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**INTER-AMERICAN COMMISSION ON HUMAN RIGHTS  
RESOLUTION 12/2023**

Precautionary Measure No. 492-21  
Juan Carlos Soni Bulos *et al.* regarding Mexico<sup>1</sup>  
March 21, 2023  
Original: Spanish

**I. INTRODUCTION**

1. On June 4, 2021, the Inter-American Commission on Human Rights (“the Inter-American Commission”, “the Commission” or “the IACHR”) received a request for precautionary measures filed by *Comisión Mexicana de Defensa y Promoción de los Derechos Humanos, A.C.* (“the applicants”), urging the Commission to request that the State of Mexico (“the State” or “Mexico”) adopt the necessary measures to protect the rights to life and personal integrity of Juan Carlos Soni Bulos and 29 members of his family, as well as three other members of the Huasteco Group for the Promotion and Defense of Human Rights *A.C.* (“the proposed beneficiaries”). According to the request, the proposed beneficiaries are at risk from threats, harassment, and/or acts of violence allegedly performed via actions of organized armed groups.

2. The Secretariat requested information from the parties on August 13, 2021. The Commission received a response from the State on September 20, 2021. The applicants submitted additional information on July 15, August 23, and December 16, 2021; January 26, April 28, 2022, and August 4, 2022. On September 16, 2022, the applicants’ reports were forwarded to the State. On October 14, the State presented its observations, following a request for extension granted on October 7, 2022. The applicants provided additional information on October 7, 2022; January 5, 17, 20, 23, and 25, 2023. The State was forwarded additional information on February 3, 2023, and it presented its observations on February 14 and 17, 2023. On February 23 and 28, 2023, the applicant submitted additional information.

3. Upon analyzing the submissions of fact and law furnished by the parties, the Commission considers that this matter meets, *prima facie*, the requirements of seriousness, urgency, and irreparable harm set forth in Article 25 of its Rules of Procedure. Accordingly, it requests that the State of Mexico: a) immediately adopt the necessary measures to preserve the life and personal integrity of the duly identified beneficiaries; b) consult and agree upon the measures to be adopted with the beneficiaries and their representatives; and c) report on the actions taken to investigate the alleged facts that led to the adoption of these precautionary measures.

**II. SUMMARY OF FACTS AND ARGUMENTS**

**1. Information provided by the applicants**

4. The request initially indicated the following persons as proposed beneficiaries: Juan Carlos Soni Bulos and 11 members of his family,<sup>2</sup> Luis Edgardo Charnichart Ortega, Evanibaldo Lárraga Galván, and Luis Enrique Biú González. On August 4, 2022, Alejandrino Soni Bulos, brother to Juan Carlos Soni, and his

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<sup>1</sup> In accordance with Article 17.2 a of the IACHR Rules of Procedure, Commissioner Joel Hernández García, a Mexican national, did not participate in the debate and deliberation of this matter.

<sup>2</sup> 1. Jorge Luis Soni Bulos, 2. Miguel Ángel Soni Bulos, 3. Oscar Enrique Soni Bulos, 4. Luis Fernando Lupercio Soni, 5. Miguel Ángel Soni Santes, 6. Jorge Enrique Soni Sánchez, 7. Óscar Enrique Soni Portilla, 8. Gazhi Karim Mazlum Trujillo, 9. Heron Mendoza Sanchez, 10. Juana María Soni Bulos, 11. Erik Alejandro Soni Sánchez.

family unit were included. On January 23, 2023, a list of 16 previously unidentified individuals was submitted.<sup>3</sup> On February 3, 2023, Jose de Jesús Soni Soni, a member of Juan Carlos Soni Bulos' family, was included. The applicants reported that the proposed beneficiaries are members of two non-governmental organizations with a mission in human rights defense: the Huasteco Group for the Promotion and Defense of Human Rights (*Grupo Huasteco de Promoción y Defensoría de los Derechos Humanos*)<sup>4</sup> and Alabel Tam Kiyam Group (*Grupo Alabel Tam Kiyam*). These organizations reportedly have physical address in the municipality of Tanquián de Escobedo, on Juan Carlos Soni Bulos' property.

5. Juan Carlos Soni Bulos is the representative and founder of the Huasteco Group. Since August 2015, he has worked as a teacher in the El Chixol Community, Municipality of Tampamolón, San Luis Potosí. Luis Edgardo Charnichart Ortega allegedly aids the Huasteco Group in educational and cultural aspects. As for Evanibaldo Lárraga Galván, he performs statistical tasks, advises persons who are deprived of their liberty, and distributes information brochures. Regarding Luis Enrique Biú González, the request indicated that he performs internal logistics activities, such as installation of audio equipment, and is also the driver. No information was provided on the remaining proposed beneficiaries in terms of their roles as human rights defenders.

6. Since 2010, the area of Huasteca Potosina is in an alleged serious context of insecurity and violence under the so-called "war against organized crime". On June 22, 2013, members of the Secretariat of the Navy, Army, and the Secretariat of Public Security purportedly raided the offices of the Huasteco Group, handcuffed those present, and took belongings. This reportedly occurred without a court order. The proposed beneficiaries requested protection measures before the Protection Mechanism for Human Rights Defenders and Journalists of the Mexican Secretariat for Home Affairs - "the Protection Mechanism" (*Mecanismo de Protección para Personas Defensoras de Derechos Humanos y Periodistas de la Secretaría de Gobernación del Gobierno de México*), which decided to incorporate the proposed beneficiaries on June 29, 2013, upon qualifying under extraordinary risk. Subsequently, other arrests and criminal charges against them were reported.<sup>5</sup> A complaint was lodged with the National Human Rights Commission (*Comisión Nacional de los Derechos Humanos*, CNDH). On March 6, 2020, the Secretary of the Navy reportedly stated that Jorge Luis Soni Bulos (brother of Juan Carlos Soni Bulos) was the leader of the "*Cartel of San Luis Potosí Nueva Generación*". According to the applicants, they were allegedly branded as members of organized crime which sought to eliminate opposing criminal groups and take control of the region, which put them at risk.

7. In the first half of 2021, it was stated that members of the ministerial police had informed Luis Enrique Biú González and Juan Carlos Soni Bulos that they had reportedly detained members of armed groups who had their personal information. On May 26, 2021, it was noted that Luis Edgardo Charnichart Ortega allegedly noticed the presence of unknown individuals near his home. On May 30, 2021, the result of a risk assessment reportedly determined that they should be disincorporated from the mechanism. An *amparo*

<sup>3</sup> 1. Jesús Soni Bulos (Mayor of San Vicente Tancuyalab), 2. Alejandro Soni Sánchez, 3. José de Jesús Nava Soni, 4. Jesús Josué Soni Cortés, 5. Samantha Sarahi Soni Cortés, 6. Kiromi Soni Soni, 7. Guadalupe Soni Bulos, 8. Irma Soni Bulos, 9. Amín André Nava Soni, 10. Karla Guadalupe Lárraga Soni, 11. Jessica Alejandra Lárraga Soni, 12. Jesús Emmanuel Lárraga Soni, 13. María Magdalena Nava Soni, 14. Jorge Luis Soni Balderas, 15. Luis Donaldo Soni Balderas, 16. Ma. Del Carmen Balderas López.

<sup>4</sup> The Huasteco Group mainly works at the following places: the Xolol prison, located in the state of San Luis Potosí, it gives advice to indigenous populations on how to deal with abuses of power, teaches them their rights as members of indigenous communities and how to exercise acts of defense of their land and territory; and the community of Tanlajás, which it has been helping since 2016 in the defense of water, for a federal project that aims to pipe the Coy River, Pánuco, and Tancaon to take water to Monterrey.

