
**INTER-AMERICAN COMMISSION ON HUMAN RIGHTS
RESOLUTION TO LIFT PRECAUTIONARY MEASURES 84/2025**

Precautionary Measure No. 77-15

**Esperanza Hernández, defender “K”, and their family units
regarding Mexico¹**

November 17, 2025

Original: Spanish

I. SUMMARY

1. The Inter-American Commission on Human Rights (IACHR) decides to issue this Resolution to lift the precautionary measures in the terms of Article 25 of its Rules of Procedure. Having analyzed the available information, the Commission does not have sufficient elements to continue to comply with the procedural requirements. Consequently, the Commission decided to lift this matter and remind the State of its international obligations under the terms of Article 1 (1) of the American Convention.

II. BACKGROUND INFORMATION

2. On April 27, 2015, the IACHR granted precautionary measures in favor of two human rights defenders identified as “E” (Esperanza Hernández)² and “K” and their family units in Mexico. The request indicated that the defenders were at risk due to their work representing displaced persons in the Sierra Madre region of Sinaloa. Consequently, in accordance with Article 25 of the Rules of Procedure, the Commission requested that Mexico:

- a) Adopt the necessary measures to preserve the life and personal integrity of the defenders E. and K. and their family units;
- b) Take the necessary measures so that defenders E. and K. can carry out their activities as human rights defenders without being subjected to acts of violence and harassment in the performance of their duties;
- c) Consult and agree upon the measures to be adopted with the beneficiaries and their representatives; and
- d) Report on the actions taken to investigate the facts that led to the adoption of this precautionary measure, so as to prevent such events from reoccurring.³

3. After the precautionary measures were granted, Esperanza Hernández requested to exert her own representation. Moreover, on September 24, 2018, the representation of “K” requested that the “Mexican Commission for the Defense and Promotion of Human Rights” (*Comisión Mexicana de Defensa y Promoción de los Derechos Humanos*, CMDPDH) be recognized as the sole representative of the defender “K.”

III. INFORMATION PROVIDED DURING THE TIME THESE PRECAUTIONARY MEASURES WERE IN FORCE

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

² In the request, confidentiality of the beneficiaries’ identities was sought, and they were identified in the resolution as “defenders E. and K. and their family units”: IACHR, [Resolution No. 15/2015](#), Precautionary Measure No. 77-15, Matter of Defenders E. and K. and their family units regarding Mexico, April 27, 2015, Footnote 2 (Available only in Spanish). In a communication dated April 27, 2015, the representation authorized the public identification of defender “E” as Esperanza Hernández Lugo, but requested that the identity of defender “K” remain confidential.

³ IACHR, Resolution No. 15/2015, previously cited.

a. Procedure during the time the measures were in force

4. During the time the precautionary measures were in force, the Commission followed up on the situation by requesting information from the parties. In this regard, communications were received from the parties and sent from the IACHR on the following dates:

Year	State	Representation	IACHR
2015	June 5	April 28, July 29, August 4 and 19, September 15	July 20, August 4, December 21
2016	April 4	February 11, July 26 (extension), September 21	March 22, July 1
2017	March 15	No information	February 15
2018	No information	March 1 and 22, April 9 and 16, September 24	January 31
2020	No information	June 23	May 21
2021	No information	October 11, December 15	
2022	December 14	December 14	October 18
2023	September 15	March 21, May 8, September 2	January 20, June 14, November 2
2024	January 3, May 29, October 11	January 10, May 27	February 29, July 11, December 12
2025	No information	No information	August 6, 2025

5. On August 3, 2015, the Commission notified the renewal of these precautionary measures. This decision was adopted during the 155th Session, in accordance with the provisions of Article 25.5 of the Rules of Procedure. On September 15, 2023, January 3, May 29, and October 11, 2024, the State requested that the measures be lifted. All requests were forwarded between the parties for their comments. The IACHR indicated that it would assess keeping the precautionary measures in force and requested updated and detailed information on the beneficiaries' situation. The last communication from the beneficiaries and their representation was on May 27, 2024, and there has not been a response to the requests made on July 11 and December 12, 2024.⁴ The deadlines have since expired. On August 5, 2025, the request for information was reiterated to the representative, but no response has been recorded.

