en contacto. :-)

Andrea

June 6, 2016, 3:31PM

Andrea Gasparova

Estimado profesor:

Aquí le mando unas preguntas que he juntado hasta ahora. Si tiene tiempo, sería ideal si me las puede responder hasta el fin de semana. Pero si no dispone con el tiempo, lo voy a entender completamente.

También le mando un formulario de consentimiento informado. Allá explico, que voy a poner la copia de nuestra conversación por correo en los anexos de mi tesis, y usted también tiene la opción de quedar anónimo. Por favor, léalo, y si está en acuerdo con todo, fírmelo. Esto es muy importante para que pueda usar la entrevista en mi tesis. Si usted no está de acuerdo con algo (quiere que no use su nombre por ejemplo), puedo cambiar el texto para que lleguemos a algún acuerdo juntas.

Le quiero agradecer el apoyo y entusiasmo de su parte. Me interesa mucho este tema y quiero escribir mi tesis bien. Estoy segura, que su opinión me va a dar un punto de vista muy interesante

en la tesis. Tal vez se la puedo mandar después de terminarla y podría ser de algún uso en el futuro.

Saludos cordiales,
Andrea Gasparova

June 6, 2016, 5:40PM

Human rights expert

Lo leeré con gusto, Andrea, y espero poder ayudarte.

Saludo afectuoso: [Human rights expert]

June 8, 2016, 6:40PM

Human rights expert

Querida Andrea: Aquí tienes, ya respondido, el cuestionario que me enviaste. También envió la carta-compromiso en inglés que acompañaba el cuestionario, con la súplica de que aproveches toda la información que te sea útil, pero asociada a un seudónimo, no a mi nombre real. Quedo a tus órdenes para cualquier duda o aclaración.

Cordialmente: [Human rights expert]

Interview responses received in the last e-mail:

Andrea Gasparova: Cuáles son los actores más importantes en la defensa de los derechos humanos en México?

Human rights expert: ORGANIZACIONES HUMANITARIAS COMO EL CENTRO FRAY BARTOLOMÉ DE LAS CASAS, EL MIGUEL AGUSTÍN PRO (Jesuita) o EL ASILO PARA MIGRANTES CENTROAMERICANOS QUE DIRIGE EL SACERDOTE CATÓLICO ALEJANDRO SOLALINDE. HAY TAMBIÉN PARTICULARES, COMO LAS MUJERES QUE INTEGRAN EL COLECTIVO “LAS PATRONAS” EN VERACRUZ, QUE SON EJEMPLARES EN ESTE SENTIDO.

Andrea Gasparova: Opina usted, que el estado Mexicano tiene un papel importante en la defensa de los derechos humanos, y que hace todo lo posible para lograr el mejoramiento de la grave situación?

Human rights expert: DESDE LUEGO QUE NO. NUESTROS GOBIERNOS TIENEN UN LARGO HISTORIAL DE SIMULACIONES Y SU INTERÉS NUNCA FUE CONTRIBUIR REALMENTE A LA PROTECCIÓN DE LOS DERECHOS HUMANOS. EL DESENLACE DE LA EXPERIENCIA ÚLTIMA CON EL GRUPO DE INVESTIGADORES IBEROAMERICANOS INDEPENDIENTES ABOCADOS AL CASO AYOTZINAPA ES UNA CLARA MUESTRA DE ESTO.

Andrea Gasparova: Podría darme su opinión sobre los abusos militares en México? Cree que es uno de los mayores problemas conectados con los derechos humanos en el país?