<sup>5</sup> The request indicated that on November 9, 2013, members of the Secretariat of the Navy allegedly beat and detained Juan Carlos Soni Bulos, Luis Edgardo Charnichart Ortega, Evanibaldo Lárraga Galván, and Luis Enrique Biú González; and Eduardo Soni Haro. Subsequently, they were placed at the disposal of the Federal Public Prosecutor's Office and charged with criminal possession of a weapon for the exclusive use of the army. On March 5, 2015, an acquittal was issued in favor of the proposed beneficiaries. Between 2015 and 2019, it was reported on the alleged illegal detention and search of the proposed beneficiaries, constant calls to their private numbers, threats, among other events. Additionally, it was indicated that, on October 27, 2013, members of the Secretariat of the Navy entered the home of Juan Carlos Soni Bulos' nephew without authorization or court order.

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appeal hearing was filed against this decision. A complaint was subsequently filed. In response, on July 9, 2021, the First Collegiate Court issued a decision in their favor to continue with protection measures.

8. On August 21, 2021, the applicants reported that, on August 1, 2021, they noticed that two private vehicles were following them after a visit to the Xolol Prison. At one point, the people driving these private vehicles allegedly shot at the air with their firearms as a form of intimidation. The request indicates that they informed the municipal police of the incident. In response, the municipal police sent agents to monitor the road. Police officers reportedly obtained information indicating that members of organized crime had alleged photographs of the vehicles owned by the proposed beneficiaries. They further stated that these members were reportedly instructed to murder the proposed beneficiaries. In May 2021, the proposed beneficiaries requested the Protection Mechanism to provide an extension of the security measures. On June 16, 2021, they filed a complaint with the CNDH. An investigation into the facts relating to the organized crime group was reportedly requested, and it was found that they allegedly had information on the proposed beneficiaries.

9. On July 12, 2021, Luis Eduardo Charnichart Ortega contacted the Protection Mechanism to inform them that the front door of his house was allegedly damaged. Supporting documentation was allegedly attached, and it was considered that the damages were caused by officials of the City Council of Tanquián de Escobedo. On August 20, 2021, personnel were sent to the proposed beneficiary's home to make the necessary repairs. On November 10, 2021, the proposed beneficiary reported new damages to his gate. On March 10, 2021, the Protection Mechanism reportedly ordered the installation of an electro-welded grating, concertina wire, high security locks, and protective ironworks in Luis Eduardo Charnichart's home. Electro-welded grating, high-security locks, and concertina wires were reportedly installed. The protective ironworks was reportedly not installed in the proposed beneficiary's home. On December 23, 2021, the District Court determined the completion of a new assessment study and protection plan. The applicants consider that the Protection Mechanism did not guarantee the necessary protection measures. They reportedly filed an appeal. The Protection Mechanism allegedly entered an appeal for reversal on February 2, 2022. Towards the end of 2021, the applicants stressed that the protection measures in their favor was only in force by judicial decision. They indicated that there are two previous investigations in the Office of the Attorney General of Mexico where crimes such as torture, theft, and raid are being investigated. These incidents were reportedly ongoing.

10. It was indicated that, on April 24, 2022, a group of vehicles with armed people entered the municipality of Tanquián de Escobedo and the community of Bazuche. They proceeded to destroy properties, murder an individual, and followed Alejandra Larraga Soni, Juan Carlos Soni Bulos' niece. Ms. Larraga Soni allegedly managed to escape, but she had to relocate and take shelter in one of the proposed beneficiaries' homes. The facts were reported to the Protection Mechanism, which carried out monitoring through the panic button that the proposed beneficiary had at her disposal.

11. It was also reported that, on August 1, 2022, Erik Alejandro Soni Sánchez was detained by the Civil Guard outside Juan Carlos Soni Bulos' property. He was allegedly beaten, tortured, and charged with crimes related to criminal possession of a weapon. It was reported that Juan Carlos used the panic button to report the facts and request help. The monitoring center of the private security company that provides the panic buttons said that personnel of the Protection Mechanism would communicate with him within a period of no more than 24 hours. The applicants indicated that they did not communicate with him within the stated time. On August 3, 2022, it was indicated that, during the night of July 31, 2022, an armed commando illegally entered a property owned by Alejandrino Soni Bulos, Juan Carlos Soni Bulos' brother. High-powered firearms detonations were allegedly heard. Subsequently, the armed command set fire to various ranch grounds, and set fire to a house and a tractor that were inside that property.<sup>6</sup> As soon as he became aware of the facts, Alejandrino Soni made an emergency call to "911". However, the police reportedly refused to respond to the

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<sup>6</sup> The applicants attached a photograph of the proposed beneficiary's residence with bullet marks due to impacts and fire.

request for help, arguing that there were armed men in the area. The applicants noted that this is not the first time that a property belonging to the Soni Bulos family has been set on fire by an “organized command.” In August 2018, a series of tourist cabins owned by Juan Carlos Soni Bulos were set on fire. It was reported that the facts remain unpunished.

12. On January 5, 2023, it was indicated that, on December 25, 2022, the homes of two of the proposed beneficiaries (Oscar Enrique and Miguel Ángel Soni Bulos) were attacked at the hands of an “armed command”. Over five people with high-caliber weapons reportedly participated in this attack. The use of fragmentation grenades was reported but, for unknown reasons, they did not explode. The proposed beneficiaries and their family members were not in this home at the time of the attack. That same morning of the attack, on December 25, 2022, Juan Carlos Soni Bulos established contact with the Protection Mechanism through the panic button he had. Subsequently, via phone calls and WhatsApp messages with the person who follows up on his file, he was told that they would “request the help of the National Guard”. The National Guard responded to the call that same day. According to the applicants, the response time is equivalent to more than 15 hours after the urgent request for protection. From that day forward, it was reported that the National Guard has only carried out sporadic patrols around some of the proposed beneficiaries’ homes, despite Mr. Juan Carlos Soni Bulos’ explicit request that it be a permanent surveillance.

13. On January 3, 2023, proposed beneficiary Jorge Luis Soni Bulos was “deprived of his liberty” upon being considered a “leader of an organized crime group.” The applicants indicated that it was an arbitrary decision and that there were no Protective Mechanism actions to protect him. At the same time, two members of the Soni Bulos family were reportedly “deprived of their liberty”: Jesús Josué Soni Cortés and José de Jesús Nava Soni, as well as four of their friends whose names were not indicated. The proposed beneficiaries did not notify the justice authorities because they feared that their relatives would be killed. On January 16, 2023, it was reported that Jorge Luis Soni had been murdered, while Jesús Josué Soni Cortés and José de Jesús Nava Soni were released after paying a large sum of money. On January 20, 2023, it was indicated that, on January 17, 2023, Juan Carlos Soni Bulos reportedly received a message on “Facebook” by an unknown user who identified himself as “Antonio Briones”. The corresponding “screenshots” were attached, which indicate the following: “I want to talk to you. Rubén Salazar is waiting for support from above to end all of you. He gave the order to the guy from the civil guard to torture him. The truth is, do not let him know that you are aware of this. Beware of him. I know I’m talking about.”; “I know you, but I cannot say who I am because of my safety and my family.”; “Someone close to him gives me my information in case you are interested in knowing his movements”; “they tell me that if you are interested in knowing his movements, please don’t let him know.”; and “you are next on Salazar’s list. I told you and warned you, friend.”

