

29 October 2020

Mexico: Federal judicial harassment and re-arrest of woman human rights defender Kenia Inés Hernández

On 25 October 2020, the General Attorney Office (FGR) requested a new warrant for the arrest of woman human rights defender **Kenia Inés Hernández**, on charges of “attacks on public roads”. On the same day, the defender was transferred to the facilities of the FGR in Acapulco where her judicial hearing on the new charge took place.

[Kenia Inés Hernández Montalván](#) is the coordinator of Colectivo Libertario Zapata Vive, a peasant social movement that defends land rights, collective identity, and promotes different forms of peaceful resistance against neoliberal development models imposed by the Mexican State. She is also one of the leaders of the National Movement for the Freedom of Political Prisoners

On 25 October 2020, the FGR requested a new arrest warrant for Kenia Inés Hernández, this time of a federal nature, for the alleged crime of “attacks on public roads”. The arrest warrant was accepted by a Specialised District Judge of the Accusatory Criminal System at the Federal Criminal Justice Centre of the State of Guerrero. Although the defender was due to be released on precautionary measures on 25 October, she was re-arrested from the Social Readaptation Centre of Santiaguito, in Almoloya de Juarez, hours before her scheduled release.

On the evening of 25 October, the woman human rights defender was transferred to the facilities of the FGR in Acapulco, where her [judicial hearing](#) on the charge of “assault on public roads” took place. The hearing was held in Acapulco, Guerrero despite the fact that the attorney for the defender, **Antonio Lara**, who is president of the human rights organisation Zeferino Ladrillero, warned in a [public statement](#) that the defender was in serious danger in Guerrero. Last year, Kenia Inés Hernández had to be relocated from the Guerrero by the Protection Mechanism for Defenders and Journalists, after being threatened by paramilitary groups that operate in Guerrero.

During the hearing, her lawyer was requested an extension to prepare evidence proving the defender’s innocence, and a new hearing has been set for 31 October 2020. At 7:30 p.m. on 25 October, the defender was transferred to Social Readaption Centre 16 of Morelos, a maximum security prison run by federal authorities located in the municipality of Coatlán del Río de Morelos.

This is the third time that Kenia Inés Hernández has been detained and judicially harassment in a period of five months. On 18 October 2020, she was [detained](#) at the Amozoc toll booth in the State of Puebla by unidentified police officers, and charged with “violent robbery”. At the time she was traveling back to Puebla in the company of nine peasants, after holding a meeting on land rights and dispossession. There was no news of her whereabouts until the morning of 19 October, when her lawyer received information that she had been transferred to the Social Readaptation Centre of Santiaguito. Her arrest came after Autovías Concesionadas Mexiquenses S.A. de C.V. filed a complaint following a peaceful protest on 15 February 2020 at the Hortaliza-Valle de Bravo toll booth in the State of Mexico. On 24 October 2020, after setting bail at 30 thousand pesos (approx 1,200 EUR), a control judge of the State of Mexico determined that Kenia Inés Hernández would be released the following day under precautionary measures.

On 6 June 2020, Kenia Inés Hernández was [arbitrarily detained](#) while she was peacefully demonstrating at the Hortaliza-Valle de Bravo toll booth in the State of Mexico, to demand the release of political prisoners from the State of Guerrero. She was held in preventive detention in the Chiconautla prison in Ecatepec until 11 June 2020, when she appeared before a judge of the Control Court of the Ecatepec Judicial District. She was released, handed down three precautionary measures and charged with "aggravated robbery".

Front Line Defenders is seriously concerned about the multiple irregularities in due process and judicial harassment in the case of woman human rights defender Kenia Inés Hernández. Her most recent arrest, this time of a federal nature, adds to the series of harassment and acts of criminalisation that she has faced since 6 June 2020 and reaffirms the intention to stigmatise Kenia Inés Hernández for her human rights work. Front Line Defenders believes that these attacks are in retaliation for her legitimate and peaceful activities in defence of the rights of peasant and indigenous communities and could be part of a strategy to intimidate all those who work for human rights in Mexico.

Front Line Defenders urges the authorities in Mexico to:

1. Immediately drop all the charges and unconditionally release Kenia Inés Hernández Montalván as Front Line Defenders believes that she is being held solely as a result of her legitimate and peaceful work in the defence of human rights;
2. pending her release, ensure that the treatment of Kenia Inés Hernández while in detention, adheres to the conditions set out in the *'Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment'*, adopted by UN General Assembly resolution 43/173 of 9 December 1988;
3. Guarantee in all circumstances that all human rights defenders in Mexico are able to carry out their legitimate human rights activities without fear of reprisals and free of all restrictions including judicial harassment.