Human rights expert: EL EJÉRCITO SALIÓ DE SUS CUARTELES PARA INVOLUCRARSE EN LA PERSECUCIÓN DE NARCOTRAFICANTES A PRINCIPIOS DE 2007, POR ORDEN DEL PRESIDENTE DE LA REPÚBLICA FELIPE CALDERÓN. PERO LOS MILITARES, A DIFERENCIA DE LA POLICÍA (CUYA INEFICACIA Y COLUSIÓN CON LOS CRIMINALES SIRVIERON DE ARGUMENTO BÁSICO AL PRESIDENTE PARA SACAR EL EJÉRCITO A LA CALLE), ESTÁN PREPARADOS PARA “EXTERMINAR AL

ENEMIGO”, NO PARA PARTICIPAR EN INVESTIGACIONES Y DETENCIONES RESPETUOSAS DE LOS DD HH.

A PARTIR DE AHÍ, HAY MÁS DE MIL DENUNCIAS SOBRE ABUSOS Y EXCESOS DE ELEMENTOS DEL EJÉRCITO Y LA MARINA MEXICANOS (CONSÚLTESE LA REVISTA “PROCESO”). Y EL GOBIERNO PRÁCTICAMENTE NO HA INTERVENIDO PARA HACER JUSTICIA. SON CONTADOS LOS DETENIDOS, Y CASI SIEMPRE SE TRATA DE SOLDADOS RASOS U OFICIALES DE RANGO INFERIOR. RECIENTEMENTE FUERON LIBERADOS LOS POCOS QUE ESTABAN PRESOS COMO RESULTADO DE LA MATANZA DE TLATLAYA.

Andrea Gasparova: Está el uso de tortura permitido en algunos casos (en forma de castigo o para conseguir informaciones), o es una práctica completamente ilegal en el país?

Human rights expert: SEGÚN LA LEY ES ALGO ILEGAL QUE SE DEBE CASTIGA SEVERAMENTE. PERO CUALQUIER MEXICANO SABE QUE ES UNA PRÁCTICA COMÚN, LLEVADA A CABO POR POLICIÁS DE LOS TRES NIVELES DE GOBIERNO (FEDERAL, ESTATAL Y MUNICIPAL), Y AHORA TAMBIÉN POR EL EJÉRCITO Y LA MARINA NACIONALES.

Andrea Gasparova: Posee usted de algunas informaciones concretas sobre las prácticas de tortura, abusos militares y la impunidad en el país? Sabe algo de unos casos concretos?

Human rights expert: BASTA REPASAR LO PUBLICADO EN EL DIARIO “LA JORNADA” Y, ESPECIALMENTE, EN EL SEMANARIO “PROCESO” PARA ENCONTRAR EVIDENCIAS DE CASOS CONCRETOS, OCURRIDOS EN LOS ÚLTIMOS AÑOS. Y EN NUESTRO ESTADO DE PUEBLA HAY EN ESTE MOMENTO DOCENAS DE PRESOS POLÍTICOS, ACUSADOS DE DELITOS FALSOS, CUANDO EN REALIDAD SON OPOSITORES A LA EXPLOTACIÓN DE MINAS (SIERRA NORTE DEL ESTADO), AL LLAMADO “PARQUE DE LAS 7 CULTURAS” (CHOLULA) O A LA “LEY BALA” QUE PROMULGÓ EN 2013 EL GOBERNADOR RAFAEL MORENO VALLE. CON TORTURAS (MUY PROBABLES) O SIN ELLAS, SUS DETENCIONES VIOLAN GRAVEMENTE LOS DD HH.

Andrea Gasparova: Que opina usted que se podría hacer mejor por la parte del gobierno para limitar las violaciones de derechos humanos en México?

Human rights expert: SIMPLEMENTE CUMPLIR CON LA LEY. TAMBIÉN SANEAR LA POLICÍA E IMPONER CASTIGOS EJEMPLARES A LOS TORTURADORES. PERO SE REQUIERE PARA ESO UN APARATO JUDICIAL RENOVADO, Y UNA SELECCIÓN Y EDUCACIÓN DEL PERSONAL POLICIACO Y MILITAR QUE EMPEZARA POR LA SUSTITUCIÓN CASI TOTAL DE QUIENES ACTUALMENTE EJERCEN ESAS FUNCIONES.