14. According to the applicants, the person mentioned in the messages is an alleged member of organized crime, the same one who has a connection with the Civil Guard of the State of San Luis Potosí. Due to the content of the messages, it was indicated that Juan Carlos Soni Bulos, Evanivaldo Lárraga Galván and Luis Enrique Biú Gonzalez intended to leave their community and move to another State.

15. On January 23, 2023, it was reported that, on January 22, 2023, multiple cars owned by Irma Soni Bulos were reportedly set on fire by members of organized crime. It was added that, due to the facts reported, the vast majority of the proposed beneficiaries were forced to relocate.<sup>7</sup> Furthermore, it was reported

<sup>7</sup> Initially, it was indicated that the following proposed beneficiaries are already in a situation of displacement: Juan Carlos Soni Bulos, Miguel Angel Soni Bulos, Oscar Enrique Soni Bulos, Luis Fernando Lupercio Soni, Jorge Enrique Soni Sánchez, Miguel Angel Soni Santes, Oscar Enrique Soni Portilla, Gazhim Karim Mazlum Trujillo, Alejandro Soni Sánchez, Juana Maria Soni Bulos, Jose Josue Soni Cortés, Samantha Sarahí Soni Cortés, Alejandrino Soni Bulos, Guadalupe Soni Bulos, Irma Soni Bulos, Amín André Nava Soni, Karla Guadalupe Lárraga Soni, Jessica Alejandra Lárraga Soni, Jesús Emmanuel Lárraga Soni, María Magdalena Nava Soni, Jorge Luis Soni Balderas, Luis Donaldson Soni Balderas, and Ma. Del Carmen Balderas López. The proposed beneficiaries Jesús Soni Bulos (mayor of San Vicente Tancuyalab), Kiromi Soni Soni, Luis Enrique Biú González, Evanivaldo Lárraga Galván, and Luis Edgardo Charnichart Ortega did not relocate. On February 3, 2023, the table of displaced persons was updated, reporting that only Jesús Soni Bulos, Kiromi Soni Bulos, and Luis Edgardo Charnichart Ortega remain undisplaced.

that, on January 20, 2023, the proposed beneficiary Juan Carlos Soni Bulos allegedly contacted the Protection Mechanism to request escorts by a military or police corporation at the federal level when traveling from his community to the location he had to visit. In this regard, the Mechanism allegedly sent an email informing the impossibility of responding to the request due to the institutions needing 72 hours in advance. They stated that they had to perform the monitoring through the central during the travel. On the same day, the proposed beneficiaries' representation requested permanent protection from the National Guard in their homes. However, there is reportedly no response to date.

16. On February 3, 2023, it was indicated that, on January 27, 2023, an armed group had captured one of Juan Carlos Soni Bulos' employees, despite already relocating, and "deprived him of his liberty". The employee was reportedly interrogated in order to obtain information on the location of Juan Carlos Soni Bulos, Evanibaldo Lárraga and Luis Enrique Biú, whom the armed group said they planned to "murder." The employee was released with the warning that, on the next occasion, he would be killed. Therefore, he and his mother decided to move from the community, as did Evanibaldo Lárraga and Enrique Biú, on January 28, 2023. It was indicated that the aforementioned facts were reported to the Protection Mechanism through the panic button and via email on January 31, 2023. The applicants also requested the safeguarding of the homes and properties that the proposed beneficiaries had to leave due to their displacement.

17. On February 13, 2023, the adequacy of the measures provided by the Mechanism was again questioned. It was mentioned that this body has filed appeals against decisions which were favorable to the proposed beneficiaries, as well as stopped responding to the requests for help. In this regard, the applicants pointed out that being a beneficiary of the Protection Mechanism cannot be considered as an obstacle to being granted precautionary measures. Due to the current situation of displacement of most of the proposed beneficiaries, it was indicated that the protection measures they have in place are not suitable because these are infrastructure measures installed in their homes (they currently have a panic button). It is understood that, although the measures are active, they will most likely be defaced by their perpetrators. Therefore, the need for additional protection measures was indicated, such as: permanent protection to their homes by federal security authorities; escort by security forces; installation of infrastructure measures in their new homes; direct emergency number to contact federal authorities, guaranteed rights to housing, health, and work in their new location; among others to be agreed upon between the beneficiaries and their legal representation. The applicants expressed concern that the judgment of the court of first instance empowers the Protection Mechanism to carry out a new risk assessment, which could result in the withdrawal of the protection measures in favor of the proposed beneficiaries. The only proposed beneficiaries who have protection measures are Juan Carlos Soni Bulos, Luis Edgardo Charnichart Ortega, Luis Enrique Biú Gonzalez, and Evanibaldo Lárraga Galvan.

18. On February 23 and 28, 2023, it was indicated that, on February 16, 2023, Omar Soni Bulos, who lives in a different community, traveled to the municipality of Tanquián de Escobedo with the objective of carrying out commercial activities. However, he was intercepted by an organized crime group, who were being protected by the Civil Guard of San Luis Potosí. During this incident, the members of this organized crime group told Omar Soni Bulos that they would assassinate Juan Carlos Soni Bulos, Luis Enrique Biú González, and Evanibaldo Lárraga Galván because they had information that they had been denouncing the acts of violence before federal authorities. The applicants expressed concern that organized crime knows this intelligence, and considered that the information being provided by the proposed beneficiaries to the Protection Mechanism is being leaked.

19. On February 28, 2023, it was reported that, on February 25, 2023, neighbors indicated that a group of people had entered a property that belonged to Juan Carlos Soni Bulos (which was not his place of residence) by forcing the locks open. It was indicated that the property was looted in its entirety and that, inside the house, there were personal and other documents related to his work as a human rights defender. It was also stated that on February 26, 2023, Juan Carlos Soni Bulos received additional information that his home was being videotaped by armed people and overflown with drones. The applicants considered that the group

reportedly has the complicity of the Civil Guard of San Luis Potosí. The request indicated that the Protection Mechanism was informed via Juan Carlos Soni Bulos' panic button.

## 2. Response from the State

20. On September 20, 2021, the State requested the dismissal of the request for precautionary measures. The State indicated that the proposed beneficiaries have been incorporated into the Protection Mechanism since June 26, 2013. The assigned protection measures are reportedly in force. The State also indicated that, since their incorporation, seven risk assessments have been carried out (April 2015, March 2016, July 2017, July 2018, March 2019, and May 2021). The State stressed that, although the proposed beneficiaries were incorporated into the Mechanism, on November 9, 2013, officials of the Secretariat of the Navy arrested them at Juan Carlos Soni Bulos' house and accused them of the crimes of criminal possession of a weapon, possession of cartridges, and drugs. Mr. Soni Bulos was detained in the Federal Social Rehabilitation Center No. 4 (*Federal de Readaptación Social No.4*) in Tepic, Nayarit, which is the reason why it was not possible to perform the risk assessment in his favor. However, the staff of the Mechanism undertook a humanitarian visit in order to identify their needs and guarantee their rights. On March 6, 2015, the proposed beneficiaries regained their freedom after acquittal.