6. On several occasions, the representation requested the extension of measures in favor of 446 displaced persons in the municipality of Choix. In this regard, the Commission did not issue an extension decision. Notwithstanding the foregoing, it recalled the assessment made of this group of individuals in Resolution No. 15/2015 of April 27, 2015.⁵

b. Information provided by the State

7. On June 5, 2015, the State reported that *Esperanza Hernández* was incorporated into the Protection Mechanism for Human Rights Defenders and Journalists (Mechanism) on April 27, 2015. While the

⁴ On July 11, 2024, it was requested to provide information on "risk events that have taken place". On December 12, 2024, comments were requested "on the request to lift the state of emergency and on any risk events that may have occurred."

⁵ The IACHR determined that there was insufficient information to grant precautionary measures in favor of the "421 people allegedly in a situation of internal displacement in the municipality of Choix," noting that the situation had been described only in general terms, "without identifying the individuals who had received specific threats or had allegedly been subjected to acts of violence." IACHR, Resolution No. 15/2015, previously cited, para. 24.

risk assessment was being carried out, protective measures were in place.⁶ Regarding beneficiary “K,” she was incorporated into the Mechanism on March 31, 2015, and was granted the following: a) permanent surveillance by the state police at her residence; b) state police emergency numbers; and c) a panic button. On April 30, 2015, the National Human Rights Commission (*Comisión Nacional de los Derechos Humanos*, CNDH) ordered precautionary measures in favor of **Esperanza Hernández** and “K,” and requested that the Ministry of the Interior (SEGOB) and the Government of Sinaloa protect both beneficiaries.⁷ On May 8, 2015, a meeting was held with the beneficiaries and their representation, where they expressed their willingness to continue with the process and the protection provided. The Office of the Attorney General of Sinaloa (PGJS) initiated preliminary investigations into the threats reported by the beneficiaries, as well as other concerns regarding crimes in the town.

8. On April 4, 2016, with respect to **Esperanza Hernández**, the State reported that on May 16, 2015, the PGJS instructed the State Secretariat of Public Security (*Secretaría de Seguridad Pública del Estado*, SSPE) and the Ministerial Police to carry out patrols around her residence. On July 31, 2015, the Mechanism approved a protection plan consisting of: a) three panic buttons; b) Federal Police emergency numbers; c) Federal Police support in her defense work, with 72 hours’ prior notice; d) informing the government of Sinaloa and the municipality of Salvador Alvarado that she has been incorporated into the Mechanism; and e) sending an official letter to the government of Sinaloa to extend for three months the provision of housing and relocation near a preschool.⁸ The State added that five meetings were held with the beneficiary on May 6, 8, and 15, June 19, and August 14, 2015. On December 10, 2015, the following were installed at her residence: a) closed-circuit television with six cameras; b) four high-security locks; c) seven floodlights; d) 46 meters of chain-link fence; and e) 60 meters of razor wire. After that, the beneficiary was able to return home to her family. The Executive Commission for Victim Assistance (*Comisión Ejecutiva de Atención a Víctimas*, CEAV) provided legal support and representation; medical care for her son and grandson; and social work support. **Esperanza Hernandez** was registered in the National Registry of Victims (*Registro Nacional de Víctimas*, RENAVI) on January 28, 2016. The PGJS covered the medical expenses of the beneficiary’s son and, in addition, opened an investigation “in response to articles published in *Proceso* magazine.”

9. With regard to beneficiary “K,” the PGJS informed her of the six patrol cars that reportedly carry out the patrols and the names of the officers in charge, as well as the applicable security protocol. On July 31, 2015, the Mechanism approved a protection plan for her consisting of the following: a) a telephone line and equipment with a panic button; b) Federal Police emergency numbers; c) Federal Police security agents present during her defense work, with 72 hours’ advance notice; and d) inform the government of Sinaloa and the municipality of Salvador Alvarado that she is incorporated into the Mechanism. These measures were in effect for 12 months. On August 30, 2015, the following were installed: i) Six surveillance cameras; ii) Three high-security locks; iii) Four lighting reflectors; iv) 58 meters of cyclone mesh; and v) 58 meters of razor wire. In response to an alleged message reading “snitch” painted on her vehicle and the presence of a truck with tinted windows outside her residence in 2015, the director of the Ministerial Police ordered patrols. The PGJS stated that this situation was not reported, despite the fact that the beneficiary had direct contact with the Deputy Attorney for Legal Affairs. The State reported that, in September 2015, the representation unilaterally decided to remove the beneficiary from her residence and take her to Querétaro. Despite not considering the security measures, the State accommodated her in a hotel. Following a new agreement by the Mechanism, on October 28, 2015, she was granted refuge in Querétaro, along with security and food for 45 immediate family members. The State emphasized that the beneficiary kept her panic button turned off for long periods on various dates,