Andrea Gasparova:Cuál es el papel más importante de la sociedad civil en el campo de derechos humanos en México? Cree que tienen las capacidades para hacer un cambio, o es más un movimiento para crear conciencia?

Human rights expert: LA SOCIEDAD MEXICANA ES PARADÓJICA: EN GENERAL ESTÁ CONSCIENTE DE LO QUE SUCEDE Y LO LAMENTA, PERO ES INCAPAZ DE ORGANIZARSE PARA ACTUAR EN CONSECUENCIA Y EXIGIR CUENTAS A SUS GOBERNANTES. NO OBSTANTE, LA PRESIÓN QUE SIGUEN EJERCIENDO LOS PADRES DE LOS 43 ESTUDIANTES DESAPARECIDOS EN IGUALA Y COLECTIVOS MINORITARIOS COMO EL QUE ENCABEZA EL POETA JAVIER SICILIA (“POR UNA PAZ

CON JUSTICIA”) REPRESENTAN UNA ESPERANZA PARA EL PAÍS, Y UNA MOLESTIA GRANDE PARA EL GOBIERNO.

Andrea Gasparova: Que opina sobre la cooperación internacional en el campo de DH? (con la UE y EE.UU.).

Human rights expert: NUEVAMENTE ME REMITO AL DESTINO FINAL DEL GRUPO INTERAMERICANO INDEPENDIENTE DE INVESTIGADORES PARA EL CASO DE LOS 43 ESTUDIANTES DESAPARECIDOS DE LA NORMAL “RAÚL ISIDRO BURGOS” DE AYOTZINAPA: EL GOBIERNO FEDERAL SIMULÓ APOYAR SU TRABAJO, PERO CUANDO SE VIO COMPROMETIDO POR LOS RESULTADOS Y OPINIONES DE DICHO GRUPO PRÁCTICAMENTE LOS EXPULSÓ DEL PAÍS.

POR OTRO LADO, TENGO LA IMPRESIÓN DE QUE LOS GOBIERNOS “AMIGOS” TAMBIÉN ESTÁN ENVUELTOS EN UNA SUERTE DE SIMULACIÓN DIPLOMÁTICA, BASADA EN DECLARACIONES Y ACUERDOS QUE NO ESTÁN DISPUESTO A LLEVAR A SUS ÚLTIMAS CONSECUENCIAS.

Andrea Gasparova: Si comparamos los dos enfoques en el apoyo a México: el enfoque asertivo de los EE.UU.; el apoyo a la guerra contra las drogas (que, según algunos estudiosos, no ha alcanzado sus objetivos, sino por el contrario, apoyó un aumento de la violencia) y un enfoque más pasivo de la UE; en forma de diálogos, recomendaciones, y apoyo financiero a la sociedad civil. ¿Cuál de estos opina es una mejor manera de apoyar a abordar el problema de los derechos humanos en México?

Human rights expert: LA PRESIÓN INTERNACIONAL ES INDISPENSABLE, PERO LA TIBIEZA Y SIMULACIÓN DE LOS GOBIERNOS DE EU (NADA ASERTIVA) Y LA UE DIFICULTA LAS COSAS. LA VERDADERA PRESIÓN HA VENIDO POR PARTE DE LA PRENSA INTERNACIONAL (EL CASO TLATLAYA, POR EJEMPLO, NUNCA SE HUBIERA CONOCIDO SIQUIERA SIN EL REPORTAJE DEL “ENQUIRE”). EN EL FONDO, LA ESTABILIDAD DE MÉXICO Y SUS GOBIERNOS ES DEMASIADO IMPORTANTE PARA EU, Y ES ESTA –NO LOS DERECHOS HUMANOS—SU VERDADERA PRIORIDAD. EN CUANTO A LA UE, ACTÚA CASI COMO APÉNDICE DE LOS NORTEAMERICANOS, COMO SI DESCONOCIERA LA CANTIDAD DE GOLPES BAJOS QUE ÉSTOS LE HAN ESTADO ASESTANDO CON TAL DE DESESTABILIZAR A LA PROPIA UNIÓN, A LA QUE JUZGAN COMO SU PRINCIPAL COMPETIDOR GLOBAL (JUNTO CON CHINA).