21. The State chronologically shared the events alleged by the proposed beneficiaries and the Mechanism's assessment on the events:

- During the risk assessment carried out in April 2015, the applicants reported raids by officials of the Secretariat of the Navy which allegedly took place without a court order. On November 9, 2013, Juan Carlos Soni Bulos was arrested along with Luis Edgardo Charnichart Ortega, Evanibaldo Lárraga Galván, and Luis Enrique Biú González. They were allegedly physically assaulted and photographed with weapons and drugs. They were charged with crimes of possession of drugs for commercial purposes. The Mechanism approved protection measures for a period of 12 months.<sup>8</sup>

- Subsequently, in February 2016, the information presented by the proposed beneficiaries was assessed in the sense that members of the army allegedly arbitrarily reviewed Luis Enrique Biú Gonzalez, the partner of Evanibaldo Lárraga's nephew. He was reportedly physically assaulted and beaten, along with one of his employees. He stated that the military asked the employee about Juan Carlos Soni Bulos, who was under investigation for criminal acts of kidnapping, extortion, and murder. In 2016, protective measures were approved for a period of 12 months.<sup>9</sup> Regarding Luis Edgardo Charnichart Ortega, the State indicated that in November 2016 the corresponding risk assessment was carried out. In the assessment, it was identified that the events were related to Juan Carlos Soni Bulos. Therefore, protective measures were adopted.<sup>10</sup> It was decided to use the collective methodology to determine measures in favor of those who make up the organization "*Grupo Huasteco de Promoción y Defensoría de los Derechos Humanos A.C.*" and "*Alabel Tam Kiyam A.C.*"

<sup>8</sup> Panic buttons (lease of line and cell phone equipment with location application with immediate reaction system in favor of Juan Carlos Soni Bulos and two brothers - provided they are dependent on the beneficiary and comply with the provisions of section II of Article 24 of the Law for the Protection of Human Rights Defenders and Journalists), as well as for his nephew Gazhi Mazlum Soni, addressed to the State Police, Federal Police and a member of his family that he considers pertinent; Cyclonic mesh and concertina wire around the property where the beneficiary resides, (considering the installation material that is required prior technical study by the commissioned company); Closed circuit TV, cameras, and reflectors (considering the installation material that is required, prior technical study by the commissioned company); Emergency number by the State Police of San Luis Potosí and Federal Police: Scheduled patrols in the beneficiary's home, by the State Police of San Luis Potosí; A communication was sent to the Secretariat of the Navy, with the purpose of informing that the defender is incorporated into the Protection Mechanism for Human Rights Defenders and Journalists. Risk assessment conducted in March 2016.

<sup>9</sup> Lease of Panic Buttons with location application for rapid reaction system in favor of the beneficiary Juan Carlos Soni Bulos, two brothers and his nephew Evanibaldo Lárraga Galván, lease of Closed Circuit Television (CCT), cameras, luminaires and reflectors installed in the beneficiary's residential home, scheduled patrols in the beneficiary's home by the State Police of San Luis Potosí, State Police of San Luis Potosí escorts in favor of the beneficiary Juan Carlos Soni Bulos when making traveling due to his activity as an advocate

<sup>10</sup> Such as the installation and commissioning of concertina wire at the main door of the defender's residential address and an emergency contact number of the Municipal Police of Tanquián de Escobedo

- In the July 2017 risk assessment, events related to a military inspection of the organization's van in February 2017 were reported. It was also mentioned that outside organization headquarters, members of the army were carrying out patrols, in addition to information regarding damage to the property. Juan Carlos Soni's brother, Jorge Luis, along with his military escort, were surrounded by the army the van in which they were traveling. The army reportedly indicated that they were informed that there were armed individuals. The escort showed the authorization and let them go. However, the following day an article came out stating that members of organized crime had been allowed to circulate freely, while alluding to that incident.

- From the previous situation, it was reported that it was not possible to identify any indication that establishes an alleged link between the events and the organization's defense work. Furthermore, it was indicated that, in open sources, there were identified informative articles which mentioned relatives, Oscar and Jorge Luis, both surnames Soni Bulos.<sup>11</sup> The information articles reported that, in 2016, the family members were charged with criminal possession of a weapon and placed at the disposal of the then Office of the Inspector General. Therefore, protection measures were approved for a period of six months.<sup>12</sup> Additionally, the Unit for the Defense of Human Rights (*Unidad para la Defensa de los Derechos Humanos*) was requested to hold working tables with authorities of the Tanquián Municipality, the Secretariat of National Defense (*Secretaría de Defensa Nacional, SEDENA*), CNDH and Office of the High Commissioner for Human Rights- Central America (*Oficina del Alto Comisionado para los Derechos Humanos- América Central, OACNUDH*), in order to inform the defense activities carried out by the collective and address the security issue that the proposed beneficiaries allegedly face.

- The State noted that, according to a 2017 assessment, a decrease in risk events was observed, and the removal of the panic button was therefore approved in regard to Jorge Luis Soni Bulos (Mr. Juan Carlos' brother).<sup>13</sup> This is because the monitoring area reported that this equipment was off for more than 150 days, in addition to the fact that a risk situation derived from the activity of the Organization was not identified. In addition, it approved the removal of the emergency contact number of the Municipal Police for Luis Edgardo Charnichart Ortega.

- In the risk assessment from July 2018, information was included from Evanibaldo's neighbors regarding individuals with a military-type profile sitting in a vehicle, from which lights were turned on and shone towards the home. In addition, the incident in which a van belonging to Juan Carlos Soni Bulos' niece was reported. Mr. Charnichart reported receiving calls from unknown numbers that called him, and which he was unable to communicate with. In addition, in October 2017 he reportedly found the security sheet of the gate pulled out and, in January 2018, his house was broken into and robbed, so he decided to place bars. In addition, they pointed out that, due their previous arrest, they experience a social stigma for being accused of links to organized crime. On that occasion, Juan Carlos Soni Bulos identified a person who was reportedly responsible for his arrest in 2013 and who had alleged political motives against him. The assessment considered that, since it was not possible to establish a relation between the risk events and any particular case of human rights defense, as a means of prevention, the previously assigned protection measures were extended for a period of six months. On that occasion, technical visits were added Evanibaldo Lárraga Galván's home, as well as to his mother's residence.

- Regarding the risk assessment from March 2019, the State reported that in August 2018 a fire occurred in the cabins built as an ecotourism site owned by Mr. Juan Carlos Soni Bulos, who did not reside nor was not at the site at the moment. The fire was allegedly caused by someone spraying some kind of flammable liquid. They also reported that, after the fire, they left him a blanket in one of the bathrooms of the location that read, "you will burn in hell". Suspicious vehicles had also been present at Evanibaldo's home. Through the cameras, they were able to identify the vehicle that was present the day of the fire and which had been lurking around the location for two days. It was stated that federal police stopped one of Juan Carlos' nephews and that when he identified himself with the surname Soni, he was subjected to an excessive search. They subsequently allowed him to leave since the vehicle did not correspond to the police report. Therefore, preventive protection measures were

<sup>11</sup> Former mayors of San Antonio and Tanquián de Escobedo, in San Luis Potosí

<sup>12</sup> It was reported that infrastructure measures were continued at the organization's headquarters, Luis Edgardo Charnichart Ortega's home, emergency contacts, scheduled patrols, among others. On that occasion, the reassignment of the Panic Button granted to Miguel Ángel Soni Bulos was ordered so that the new holder was Luis Enrique Biú González, redirected to Federal Police. The modification occurred because it was identified that Juan Carlos Soni Bulos' family member did not present any risk related to human rights defense activities.

approved for a period of six months.<sup>14</sup> Regarding the request for the installation of mesh and concertina wire in the property owned by Juan Carlos Soni, where the organization offices will reportedly be constructed, the proposed beneficiary was informed that, once the area was physically delimited, the possibility of the installation would be evaluated.