⁶ Consisting of: a) panic buttons for Esperanza and her two children; and, b) telephone numbers of the Federal Police in Sinaloa. It was added that on May 1, 2015, the Federal Police provided security agents from Culiacán airport to her home.

⁷ The CNDH determined that: a) The life, personal integrity, and physical security of “E” and “K,” as well as their family units, must be guaranteed; b) Any intimidating acts that could hinder the exercise of their activities as human rights defenders and representatives of displaced communities must be avoided; c) The actions to be taken must be agreed upon jointly with the beneficiaries, while respecting their human rights at all times; and d) The competent authorities must coordinate within their respective areas of responsibility to comply with and enforce the requested measures.

⁸ Housing and food expenses were covered until November 15, 2015.

and even provided exact dates between May 2015 and February 2016, thereby preventing the measure from being effective. It added that, on February 24, 2016, a new consultation meeting took place. The State added that, despite questions raised by the Mechanism's representatives, SEGOB is responsible for coordinating the authorities to ensure compliance with precautionary measures, and the Mechanism is the specialized institution created for the purpose of protecting human rights defenders. Regarding a request from the representation to provide housing, education, work, food, and healthcare for "K" and her family, the State has indicated that this is not considered part of the precautionary measures and that the necessary steps must be taken with the CEAV.

10. On March 15, 2017, the State provided an update on "K," stating that the panic button assigned to her had been removed at her request. It clarified that, despite having changed the panic button three times and receiving confirmation that it was working, the beneficiary kept it turned off for 71 days. On December 14, 2022, the State reported on follow-up meetings with "K" in May and August 2022. The authorities of Sinaloa and Nuevo León were requested to assist with transportation related to medical treatment for her daughter, provided by the government of Sinaloa. She was assisted with paperwork related to a home loan issue. In 2022, a risk assessment was conducted through the government of Sinaloa, determining the change of the telephone number and an emergency number for the National Guard.

11. On September 15, 2023, the State reported on the victim assistance provided through the CEAV. It indicated that it had responded to requests for support and reimbursement for medical care for one of "K"'s daughters, as well as to requests for social services for another of her children. The State provided detailed information on multiple efforts made by authorities in several states to respond to requests in proceedings related to a bone marrow transplant for the daughter of "K," whose initials are M.H. In response to a request that the State reimburse medical, transportation, lodging, and medical care expenses related to M.H.'s treatment, it was stated that this is only possible for victims of events directly related to the victimizing event and in the event of a refusal by the health institution to provide services. It was clarified that the Sinaloa Delegation of the Mexican Social Security Institute (*Instituto Mexicano del Seguro Social*, IMSS) had pediatric hematology specialists. In addition, since 2018, food and accommodation have been provided to "K" and her family members, and psychological care has also been offered. The State provided a breakdown of financial support provided to various beneficiaries from 2017 to 2023, including amounts and recipients. There is a record of assistance at the Sinaloa State Victims Commission in favor of "K," but it was clarified that the assistance has been suspended because she no longer answered their calls. Regarding **Esperanza Hernández**, she had an administrative file with the CEAV in Sinaloa, where measures regarding food and lodging in her favor are being monitored.