Andrea Gasparova: Tiene algunas recomendaciones o comentarios adicionales, sobre las prácticas que podrían estar mejoradas a apoyar el combate contra las violaciones de derechos humanos? (en nivel nacional o internacional)

Human rights expert: ME PARECE UNA EXCELENTE IDEA QUE ESTUDIANTES COMO ANDREA GASPAROVA SE ABOQUEN A ESTE TIPO DE INVESTIGACIONES, Y LE DESEO TODA LA SUERTE DEL MUNDO EN LA ELABORACIÓN DE SU TESIS. COMO DECÍA, NO HAY DEMASIADO QUE ESPERAR DE LOS GOBIERNOS, PERO SÍ DE PARTICULARES –PERIODISTAS, INSTITUCIONES O INVESTIGADORES INDEPENDIENTES—CAPACES DE INTREGRAR TRABAJOS BIEN DOCUMENTADOS Y RELEVANTES QUE AYUDEN A SACAR A LA LUZ LA VERDAD OBJETIVA DE LO QUE ESTÁ OCURRIENDO EN MÉXICO CON LOS DERECHOS HUMANOS DE LOS CIUDADANOS.

APPENDIX 5: Informed Consent 2

Written consent by the human rights expert (interviewee 2), with the addition that he wishes to remain in anonymity. Received via e-mail.



Translation:

Dear Andrea: Here you go, already answered, the questionnaire you sent me. I am also sending my consent in English, which was added to the questionnaire, with the addition that you can use all of the information useful for you, but associated with a pseudonym, and not my real name. I am at your disposal for any questions or clarifications.

Sincerely, ...

APPENDIX 6: Interview Transcript 3**Interview 1: Alexandra Jiménez – transcript of the interview****June 10, 2016**

Andrea Gasparova: Would you, please, in a few sentences, introduce yourself and your organisation? Describe what it does, its linkage to the human rights issue in Mexico, and your role within the organisation?

Alexandra Jimenez: My name is Alexandra Jimenez, I am the institutional development coordinator. Centro Pro is a human rights organisation. It was founded in 1988. We defend, promote, and advocate in respect to human rights, especially of those groups and people in situation of vulnerability and poverty, to build more just, equitable and democratic society, and to guarantee human dignity. So, it is basically a human rights organisation

Andrea Gasparova: What is your role within the organisation?

Alexandra Jimenez: My role as a coordinator of institutional development is basically related to international cooperation, which means the basis of the founding of the organisation through projects that are presented through international foundations, agencies of cooperation and through some individual donors.

Andrea Gasparova: Okay, that is perfect. So you probably have a lot of expertise in what I am about to ask.

Alexandra Jimenez: Yes. Other responsibilities are those such as strategic planning, managing the strategic planning of the organisation within all the team, and also institutional strengthening.

Andrea Gasparova: Okay, perfect. Moving on to the next question, what would you say is the main role of NGOs, such as your organisation, in the sector of human rights in Mexico, in, for example, defending the human rights?

Alexandra Jimenez: I would say there are different roles depending on the kind of organisation. Centro Pro is a national organisation that has the ability to advocate for structural changes in the whole country. We may only work through methodology of integral defence that is based on different strategies, such as education on international level, litigation, and communication. But there are other organisations that also have a fundamental role in the regions that they work for in the many states of Mexico. In this context, human rights organisations are documenting what is happening inside their states and they are promoting changes inside their environments. As a whole, I would say that in the recent years, organisations are working together to promote, as a watchdog, and to propose alternatives to the crises of the human rights.

Andrea Gasparova: So also support to the victims?