- In the assessment carried out in May 2021 regarding Juan Carlos, Evanibaldo, Luis Edgardo, and Luis Enrique, they referred to risk events related to attacks on the properties that belonged to Juan Carlos' relatives, as well as threats and presence of unknown persons in their homes. In particular, the following was alleged: i) On September 13, 2020, one of the proposed beneficiary's nephews was killed by bullet impacts; ii) On March 6, 2021, the Secretary of the Navy exposed in the executive conferences a cartel mapping in San Luis Potosí, where the proposed beneficiary Jorge Luis Soni Bulos was directly signalled as operator of a criminal group called the *San Luis Nueva Generación Cartel*. This reportedly affected his reputation and provoked threats towards himself and his family; iii) In April 2021, the domicile of Jorge Luis Soni Bulos was shot at, and the roof of his nephew's domicile was burned down; iv) In a meeting at the house of one of the proposed beneficiary's sisters, the presence of "suspicious people" was observed. When the police arrived, they managed to arrest one of them. The presence of relatives who are reportedly running for public office (mayor, municipal presidency, etc.) in the State of Potosí was indicated; v) During 2019, the proposed beneficiary Luis Edgardo Charnichart reported having faced risk incidents such as faults in various services in his home, and he therefore changed his residential address. A reported increase in events was identified against relatives of Juan Carlos Soni Bulos, mainly against those who had held public offices and those who had addressed unlawful acts and acts of corruption during their mandates. It was also indicated that these events could be intermingled with political activities and the issue of cartel fighting. In open sources, the family was accused of having links with criminal groups. Therefore, a low level of involvement of the organization's work was indicated and the closure of the case before the Government Board was therefore proposed. However, the proposed beneficiaries had obtained a court order that determined that the protection measures be kept in force.<sup>15</sup> Furthermore, the implementation of working tables with authorities of the Municipalities of Tanquián, SEDENA, CNDH, and OHCHR are allegedly pending. These working tables are on order to inform the ombudsman activities carried out by the organization, as well as to discuss the security issue that the proposed beneficiaries face.

22. The State states that the events reported in 2013 were informed by the proposed beneficiaries and updated information from the Prosecutor's Office was requested. It also added that there had been no prior investigation or research folder related to the proposed beneficiaries. Additionally, it was indicated that Juan Carlos filed a complaint with the CNDH in favor of the proposed beneficiaries for alleged violations practiced by the Federal Police, Office of the Inspector General, Office of the Inspector General of Justice of San Luis Potosí, as well as the Secretariat of the Navy. The file was concluded on September 14, 2016, through Recommendation 43/2016. The State stressed that the proposed beneficiaries have a current protection plan and that the Protection Mechanism has carried out actions aimed at preserving their lives and/or integrity. It was stated that the measures remain in force, despite the lack of verification of the causal link with human rights defense efforts, and it is therefore understood that these measures should not be granted.

23. On October 13, 2022, the State reported that Juan Carlos Soni Bulos, Evanibaldo Larraga, Luis Edgardo Charnichart Ortega, and Enrique Biú González remained incorporated into the Protection Mechanism and had measures in place.<sup>16</sup> The State reiterated that the requests for trials and complaints lodged by the

<sup>14</sup> Panic buttons for Juan Carlos, Evanibaldo and Luis Enrique Biú, as well as patrols, infrastructure in the organization's facilities, Evanibaldo's home, among others.

<sup>15</sup> In this regard, the following measures would continue in force: a) implementation of three panic buttons in favor of Juan Carlos, Evanibaldo, and Luis Enrique; b) infrastructure measures are installed in the organization's headquarters, consisting of: a CCTV with 8 cameras, 4 luminaires, 4 reflectors, cyclonic mesh, concertina wire, safety locks and protective ironworks; c) security measures installed in the homes of the proposed beneficiaries Luis Edgardo (cyclonic mesh and concertina wire) and Evanibaldo Galván (not detailed); c) emergency numbers in favor of the proposed beneficiaries by the Secretariat of Public Security of the State of San Luis de Potosí and scheduled patrols in the residential homes in the municipality of Tanquián de Escobedo; d) escorts by the Secretariat of Public Security of San Luis Potosí in favor of Mr. Juan Carlos, requested 72 hours in advance

<sup>16</sup> The following were reported: i) Continued service for the lease of two cell phone lines and equipment, with location application for immediate reaction system (panic button), in favor of Juan Carlos Soni Bulos and Evanibaldo Larraga Galván; ii) Continued service for



proposed beneficiaries were allegedly met. In this regard, it stated that the investigation into the crime of torture is still being developed. Regarding the hearing of complaints and incidents reported by Juan Carlos Soni Bulos, the State indicated that there was knowledge of incidents that were not related to his work as a human rights defender. The Public Ministry also requested that the Mechanism provide video recordings of August 2022 when one of Juan Carlos Soni Bulos' family members, who does not have a protection granted by the Mechanism, was arrested.

24. On October 5, 2022, the Special Prosecutor's Office for the Investigation of the Crime of Torture (*Fiscalía Especial en Investigación del Delito de Tortura*) reported that, after conducting an exhaustive and thorough search, no history was found of Erik Alejandro Soni Sánchez regarding the events narrated dated August 1, 2022. The State also confirmed that the preliminary investigation for the crime of torture is in progress, in which Luis Enrique Biú González, Evanibaldo Lárraga Galván, Juan Soni Bulos, Luis Edgardo Charnichart Ortega, and Jesús Eduardo Soni appear as possible victims.

25. On February 13, 2023, the State reported that the Office of the Attorney General of the state of San Luis Potosí shared that an investigation file was initiated for the crime of aggravated homicide of Jorge Luis Soni Bulos. This investigation was initiated after the Directorate of Research Methods (*Dirección de Métodos de Investigación*) of the North Huasteca Zone reported that the lifeless body of a male person was inside a vehicle outside the Metropolitan Hospital. The State highlighted the different acts of investigation aimed at clarifying the facts, such as necropsy, forensic medical examination, forensic chemical opinion, interviews, among others. It also reported that protective measures were decreed in favor of Ms. María del Carmen Balderas López, who accredited marital relationship with the late Jorge Luis Soni Bulos. In this regard, the State indicated that it turned to the State Civil Guard and ordered compliance with the protection measures granted, as well as the establishment of a communication channel with Ms. Balderas Lopez who was also notified of the investigative file advanced in relation to her husband's death. The State also indicated that protection measures were issued to Mr. Jesús Soni Bulos. In addition, the Office of the Attorney General of the state of San Luis Potosí reported that 16 investigation folders are being processed. These are related to the crimes of threats, illegal deprivation of liberty, homicide, fraud, and damages to property, in which various people from the list of proposed beneficiaries are charged with.