12. Regarding security, the State added that "K" has a National Guard emergency number and patrols at her residence, with no reports of incidents, as well as a telephone chip provided by SEGOB in October 2022, and monitoring of her movements. In May 2023, the representation reported that "K" was reportedly moving to the United States of America (USA) for work and that her children would be moving to Querétaro. Following a request for assistance buttons for both children, these were delivered on June 1, 2023, but one of them had been turned off for some time. On January 3, 2024, the State detailed that in 2023, the Child Care Centers (*Centro de Atención Infantil*, CAI) in Querétaro provided social work services in favor of M.H. and M., the daughter and son of "K," but was unable to provide assistance due to failure to attend appointments and/or lack of documentation. The State summarized that it has issued almost \$1,400,000 pesos in support to "K" and her immediate family unit.⁹

13. On May 29, 2024, the State recalled that "K" and her family unit have been registered with the RENAVID since 2016, with access to interdisciplinary services offered to them as victims by the CEAV. Regarding a claim of "state negligence regarding [M.H.]'s health," they indicated that it was the family's decision to seek

⁹ Approximately \$70,000 US dollars.

care in Nuevo León, but that they supported her with transportation and that she has full access to state health services. The CEAV's willingness to provide support was confirmed. With regard to alleged incidents that place the beneficiaries at risk, the State indicated that no alerts had been received by SEGOB and recalled that legal representation must report the facts to the Public Prosecutor's Office for investigation. The State clarified that the facts that are being used as grounds for risk fall outside the scope of the precautionary measure and that no incidents have been reported involving *Esperanza Hernández* or "*K*."

14. On October 11, 2024, the State reported that, on June 30, 2024, the National Guard emergency numbers were communicated to "*K*" again and two panic buttons for her children and a telephone for her remained in effect. In turn, there was no record of complaints filed with the Prosecutor's office. It was recalled that registration with the CEAV and RENAVI is due to the fact that the CNDH found that human rights violations had occurred and that the measures are not social assistance, but rather represent victim support. The State indicated that the CEAV was available to provide care for "*K*" and her family unit. The State indicated that the administrative bodies of the CEAV have resolved all the requests submitted, with no challenges to those deemed inadmissible. In turn, support for food and lodging for "*K*" remains in effect. The State highlighted the absence of risk events involving both beneficiaries, and the inactivity regarding *Esperanza*, who has all the tools at her disposal through the CEAV.

c. Information provided by the representation.

- *Esperanza Hernández*

15. On July 29, 2015, the beneficiary indicated that she relocated to another municipality in Sinaloa, in response to threats from organized crime. She had two meetings with the SEGOB, where agreements were reached.¹⁰ On April 16, 2018, the beneficiary stated that the RENAVI recognized her as a victim of displacement. It was reported that infrastructure measures were installed at her residence, such as floodlights, lamps, and security cameras. The beneficiary added that she has fibromyalgia and the CEAV refused to cover her medications. In April 2017, she received housing and food assistance. In 2017, the CNDH issued a recommendation for enforced displacement that included her as a victim. In general terms, she questioned the protection measures implemented in her favor. On May 8, 2023, she reported that the 2017 CNDH recommendation on internal displacement "was poorly addressed." The beneficiary reported that she was subjected to "psychological violence" and requested legal advice to influence the progress and accountability of the budget allocated for the care of displaced persons.

- *Beneficiary "K"*

16. In 2015, "*K*" discovered a note reading "snitch" was left on her vehicle. Moreover, she saw a van with tinted windows parked outside her residence. The representation reported that she had meetings with authorities on May 15, June 19, and August 14, 2015, had provided a panic button and accompaniments from the federal police, as well as a video recording system and had strengthened security in her residence. The representation expressed disagreement with the fact that a risk assessment had been performed on beneficiary "*K*," given that precautionary measures had already been granted by the IACHR. The beneficiary reported several incidents, including receiving calls from unknown individuals; a young man photographing her residence; and an individual knocking on her door and then walking to the park across the street, where her son was playing soccer. The police responded to the call and took the young man to the station, where he was questioned, but they did not find anything. On August 24, 2015, the beneficiary was intercepted by men in a white van without license plates, who told her, "We know you're K." and that "if you continue with security,

¹⁰ The following agreements were highlighted: i) the government of Sinaloa allegedly issue a press release acknowledging the forced displacement of more than 600 families and recognizing her work as a human rights defender; ii) the establishment of inter-institutional working groups to address the issue of internal displacement; and iii) the PGR requested a proposal for assuming jurisdiction over the investigations.

we're going to pick you up." On September 1, 2015, the beneficiary was intercepted by members of a criminal group, who told her that she was responsible for one of their members being arrested and disappeared by the ministerial police assigned to protect her. All these incidents were allegedly reported to SEGOB. Faced with the situations raised, the beneficiary allegedly had to travel outside of Sinaloa.