Alexandra Jimenez: Yes, we work directly with victims through emblematic cases. We carry the defences of emblematic cases of human rights violations in the country in many states. These cases are an example of what is happening with other population. If we cannot defend all the cases that are occurring, we take some of these emblematic cases after a long period of investigation, and we design a strategy not only to support the victim. In the first moment it is to

accompany the victim, to be with them, to support them, to strengthen their capacities in the defence of their own case. We also design strategies in the context that is occurring around the case. We see what the structural causes are, the origin of these human rights violations. We say, this is happening because of some reasons, so we try to make visible also other cases and to promote changes in the structural situation.

Andrea Gasparova: So you basically look at the cases and then you look at the background of the cases, what is the cause and the context of the problem?

Alexandra Jimenez: Yes.

Andrea Gasparova: Do you think the Mexican NGOs have an influence on actual legislation?

Alexandra Jimenez: Yes, I would say that it depends on the process. There are many cases when the civil society has advocated for changes. For example, the constitutional reform on human rights that occurred in 2011. That was demand from the civil society since many years ago. That was a big success for the human rights organisations. But talking about the long term vision that these kind of advocacies in the legislation take, there are long processes and you never know when the laws are going to be approved. Especially now that authorities do not have a special political will. There is legislation on forced disappearances and torture. We are trying to influence legislation with human rights contents and there are proposals coming from the civil society that were stopped in the current congress. We don't know when they are going to be approved, even if there are in the recommendations from the international bodies.

Andrea Gasparova: Talking about the international bodies, can you talk a bit about your experience, and the experience of your organisation with international actors, especially the EU?

Alexandra Jimenez: Yes. Right now Centro Pro is coordinating the participation of civil society in the dialogue with the EU. We are permanently in touch with the delegation of the European Union here in Mexico. We have participated in the dialogues since the beginning. I think this is the third time that this is going to occur. These dialogues are the result of the proposal of the civil society. In the past it was only open like a parallel event when the Council met with the President, before there was a demand of civil society. Since 2001 we have a consultancy status before the event. Since 2004 we have a consultation status before the OAS. That has helped us to present at thematic hearings before the Inter-American Commission of Human Rights and we can also present cases before the Inter-American Court. To date we have only presented one case, given the lack of capacities of the court and the commission to follow up on the cases on the regular basis. To the Inter-American court we have a permanent role. We always ask for thematic hearings, for hearings regarding the cases of integral defence and also for general situation in Mexico. With these strategies Centro Pro has been coordinating the participation of further human rights NGOs that are working on the same issues. Another process before the international bodies has been the universal periodical review examination. In the past two examinations we have also participated, not only by presenting oral statements in the Committee of human rights, but also carrying on parallel events during these examinations. We take the opportunity to meet with other stakeholders in Geneva, in Brussels, or any other country.

Andrea Gasparova: Also, for example, with European NGOs?

Alexandra Jimenez: Yes, we work very close with some European NGOs.

Andrea Gasparova: Do you work with, for example, Conexx-Europe in Brussels? They are an NGO based in Brussels and they focus on human rights in several Latin American countries. I think one of their focuses is Mexico.

Alexandra Jimenez: No, I do not think so. I am not sure if my colleagues know about them but I would not say we work with them.

Andrea Gasparova: It was just a side note. Anyways, you talked about your participation in the dialogues with the civil society and the EU. How do you feel about these dialogues? Do you think they are feasible? Do you think they have a potential to bring positive change?

Alexandra Jimenez: I think to date they have worked as a political space, more to present statements and that is useful at one level, but I think it has more potential, because to date they mainly have focused on linking Mexican civil society with European civil society. The first one was not a success. Most of the organisations that were participating, we have already been working with them. So what would be valued for us would be that our statements and petitions would have an echo in the political stakeholders that are there, and not only in the civil society.

Andrea Gasparova: In these dialogues, is there also a way for the civil society to meet with Mexican authorities and discuss the problems with them, or is it just a EU and Mexican civil society?