26. The Protection Mechanism reported that Juan Carlos Soni Bulos, Evanibaldo Lárraga Galván, Luis Edgardo Charnichart Ortega, and Luis Enrique Biú González are currently incorporated and have the current protection measures that were agreed upon in March 2021. The State detailed the measures they have in place, namely:

- Lease of two cell phone lines and equipment with location application for immediate reaction system (panic button), in favor of Juan Carlos Soni Bulos and Evanibaldo Lárraga Galván;

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infrastructure measures in the organization's headquarters, consisting of a CCTV with 8 cameras, 4 luminaires, 4 reflectors, iii) Single-use measures, consisting of 200 meters of mesh, 200 meters of concertina wire, 5 safety locks, 8 meters of protective ironworks, iv) Continued service for infrastructure measures in the residential home of Luis Edgardo Charnichart Ortega, consisting of single-application measures of 32 meters of mesh and 32 meters of concertina wire, (v) Continuity services for infrastructure measures in the residential home of Evanibaldo Lárraga Galván, consisting of 1 CCTV camera with 5 cameras, 4 reflectors, 1 luminaire. In addition to the measures of a single application: Cyclonic mesh and concertina wire, protective ironworks; vi) Notification through a link by agreement to the Government of the state of San Luis Potosí, as well as to the municipality of Tanquián de Escobedo, informing that Juan Carlos Soni Bulos, Evanibaldo Lárraga Galván, Luis Edgardo Charnichart Ortega, and Luis Enrique Biú González, are incorporated into the Mechanism for the Protection of Human Rights Defenders and Journalists, vii) Continued service of the panic button granted in favor of Miguel Ángel Soni Bulos, who was reassigned to the new holder, who is Luis Enrique Biú González; viii) Notification to the Executive Commission of Attention to Victims, in order to provide comprehensive care in favor of the beneficiaries, who have the National Registry of Victims, ix) Notification through a link by agreement to the Secretariat of Public Security of the State of San Luis Potosí, requesting emergency contact numbers and scheduled patrols in the residential address of the beneficiaries, in the municipality of Tanquián de Escobedo, x) Notification through an agreement link to the State Police, to provide escorts in favor of Juan Carlos Soni Bulos; xii) Notification to the Secretariat of Security and Citizen Protection of the continuity of the emergency number to the beneficiaries of the Collective.

- Infrastructure in the organization headquarters consisting of a CCTV with 8 cameras, 4 luminaires, 4 reflectors, 200 meters of mesh, 200 meters of concertina wire, 5 safety locks, 8 meters of protective ironworks;
- Infrastructure in the residential home of Luis Edgardo Charnichart consisting of 32 meters of mesh, 32 meters of concertina wire;
- Infrastructure in the residential home of Evanivaldo Larraga Galván consisting of 1 CCTV with 5 cameras, 4 reflectors, 1 luminaire, cyclonic mesh and concertina wire, protective ironworks;
- Notification to the Government of the State of San Luis Potosí, as well as to the municipality of Tanquián de Escobedo, to inform that Juan Carlos Soni Bulos, Evanivaldo Larraga Galván, Luis Edgardo Charnichart Ortega, and Luis Enrique Biú González, are incorporated into the Mechanism for Protection;
- Panic button granted in favor of Miguel Ángel Soni Bulos, who was reassigned to the new holder, Luis Enrique Biú González;
- Notification to the Executive Commission of Attention to Victims (*Comisión Ejecutiva de Atención a Víctimas*), to provide comprehensive care in favor of the beneficiaries who are in the National Registry of Victims (*Registro Nacional de Víctimas*), and notification to the Secretariat of Public Security of the State of San Luis Potosí in order to grant the emergency contact numbers and scheduled patrols in the residential address of the beneficiaries in the municipality of Tanquián de Escobedo. In addition, State Police escorts in favor of Mr. Juan Carlos Soni Bulos, as well as emergency number in favor of the beneficiaries of the Collective Secretariat of Security and Citizen Protection (*Colectivo Secretaría de Seguridad y Protección Ciudadana*).

27. Lastly, the State highlighted that in May 2021, the proposed beneficiaries' case was concluded due to the results of the risk assessment where it was determined that they had no risk due to their work in defense of Human Rights and/or as journalists. Therefore, the beneficiaries promoted an amparo appeal hearing against the decision in May 2021 and, the District Judge granted the suspension so that the measures would continue in force. The State lastly indicated that, to date, the proposed beneficiaries continue to make use of the protection measures granted by the Protection Mechanism. The complaints and reports of incidents are followed up internally, so that the State considered that the matter is being properly heard and handled through the institutions, mechanisms, and internal procedures of the Mexican State. Therefore, it is considered that, under the principle of complementarity, it requests that the precautionary measures not be granted.

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

28. The precautionary measures mechanism is part of the Commission's function of overseeing compliance with the human rights obligations set forth in Article 106 of the Charter of the Organization of American States. These general oversight functions are established in Article 41(b) of the American Convention on Human Rights, as well as in Article 18(b) of the IACHR Statute. The mechanism of precautionary measures is set forth in Article 25 of the Commission's Rules of Procedure. In accordance with this Article, the IACHR grants precautionary measures in urgent and serious situations in which these measures are necessary to avoid irreparable harm to persons or to the subject matter of a petition or case before the organs of the inter-American system.

29. The Inter-American Commission and the Inter-American Court of Human Rights (hereinafter "the Inter-American Court" or "I/A Court H.R.") have established repeatedly that precautionary and provisional measures have a dual nature, both protective and precautionary.<sup>17</sup> Regarding the protective nature, these measures seek to avoid irreparable harm and protect the exercise of human rights.<sup>18</sup> To do this, the IACHR shall

<sup>17</sup> See in this regard: I/A Court H.R. Matter of the Yare I and Yare II Capital Region Penitentiary Center. Request for Provisional Measures submitted by the IACHR regarding the Bolivarian Republic of Venezuela, Order of the Inter-American Court of Human Rights of March 30, 2006, considerandum 5; I/A Court H.R. Case of Carpio Nicolle et al. v. Guatemala. Provisional Measures, Order of July 6, 2009, considerandum 16.

<sup>18</sup> See in this regard: I/A Court H.R. Matter of Capital El Rodeo I and El Rodeo II Judicial Confinement Center. Provisional Measures regarding Venezuela, Order of the Court of February 8, 2008, considerandum 8; I/A Court H.R. Case of Bámaca Velásquez. Provisional measures regarding Guatemala, Order of the Court of January 27, 2009, considerandum 45; I/A Court H.R. Matter of Fernández Ortega et al.

assess the problem raised, the effectiveness of state actions to address the situation described, and the vulnerability to which the persons proposed as beneficiaries would be exposed if the measures are not adopted.<sup>19</sup> Regarding their precautionary nature, these measures have the purpose of preserving a legal situation while under consideration by the organs of the inter-American system. The object and purpose of precautionary measures is to preserve the rights at risk until the petition pending before the inter-American system is resolved. Their object and purpose are to ensure the integrity and effectiveness of an eventual decision on the merits and, in this way, avoid any further infringement of the rights at issue, a situation that may adversely affect the useful effect (*effet utile*) of the final decision. In this regard, precautionary or provisional measures enable the State concerned to comply with the final decision and, if necessary, to implement the ordered reparations. In the process of reaching a decision, according to Article 25(2) of its Rules of Procedure, the Commission considers that:

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

30. Before proceeding with the analysis of the procedural requirements, the Commission shall examine preliminary issues regarding this request for precautionary measures, particularly in regard to the nature of the precautionary measures procedure and the *prima facie* analysis.

31. Before analyzing those requirements, the Commission reiterates that the facts supporting a request for precautionary measures need not be proven beyond doubt; rather, the information provided should be assessed from a *prima facie* standard.<sup>20</sup> Furthermore, the Commission states that, in this procedure, it is not called upon to determine the international responsibility of the State or to determine violations of human rights established in the American Convention and applicable instruments. Similarly, the Commission recalls that, by its own mandate, it is not called upon to make any determinations on the criminal liabilities of the persons involved in the matter at hand. Therefore, the analysis performed hereinbelow by the Commission is exclusively related with the requirements of seriousness, urgency and risk of irreparable harm set forth in Article 25 of its Rules of Procedure, which can be resolved without addressing determinations on the merits.