17. On February 11, 2016, the representation stated that "K" had undergone forced internal displacement and received support from private donations. On October 2, 2015, the authorities granted a safe haven and food in Querétaro in favor of the beneficiary, her husband, and their three children for an initial period of three months starting in February, requiring renewal. It was stated that, due to having been forced to relocate, the SEGOB had to guarantee housing, health, education, work, food and clothing for "K" and her family unit. The representation noted that there was an implementation meeting on August 14, 2015, and another in October 2015. On January 28, 2016, the CEAV registered "K" as a victim in the RENAVI. They also reported that at a house owned by "K" in Los Mochis, where other individuals she had authorized were living, one day "between January 10 and 16, 2016," at an hour they could not recall precisely, eight unknown men violently entered in the early morning, forcing doors and locks and asking for "the owner of the house." When they received no response, they allegedly beat an individual present, broke windows, stole documents, and a computer. The individuals left the house and filed a complaint and, on February 4, 2016, reported the facts to the beneficiary. When a copy of the complaint was requested, it was denied. On September 21, 2016, despite the identification of officers and patrols that could carry out the logged patrols, no specific protocol had been implemented, and they expressed disagreement with the measures communicated by the State. The representation reported a failure in the panic button in April 2016 and stated that they did not want the Mechanism to follow up on the measures as it requires risk assessment. She considered that guaranteeing a dignified life includes education, work, and health, which in her understanding "is part" of the precautionary measures.

18. On March 22, 2018, the representation reported that "K" left the shelter in Querétaro to attend to her mother's health issues. She later realized that her home in Querétaro had been broken into and items had been stolen. The State sent personnel to inspect the residence and instructed them to continue living there, but the representation questioned why the residence was not repaired. The beneficiary then decided to return to Sinaloa and noted delays in conducting a risk assessment which, according to the authorities, due to workloads, was to be carried out in February or March 2018. Regarding the State's observation that the panic button had been turned off for more than 71 days, the representation argued that the beneficiary should not be responsible for ensuring that it remained functional, given the constant need to charge it. The representation added that in January 2017, when "K" 's mother returned from the Choix center, she found that the cab of her truck had been burned, two windows were broken, and the doors were open. On January 25, a complaint of the acts was filed with the Directorate of Public Security and Municipal Transit. On May 15, 2017, "K" was assaulted while driving her vehicle in Los Mochis. The representation expressed disagreement with the latest risk assessment, dated June 13, 2017, which concluded that she was at "ordinary risk," for which she was provided a panic button and telephone equipment, federal police emergency numbers, and random patrols.

19. The representation reported that, at the beginning of 2018, "K" 's mother had to leave her residence in Choix, since two men told her that "she had to leave the property", and she relocated to Los Mochis. The representation stated that on April 4, 2018, "K" received a call from two individuals who stated that they were members of the National Commission for the Development of Indigenous Peoples of Los Mochis (*Comisión Nacional para el Desarrollo de los Pueblos Indígenas de Los Mochis*), who accused her of lying in statements to the CNDH on the issue of internal displacement in Choix, to which the beneficiary replied that the information was in a CNDH recommendation and that they should review it. The representation added that, on the same day, "K" received another call from an individual who worked with the mayor of Choix, who told her that the transfer did not exist and suggested that she meet with the mayor. In addition, he expressed his annoyance that he was being summoned to appear before Congress. The individual requested that "K" provide her address and

told her that she urgently needed to desist from her statements. On April 4, the mayor stated in the media that he had not been summoned to Congress and requested that the CNDH investigate the matter.

20. On June 23, 2020, the representation stated that, according to the media, there was an increase in violence in Sinaloa, which impacted Choix. They also stated that “K” had been removed from the Mechanism since 2017, and that the measures were implemented by SEGOB at that time. The representation added that the adolescent daughter of “K”, with the initials “M.H.”, was diagnosed with leukemia. The family therefore relocated to Culiacán, given the lack of infrastructure for her treatment in Los Mochis. It was reported that, on March 6, 2020, there was a shooting at the hospital where “M.H.” was being treated, and she had to take refuge. It was confirmed that the measures in favor of “K” consisted of a mobile phone with numbers of federal security authorities, a security fence, and a communication system at her residence.