Alexandra Jimenez: There is a possibility, and in the last year the EU has been working and trying to open spaces for meetings with the Mexican Delegation here, especially with the Ministry of Foreign Affairs, and they have a key role. In the last two years it has been useful. Probably the problem is the political will with the Mexican politicians. Even if the EU is trying to open spaces to meet with Mexican high-level authorities, sometimes they send medium level authority or they cancel, or they just go to the dialogue but they do not really follow up on the recommendations of the civil society here in Mexico. What would be useful is to present. For example, last year the civil society had only 2-5 minutes to present their conclusions. It is not enough. I think the political dialogue is still very focused on the dialogue between the political authorities from Europe and from Mexico. Probably this year can be different. We don't know; it will be in June. This way would be useful for advocacy and for strengthening relations in this dialogue.

Andrea Gasparova: I see your point, are you suggesting that it would bring more success if the civil society got more space and platform to be able to actually express their findings and their conclusions within the dialogue?

Alexandra Jimenez: Yes, but not only in a form with the European civil society, but also in a form with the authorities to listen to the recommendations from the Mexican CS.

Andrea Gasparova: How about the dialogues just between the EU and Mexican authorities, for example. Do you think those dialogues have brought any positive change so far?

Alexandra Jimenez: I think they have been very useful, especially with the German government. They have a key role and they have been very open to meet with the civil society. But still, not all

the parliament, only the parties of the left wing used to be very open to carry out meetings when human rights organisations go to Europe. It has been useful, because, I think, they have a serious concern about the situation in Mexico, and they are proposing some measures and statements to collaborate

Andrea Gasparova: Has it really led to any change in the legislation, for example, or the change in the attitude of the Mexican government?

Alexandra Jimenez: Do you mean the statements from the government?

Andrea Gasparova: Yes. I know that the EU presents their concern before the Mexican government and they bring suggestions and recommendations for what could be done better. But is it just a dialogue or is it really making any difference?

Alexandra Jimenez: That is an interesting question. I think it is not only the statements or the recommendations, because I don't think they make a clear difference with the Mexican government. The Mexican government has demonstrated that they do not worry about the recommendations even if they come from the international bodies. The EU is different as a political actor, composed of these countries. I think what is really helpful is conditioning the economic support or relation to the government. For example, when the first free trade Global Agreement was signed in 2000 with the EU, one condition was a democratic clause. That was the year when Mexico had elections and change of the governing party after 17 years.

Andrea Gasparova: I think that also for the first time the elections were monitored, right?

Alexandra Jimenez: Yes, they had observers. It was a condition for the agreement that Mexico was a democratic country, which had to be demonstrated in the elections. That was the first change in the party. I think that kind of conditioning works. That is why Mexican CS has been advocating to continue following the democratic clause but as a reality, and to condition other actions or relations with the Mexican government with the EU.

Andrea Gasparova: But they have not really been doing it, right? They only did it in the beginning but it would be nice if they would still continue with the conditioning. I am not sure, because I am not an expert, but from my research I found out that so far there have not been any sanctions.

Alexandra Jimenez: Yes, they have not sanctioned, actually. And in the new agreement it is barely mentioned. In the last years they worked on cooperation in social cohesion, culture and economy. But always the economy and trade was the main focus, and not human rights. They have not sanctioned anything, and it was already disappearing. But now we have a crisis of human rights and it is an issue to be discussed now.

Andrea Gasparova: So maybe it would be helpful in the dialogues or further agreements to propose sanctions if the human rights situation does not improve?

Alexandra Jimenez: Yes. As an example, we have the free trade agreement with the US. There is an agreement to collaborate in the security, and war against crime – the Merida Initiative. And

there is a clause mentioned that if Mexico is not respecting the human rights and they do not give response in human rights, 15% of this amount that government from the US is giving to the Mexican government, they are going to return. For years they did not. It never became real.