32. Regarding the *universe of proposed beneficiaries*, the Commission notes that the applicants submitted a comprehensive list of proposed beneficiaries that was extended during the processing time of this request (see *supra* para. 4). The Commission warns that it does not have “a detailed and chronological description” of the current situation of every one of the proposed beneficiaries in the terms established in Article 25(4)(b) of its Rules of Procedure. In this sense, the Commission focuses its analysis on those persons for whom there is current information regarding their situation.

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Provisional Measures regarding Mexico, Order of the Court of April 30, 2009, considerandum 5; I/A Court H.R. Matter of Milagro Sala. Request for Provisional Measures regarding Argentina, Order of the Inter-American Court of Human Rights of November 23, 2017, considerandum 5.

<sup>19</sup> See in this regard: I/A Court H.R. Matter of Milagro Sala. Request for Provisional Measures regarding Argentina, Order of the Inter-American Court of Human Rights of November 23, 2017, considerandum 5; I/A Court H.R. Matter of Capital El Rodeo I and El Rodeo II Judicial Confinement Center. Provisional Measures regarding Venezuela, Order of the Court of February 8, 2008, considerandum 9; I/A Court H.R. Matter of the Criminal Institute of Plácido de Sá Carvalho. Provisional Measures regarding Brazil, Order of the Inter-American Court of Human Rights of February 13, 2017, considerandum 6.

<sup>20</sup> In this regard, for instance, referring to provisional measures, the Inter-American Court has indicated that a minimum of detail and information is required to assess, *prima facie*, whether an extremely serious and urgent situation exists. I/A Court H.R., *Matter of the children and adolescents deprived of their liberty in the “Complexo do Tatuapé” of the Fundação CASA*. Request for extension of provisional measures. Provisional Measures regarding Brazil. Order of the Inter-American Court of Human Rights of July 4, 2006. Considerandum 23.

33. When deciding on the delimitation of the universe of proposed beneficiaries, the Commission considers those people who are related to the situation faced by Juan Carlos Soni Bulos. In the case of Luis Edgardo Charnichart Ortega, Evanibaldo Lárraga Galván, and Luis Enrique Biú González, the Commission notes that these persons are members of the “Huasteco Group for the Promotion and Defense of Human Rights”, which is led by Juan Carlos Soni Bulos as its representative and founder (see *supra* para. 5). Regarding Alejandra Larraga Soni, Erik Alejandro Soni Sánchez, Irma Soni Bulos, Oscar Enrique Soni Bulos, Miguel Ángel Soni Bulos, Alejandrino Soni Bulos, Omar Soni Bulos, Jesús Josué Soni Cortés, Jose de Jesús Nava Soni, and María del Carmen Balderas López, the Commission understands that these people are relatives of Juan Carlos Soni Bulos and there is information regarding their current situation. From now on, these identified persons, whether from the Huasteco Group or relatives of Juan Carlos Soni Bulos, will be considered as proposed beneficiaries for the purposes of this decision. The Commission considers that, in order to assess the situation of the other proposed beneficiaries, further details and up-to-date information are required, in the light of Article 25 of its Rules of Procedure. Notwithstanding the foregoing, the Commission recalls that the State maintains all of its international obligations set forth in Article 1.1. of the Convention and other applicable instruments, including protecting from situations of imminent risk, as appropriate.

34. The Commission is aware that the applicants claimed that all the proposed beneficiaries participate in human rights activities from the organizations led by Juan Carlos Soni Bulos. However, the Commission also warns that it does not have information on the roles and functions that all individuals reportedly perform within the indicated human rights organizations. Nor was any information received to assess whether the situation which they face is linked to their human rights activities. Therefore, the Commission does not have information to indicate that all identified persons are human rights defenders. Without prejudice thereto, the Commission shall proceed with the situation alleged under Article 25 of the Rules of Procedure.

35. When analyzing compliance with the procedural requirements, the Commission notes that the applicants have alleged that in the Huasteca Potosina area there is a “serious context of insecurity and violence” due to the presence of organized crime and the actions taken by the State (see *supra* para. 6). The proposed beneficiaries also alleged that relatives and persons close to Juan Carlos Soni Bulos are reportedly linked to “criminal groups” and “organized crime” (see *supra* paras. 6 and 21). In this sense, the available information provided by both the State and the applicants indicates that certain proposed beneficiaries were arrested or investigated for various crimes related criminal possession of a weapon and others between 2013 and 2022, and reported an acquittal in their favor in 2015 (see *supra* paras. 6, 11, 20, and 25). According to the proposed beneficiaries, the aforementioned situation allegedly exposes them to insecurity, and they perceive “social stigma” in the area (see *supra* paras. 6 and 21). The IACHR also observes the information provided by the State that 16 investigation files are being processed, related to the crimes of threats, illegal deprivation of liberty, homicide, fraud, and damage to property, in which various persons on the list of proposed beneficiaries have been charged, but it has not detailed which individuals (see *supra* para. 25). In view of the above, and given the nature of the information available, the Commission notes that, at this stage, that it does not have sufficient elements to assess a context of stigmatization towards the proposed beneficiaries, nor their legal situation within the framework of the investigation processes to which they are subject. Notwithstanding the foregoing, the Commission considers it important to recall that, in this procedure, it is not called upon to rule on the compatibility of investigations, proceedings, or arrests in the light of the American Convention and applicable standards, which requires a substantive assessment that exceeds this procedure. Nevertheless, the Commission recalls that these investigations, trials, or arrests must be substantiated in the light of the provisions of the American Convention. Regarding this procedure, the Commission shall consider allegations that reflect the existence of a current situation of seriousness and urgency of the rights to life and personal integrity of the proposed beneficiaries pursuant to Article 25 of its Rules of Procedure, taking into account the alleged context of insecurity in the area.

36. With regard to the requirement of *seriousness*, the Commission considers that it has been met. In this regard, the applicants reported the following:

- In 2021, the presence of unknown persons was reported near a home; monitoring of armed persons in vehicles; persons of organized crime reportedly have orders to murder the proposed beneficiaries; persons of organized crime allegedly have information about the proposed beneficiaries; and damage to the door of one of the proposed beneficiaries' homes (see *supra* paras. 7, 8, 9).

- In 2022, it was alleged that armed persons in vehicles followed Juan Carlos Soni Bulos' relatives; another relative was beaten and allegedly tortured after being detained by the Civil Guard; an "armed command" entered the property belonging to Alejandrino Soni Bulos, and set fire to land and a house of the relative; and an "armed command" with high-caliber weapons attacked the homes of Oscar Enrique and Miguel Ángel Soni Bulos with fragmentation grenades (see *supra* paras. 10, 11, and 12).

- In 2023, it was alleged that Jorge Luis Soni Bulos, Jesús Josué Soni Cortés, and Jose de Jesús Nava Soni were "deprived of liberty"; subsequently, it was reported that Jorge Luis, brother of Juan Carlos Soni Bulos, was murdered while the others were released after payment for their release (see *supra* para. 13). It was also reported that Juan Carlos Soni Bulos allegedly received death threat messages from a person linked to organized crime (see *supra* paras. 13 and 14); some of Irma Soni Bulos' cars were reportedly set on fire due to organized crime (see *supra* para. 15); an armed group allegedly captured one of Juan Carlos Soni Bulos' employees and "deprived him of his liberty" with a view to obtaining information on his location and that of his co-workers, indicating that he would be killed (see *supra* para. 16); the proposed beneficiaries were reportedly displaced (see *supra* para. 16); Omar Soni Bulos was intercepted by an organized crime group and told that they would assassinate Juan Carlos Soni Bulos and his co-workers (see *supra* para. 18); a group of people entered one of Juan Carlos Soni Bulos' properties by forcing the locks open and looting it; and it was reported that his house was being videotaped by armed persons and overflown by drones (see *supra* para. 19).