21. On October 11, 2021, it was reported that, since June 24, 2021, SEGOB had been informed that individuals affiliated with the municipality of Choix had inquired about the current location and activities of “K.” In addition, “K” had received requests on social media from individuals pictured with weapons, to which SEGOB responded that a risk assessment would be carried out, but this had not been performed. On December 16, 2021, the representation added that on June 15, 2021, they sent a letter to SEGOB questioning why a risk assessment had to be carried out by the Mechanism. SEGOB responded on July 30, 2021, stating that “[the Mechanism is the body that has] the technical expertise in risk assessment and determination of the protection plan” and “that a risk assessment is required to determine whether [the measures] are appropriate for the particular situation of the beneficiary.” They were provided with updated communication data with the National Guard. The beneficiary had reported that the cell phone does not have any reception for long periods of time, which the State reported to the company in charge of the service.

22. On March 21, 2023, the representation updated that M.H. had been recommended a bone marrow transplant, but the hospital in Culiacán estimated that it would take two years to perform the procedure, and they therefore sought a faster alternative at a private hospital. They relocated to Nuevo León in 2022, after acquiring resources through loans, raffles, and donations to pay for the cost of the surgery. The representation added that in a virtual meeting with authorities on January 25, 2022, they requested reimbursement of medical expenses and other costs. In response to the CEAV’s statement that medical treatments covered must be directly related to the victimizing event, it was argued that this is “nonsensical and extremely arbitrary, and in practice limits access to this measure of assistance for people suffering from internal forced displacement.” In addition, she reported that they have only received monthly courtesy flights from one airline, so the lack of state support meant that the beneficiary had to take on a large debt from private lenders. It was questioned that they were not forgiven a mortgage on their residence, which they have been unable to continue paying due to the displacement. The representation added that, on August 23, 2022, at an implementation meeting, the beneficiary stated that she had resumed her defense activities and requested measures such as an increase in security cameras, repair of her gate, a National Guard telephone, and a panic button. In this regard, she clarified that she did not want to undergo a risk assessment. The State provided the contact number for the National Guard and requested that the risk assessment be reconsidered, and the representation requested that it not be carried out by the Mechanism. The parties requested support from the Institute for the Protection of Defenders and Journalists of Sinaloa (*Instituto de Protección de Personas Defensoras y Periodistas de Sinaloa*). They added that in early 2023, community officials again approached “K’s” mother to ask where she lived, while the beneficiary “continued to receive requests via social media from armed individuals.”

23. On September 2, 2023, the representation reported that, on May 20, 2023, “K” migrated to the United States of America to work, an issue that, in their opinion, exposed her to a context of violence against migrants. They added that, as her children were in her care while she was in the United States and they were in Mexico, SEGOB was requested to provide them with aid or assistance. The State delivered panic buttons to the two children in June 2023.

24. On January 10, 2024, in response to a request by the State to lift the order, the representation argued that it was unjustified, given that the beneficiary continued to work in the United States of America, adding that S., one of her sons, was also there, while her daughters M. and M.H. were in Querétaro. Regarding the State's attention to the beneficiaries, it was argued that this was due to their status as victims and not in compliance with the precautionary measures, while their requests for reimbursement and financial compensation had not been resolved. They argued that there was a risk due to previous displacements and the financial needs for M.H.'s medical treatment, coupled with "K's" situation in the United States.

25. On May 27, 2024, the representation confirmed that the beneficiary had been provided an emergency number for the National Guard, but noted that they had not observed any patrols being carried out. It was reported that the beneficiary returned to Mexican territory in 2024 and lived in Querétaro, but traveled to Los Mochis to attend to matters related to her mortgage in that town, as well as to visit her mother in Choix. In April 2024, the representation reported that "K" met with a former president of Choix, who told her that "he was still dealing with the issue of displaced persons" and that "it would be better for her to drop it because nothing good would come of it." After that, she received "more requests on social media from armed individuals." The representation referred to having reported it to the State on May 13, 2024, requesting a risk assessment, and ordering additional measures. On May 15, 2024, the State requested a panic button in exchange for her phone and noted that she has emergency contacts with the National Guard in Sinaloa, as well as accompaniment for her transfers upon 72-hour prior notice. In the annexes, there appears a letter sent to the State in May 2021 and another in 2024, four screenshots of friend requests from the social network Facebook were attached, with images of weapons or individuals carrying weapons.