Andrea Gasparova: I read about this, and I read that the U.S. Department of State always stated that Mexico was improving the human rights situations and they were complying with the rules of the Merida initiative.

Alexandra Jimenez: Yes. There were always congressmen proposing to retain this amount, but they never did. Last year, for the first time, they did.

Andrea Gasparova: Something like this should probably be done also with the EU?

Alexandra Jimenez: Yes. Conditioning is important.

Andrea Gasparova: Lets move to the financial question. I mentioned in the questions some of the initiatives of financial support to Mexico, such as the NSA, DCI or EIDHR. Has your organisation received any financing from these initiatives?

Alexandra Jimenez: Yes. In the last years we developed a project focused on security and HR in 2009 and it was from the EIDHR. Since last year we have a project on the NSA instrument.

Andrea Gasparova: So you had one from EIDHR and one from NSA?

Alexandra Jimenez: Yes. The one from EIDHR is finished since 2010.

Andrea Gasparova: Do these initiatives allocate money to the civil society and the government, or just to the civil society?

Alexandra Jimenez: Both of them are just for civil society.

Andrea Gasparova: How about the DCI?

Alexandra Jimenez: I have heard about it but we don't apply for that.

Andrea Gasparova: I am not sure but I think that one is mainly for the government.

Alexandra Jimenez: Yes.

Andrea Gasparova: Was it helpful for you to receive this kind of support? Can I ask the exact amount of money? If you cant tell me its fine, but if you can that would be nice.

Alexandra Jimenez: Yes sure, it is public I think. The current project is about 200,000 euros for 36 months.

Andrea Gasparova: And that was just to your organisation?

Alexandra Jimenez: No, we cooperate on this project with two other organisations. And we are working on the monitoring of the constitutional reforms on human rights - the protection reform, the criminal justice reform and the reform on human rights from 2011. We are monitoring how the judges are applying the international treaties in their sentences. When they issue the sentences, whether they are following the international standards.

Andrea Gasparova: Like the UN human rights treaties?

Alexandra Jimenez: Yes, all the international, probably also from the Inter-American system, there are also a lot of resolutions from the court that sometimes are referred to in the sentences. That is the principle of conventionality.

Andrea Gasparova: How about the other, the NSA instrument?

Alexandra Jimenez: That is the NSA instrument. We are 2 organisations and a university that are doing this project. When we are analysing, we try to identify which good or bad practices are being applied by the judges. After this, we are doing some events; we are carrying some open spaces with judges, academy and civil society of human rights defenders, to get these perspectives from their good practices on how the reforms are being applied.

Andrea Gasparova: In general, do you think that the financial support within these instruments brings a positive change in the work of the Mexican civil society?

Alexandra Jimenez: I think during the last years the EU has been opening some bits that really have a broad perspective. I think that in the past they were more focused on other issues. I am not sure about the impact that they were having. But now they are really focused on the main issues in the country, like the gravest issues. I think they really have a potential to have an impact. The kind of cooperation with the EU is really focused on generating proposals and working on multispectral projects, and also to have other approaches from the civil society. I think this kind of collaboration is working. Last year the EU issued a broad bit with one area focused on institutional strengthening of civil society in Mexico. I think that is very valuable.

Andrea Gasparova: Do you think the focus of the EU has been slowly drifting from the economic focus to the more humanitarian focus? Before they were mainly supporting the government and the trade, but now they are maybe focusing more on the civil society and giving it more support?

Alexandra Jimenez: Yes.

Andrea Gasparova: Do you have any recommendations, what could be done better by the EU in order to actually help combat or limit human rights violations in Mexico? To actually make a change in numbers, for example. What could be done besides the dialogues or the financial support, or within these frameworks of help? What could be done better or more?

Alexandra Jimenez: It can have more potential to strengthen what they are doing and of course the aggregated body of the EU has the ability to open dialogue and to connect with Mexican authorities.