37. The Commission understands that the alleged situation regarding the proposed beneficiaries has been recently increasing, as one of Juan Carlos Soni Bulos' brothers was murdered. This event was also followed by death threats from organized crime, which allegedly seek to find the proposed beneficiaries and murder them. The Commission considers that, given the nature of the recently mentioned events, which were not challenged by the State, there is a situation of violence directed especially at Juan Carlos Soni Bulos, his relatives, and those who work with him. The foregoing reflects a particularly serious situation in light of its continuance over time. The Commission is also aware that, according to the applicants, recent events have been brought to the attention of the Protection Mechanism over time.

38. Pursuant to Article 25 of the Rules of Procedure, the Commission takes into account that the State provided detailed information regarding the risk assessments that were carried out on the proposed beneficiaries Juan Carlos Soni Bulos, Luis Edgardo Charnichart Ortega, Evanibaldo Lárraga Galván, and Luis Enrique Biú González from their incorporation into the Mechanism up until the year 2021. They have analyzed the security situation of the proposed beneficiaries on seven occasions: April 2015, March 2016, July 2017, July 2018, March 2019, and May 2021. In this regard, the Commission notes that, in addition to claiming that there is reportedly no causal link between the reported risk situation and human rights defense, the State has maintained the protection measures for a period of eight years. The Commission therefore considers that internal authorities, such as the Protection Mechanism and the Judiciary, as appropriate, have identified a risk situation against them, regardless of their origin or relationship with the defense of human rights. In this regard, the Commission notes that in 2021 it was decided to withdraw the granted protection measures. However, they have continued to be implemented by judicial mandate, after the protection of the proposed beneficiaries has been ordered from then on. Regarding the murder of Juan Carlos Soni Bulos' brother, while the applicants did not report on the circumstances surrounding the "deprivation of liberty" and subsequent murder, the Commission warns that the State reported on an investigation for the crime of qualified homicide.

In addition, the granting of protective measures in favor of his wife, María del Carmen Balderas López, was reported (see *supra* paras. 21-26).

39. Regarding the implementation of protection measures, the Commission assesses their scope, as reported by the State (see *supra* paras. 21-26). However, it is noted that, even with these protection measures focused on communication and infrastructure, the proposed beneficiaries' situation has been maintained over time, and has even exacerbated, which reflects that they are not mitigating or reducing the risk factors in the light of the circumstances of the proposed beneficiaries. In the same vein, the Commission highlights that the applicants have been questioning their implementation. The Commission also observes that, although there are open investigations, there is no information on the results to locate the perpetrators and prevent the alleged facts from being repeated or maintained over time. The proposed beneficiaries allegedly decided to relocate for security reasons after the murder of one of the Soni Bulos family members. The Commission also notes that the protective measures have not been recently modified, despite the murder of one of the Soni Bulos family members. No information was provided under this procedure.

40. The Commission therefore considers that the requirement of *seriousness* is met, and that *prima facie* the rights to life and personal integrity of the proposed beneficiaries identified are at serious risk.

41. Regarding the requirement of *urgency*, the Commission considers that it is fulfilled, in view of the ongoing acts of violence, which suggest that the proposed beneficiaries could be exposed to new risk events against them at any time, which was already materialized as a murder in the last month. In this regard, the Commission considers that the facts presented are indicators of the need to take urgent measures to adopt and strengthen through immediate measures, as well as the corresponding concertation measures.

42. Regarding the requirement of *irreparable harm*, the Commission considers that it has been met, since the potential impact on the rights to life and personal integrity constitutes the maximum situation of irreparability.

43. Lastly, In relation to the arguments of the State regarding the principle of complementarity, the Commission considers it pertinent to recall that, in effect, the State, through its domestic authorities, is primarily responsible for protecting the human rights of the persons under its jurisdiction; in this regard, the nature of international jurisdiction is "auxiliary" or "complementary," without replacing it.<sup>21</sup> The Commission notes, however, that invoking the principle of complementarity to support that the adoption of precautionary measures is unwarranted requires that the State concerned satisfy the burden of proving that the proposed beneficiaries are no longer in a serious and urgent situation pursuant to Article 25 of the Rules of Procedure, in the sense that the measures adopted by the State have had a substantive impact in reducing or mitigating the risk, so that compliance with the procedural requirements which demands international intervention to prevent irreparable harm is no longer fulfilled.<sup>22</sup> In this matter, although the Commission takes into account and assesses the actions taken by the State to protect the rights of the proposed beneficiaries, upon analyzing the situation, it deems the requirements set forth in Article 25 of the Rules of Procedure met, and therefore considers that the adoption of precautionary measures is appropriate.

#### IV. BENEFICIARIES

<sup>21</sup> See, inter alia: IACHR, Francisco Javier Barraza Gómez regarding Mexico (PM-209-14), Resolution of August 15, 2017, para. 22. Available [in Spanish] at <http://www.oas.org/es/cidh/decisiones/cautelares.asp>; IACHR, Paulina Mateo Chic regarding Guatemala (PM 782-17), Resolution of December 1, 2017, para. 34; available [in Spanish] at <http://www.oas.org/es/cidh/decisiones/pdf/2017/49-17MC782-17-GU.pdf>; and IACHR, Santiago Maldonado regarding Argentina (PM 564-2017), Resolution of August 22, 2017, para. 16. Available [in Spanish] at <http://www.oas.org/es/cidh/decisiones/pdf/2017/32-17MC564-17-AR.pdf>

<sup>22</sup> Ibidem

44. The Inter-American Commission declares the following persons beneficiaries: (1) Juan Carlos Soni Bulos, (2) Luis Edgardo Charnichart Ortega, (3) Evanibaldo Lárraga Galván, (4) Luis Enrique Biú González, (5) Alejandra Larraga Soni, (6) Erik Alejandro Soni Sánchez, (7) Irma Soni Bulos, (8) Oscar Enrique Soni Bulos, (9) Miguel Ángel Soni Bulos, (10) Alejandrino Soni Bulos, (11) Omar Soni Bulos, (12) Jesús Josué Soni Cortés, (13) José de Jesús Nava Soni and (14) María del Carmen Balderas López, in Mexico. All these persons are duly identified in this procedure.

## **V. DECISION**

45. The Commission considers that this matter meets *prima facie* the requirements of seriousness, urgency, and irreparable harm set forth in Article 25 of its Rules of Procedure. Consequently, it requests that Mexico:

a) Immediately adopt the necessary measures to preserve the life and personal integrity of the duly identified beneficiaries;

b) consult and agree upon the measures to be adopted with the beneficiaries and their representatives; and

c) report on the actions taken to investigate the alleged facts that led to the adoption of these precautionary measures.

46. The Commission requests that the State of Mexico report, within 15 days from the date of this resolution, on the adoption of the precautionary measures required and to update that information periodically.

47. The Commission emphasizes that, in accordance with Article 25(8) of its Rules of Procedure, the granting of this precautionary measure and its adoption by the State do not constitute a prejudgment of any violation of the rights safeguarded in the American Convention or other applicable instruments.

48. The Commission instructs its Executive Secretariat to notify this resolution to the State of Mexico and the applicant.

49. Approved on March 21, 2023, by Margarette May Macaulay, President; Esmeralda Arosemena de Troitiño, First Vice-President; Roberta Clarke, Second Vice-President; Julissa Mantilla Falcón; and Carlos Bernal Pulido, members of the IACHR.

María Claudia Pulido  
Assistant Executive Secretary