Andrea Gasparova: You have mentioned the conditioning of the economic support, that maybe they could implement some more democratic or HR clauses in some of the bilateral instruments.

Alexandra Jimenez: Yes, that is an option, or to continue promoting the statements from the civil society. Also, to make visible what we are saying here, in other spaces in the EU. Because the Mexican government has a very big bureaucracy for diplomacy and they are trying to deny the civil society. Mexican civil society is experiencing environmental harassment, aggressions, and a

lot of media harassment. We can say that this is from people who are close to some authorities. I would say that versions of the Mexican government are more able to have an echo with the politicians of Europe, more than civil society. The work of advocating to set the recommendations from the Mexican organisations is a concept.

Andrea Gasparova: So do you think there is a link between human rights violations and the authorities?

Alexandra Jimenez: It is documented that not only on national, but also international level, the human rights violations are connected to local authorities.

Andrea Gasparova: Do you think a good approach of the EU would be to try to shift their focus from financing the government and focus mainly on support to the civil society?

Alexandra Jimenez: That was not what I was trying to say. There is also a lack of resources on local level to implement good politics. I am not sure if that is the position of the EU or if that is the kind of cooperation they want to have with the Mexican government. They are not exactly in that logical approach. They are governments and they cooperate with governments.

Andrea Gasparova: That is true. As they have bilateral agreements, they have to on first hand cooperate with the government.

Alexandra Jimenez: Yes. What I was trying to say was that what is happening here in Mexico is a criminalisation by the media of the human rights work. What we need is to have more support from the politicians in Europe, and not only the left wing. That is an ability that the EU has, to promote the documentation from the civil society in the European parliament, especially.

Andrea Gasparova: Don't you think that mainly the international media should do this promotion?

Alexandra Jimenez: Both of them, also the political level is very important. An example is the presence of the interdisciplinary group of experts from Ayotzinapa. They were invited last year to present their report, and it took a long time to find a date to present the report. There was not enough interest from the Mexican government. It was advocating to delay the presentation. This is an example.

Andrea Gasparova: Maybe if there was more international pressure on the government by, for example, the EU, they would not be able to delay the dialogue or the presentation so much. I think more international pressure on the government could be the conclusion of this interview. To stand more assertive than passive approach.

APPENDIX 7: Informed Consent 3

Informed Consent Form

Informed Consent Form

- 1) The role of the European Union in promoting the Human Rights in Mexico
- 2) Mexico suffers from a big problem of violations of human rights. There are several international efforts and initiatives to promote democratisation and human rights in Mexico, and help this country limit the number of human rights violations. The European Union itself is involved in the promotion of human rights in this country. The aim of this research is to find out what the actual role of the European Union in this issue is. This will be done through researching several subjects, such as the current situations of human rights in Mexico, comparison of different stakeholders, and close analysis of the aid provided by the EU. This involves the forms of aid (such as financial, dialogue/conferences, awareness creation, etc), the efforts for promotion of HR, the conditions under which Mexico can receive this aid, and finding out the practical usage of the provided aid.

If you agree to take part in this study please read the following statement and sign this form.

I am 16 years of age or older.

I can confirm that I have read and understood the description and aims of this research. The researcher has answered all the questions that I had to my satisfaction.

I agree to the audio recording of my interview with the researcher.

I understand that the researcher offers me the following guarantees:

All information will be treated in the strictest confidence. My name will not be used in the study unless I give permission for it.

Recordings will be accessible only by the researcher. Unless otherwise agreed, anonymity will be ensured at all times. Pseudonyms will be used in the transcriptions.

I can ask for the recording to be stopped at any time and anything to be deleted from it.

I give the researcher my permission to use my name in the thesis and in the transcriptions of the interview. The consent to use my name will be secured and anonymity if requested will be guaranteed.

I consent to take part in the research on the basis of the guarantees outlined above.

Signed: Alexandra Jiménez

Date: June 9, 2016.