IV. ANALYSIS OF THE REQUIREMENTS OF SERIOUSNESS, URGENCY, AND IRREPARABLE HARM

26. The precautionary measures mechanism is part of the Commission's functions of overseeing compliance with the human rights obligations established in Article 106 of the Charter of the Organization of American States. These general oversight functions are provided for in Article 41 (b) of the American Convention on Human Rights, as well as in Article 18 (b) of the Statute of the IACHR; while 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.

27. The Inter-American Commission and the Inter-American Court of Human Rights ("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.¹¹ Regarding the protective nature, these measures seek to avoid irreparable harm and to protect the exercise of human rights.¹² To do this, the IACHR shall assess the problem raised, the effectiveness of state actions to address the situation described, and how vulnerable the persons proposed as beneficiaries would be left in case the measures are not adopted.¹³ Regarding their precautionary nature, these measures have the purpose of preserving a legal situation while under study by

¹¹ Inter-American Court of Human Rights (I/A Court H.R.), [Matter of the Yare I and Yare II Capital Region Penitentiary Center](#), Provisional Measures regarding the Bolivarian Republic of Venezuela, Order of March 30, 2006, considerandum 5; [Case of Carpio Nicolle et al. v. Guatemala](#), Provisional Measures, Order of July 6, 2009, considerandum 16.

¹² I/A Court H.R., [Matter of Capital El Rodeo I and El Rodeo II Judicial Confinement Center](#), Provisional Measures regarding Venezuela, Order of February 8, 2008, considerandum 8; [Case of Bámaca Velásquez](#), Provisional measures regarding Guatemala, Order of January 27, 2009, considerandum 45; [Matter of Fernández Ortega et al.](#), Provisional measures regarding Mexico, Order of April 30, 2009, considerandum 5; [Matter of Milagro Sala](#), Provisional measures regarding Argentina, Order of November 23, 2017, considerandum 5 (Available only in Spanish).

¹³ I/A Court H.R., [Matter of Milagro Sala](#), Provisional Measures regarding Argentina, Order of November 23, 2017, considerandum 5 (Available only in Spanish); [Matter of Capital El Rodeo I and El Rodeo II Judicial Confinement Center](#), Provisional Measures regarding Venezuela, Order of February 8, 2008, considerandum 9; [Matter of the Criminal Institute of Plácido de Sá Carvalho](#), Provisional Measures regarding Brazil, Order of February 13, 2017, considerandum 6 (Available only in Spanish).

the organs of the inter-American system. Their precautionary nature aims at safeguarding the rights at risk until the petition pending before the inter-American system is resolved. Their object and purpose are to ensure the integrity and effectiveness of an eventual decision on the merits and, thus, avoid any further infringement of the rights at issue, a situation that may adversely affect the useful effect of the final decision. In this regard, precautionary or provisional measures allow 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.

28. In this sense, Article 25(7) of the Commission’s Rules of Procedure establishes that decisions granting, extending, modifying or lifting precautionary measures shall be adopted through reasoned resolutions. Article 25(9) sets forth that the Commission shall evaluate periodically, at its own initiative or at the request of either party, whether to maintain, modify or lift the precautionary measures in force. In this regard, the Commission shall assess whether the serious and urgent situation and the risk of irreparable harm that caused the adoption of the precautionary measures persist. Furthermore, it shall consider whether there are new situations that may meet the requirements outlined in Article 25 of its Rules of Procedure.

29. Similarly, the Commission recalls that while the assessment of the procedural requirements when adopting precautionary measures is carried out from a *prima facie* standard of review, keeping such measures in force requires a more rigorous evaluation.¹⁴ In this sense, when no imminent risk is identified, the burden of proof and argument increases over time.¹⁵ The Inter-American Court has indicated that the passage of a reasonable period of time without any threats or intimidation, added to the lack of imminent risk, may lead to the lifting of international protection measures.¹⁶

30. Prior to the analysis related to keeping these measures in force, the Commission will address the following *preliminary issues*:

- a. *With regard to the scope of the mechanism and the precautionary measures granted*: The Commission recalls that, through the precautionary measures mechanism, it is appropriate to analyze exclusively issues related to the requirements of seriousness, urgency, and irreparable harm established in Article 25 of its Rules of Procedure. The IACHR observes that, during the time the measures were in force, various claims were submitted regarding reimbursements or economic support; procedures for canceling mortgage loans; access to housing, education, and employment; and compliance with recommendations issued by internal bodies, among other matters. Without prejudice to the assistance, support, and accompaniment provided by the State within the framework of its internal institutions, the Commission considers it important to recall that the precautionary measures were granted in 2015 after assessing a situation of risk linked to the beneficiaries’ activities representing displaced persons in the Sierra Madre region of Sinaloa. In this regard, the assessment below focuses on analyzing the state’s response to providing them with protection for their lives and integrity over time in the context of such activities. For the Commission, it is important to note that the scope of the precautionary

¹⁴ I/A Court H.R., [Case of Fernandez Ortega et al.](#), Provisional Measures regarding Mexico, Order of February 7, 2017, considerandums 16 and 17 (Available only in Spanish).

¹⁵ I/A Court H.R., [Case of Fernandez Ortega et al.](#), previously cited, considerandums 16 and 17.

¹⁶ I/A Court H.R., [Case of Fernandez Ortega et al.](#), previously cited, considerandums 16 and 17.

measures did not encompass the types of issues mentioned above. In fact, several of these matters fall within categories that,¹⁷ according to Resolution 3/2018, the Commission has deemed unsuitable to address through the precautionary measures mechanism.¹⁸ However, it is understandable that, in the context of implementing precautionary or security measures, there may be issues relevant to their implementation that require addressing economic aspects, such as reimbursements or the relocation of individuals to other housing, among others. These aspects are relevant insofar as they relate to the rights that the IACHR identified as being at risk, which, in this matter, were life and personal integrity.

- b. *Regarding the risk assessments:* The Commission observes that allegations have been presented regarding their relevance. Regarding this issue, the Commission recalls what the Inter-American Court indicated regarding the adequacy of the protection measures, which must be appropriate to the work the human right defenders perform; the level of risk should be assessed to adapt and monitor the measures in place, and the measures must be adjustable to the intensity of the risk.¹⁹ In this sense, the risk assessment is the means by which the State may identify the most suitable and effective measures or “the most appropriate mechanisms for complying with the measures ordered by the organs of the inter-American system”,²⁰ which corresponds to the State through its national mechanisms for the protection of persons at risk.²¹ In this regard, taking into account the temporary and provisional nature of the protection measures, it is important to update the risk assessments, which may result in a more moderate level than the initial one, resulting in the adjustment of the components of the security plan.²² Thus, considering that “if the conditions of risk to life and integrity do not subsist, neither do the reasons to keep them in force”, it is necessary for the States to carry out a risk assessment to decide on the permanence of the protection measures.²³

31. In analyzing whether the procedural requirements continue to be met, the Commission emphasizes that the purpose of this proceeding is to protect the life and personal integrity of Esperanza Hernández and “K,” as well as their family units, within the framework of their activities as human rights defenders. This protection is to be ensured through the adoption of agreed-upon measures and the investigation of the events that gave rise to the precautionary measures.²⁴

A. Regarding Esperanza Hernández

¹⁷ IACHR, [Resolution 3/2018](#), Strengthening of the processing of requests for precautionary measures, May 10, 2018.

¹⁸ In particular, the following subjects were included: i) alleged breaches of due process and judicial protection in the framework of criminal or civil proceedings (Articles 8 and 25 of the ACHR and Article XVIII of the American Declaration); ii) determine the compatibility in the abstract of a regulation with the American Convention or other applicable instruments; iii) payment of pecuniary compensation, which includes civil and commercial proceedings and pensions; iv) allegedly unjustified dismissals from private or public companies of non-popularly elected officials, payment of salaries, determinations on promotions and vacations; v) embargoes of a commercial or civil nature and evictions in which no risk situations are alleged in addition to the right to private property; vi) requests for resources or financial support; and vii) purely administrative procedures, including the issuance of certifications, expedited procedures and declaratory resolutions.

¹⁹ I/A Court H.R. [Case Human Rights Defender and others Vs. Guatemala. Guatemala](#), Preliminary Objections, Merits, Reparations, and Costs, Judgment of August 28, 2014, Series C No. 283, considerandum 157; IACHR, [Northern Central America Environmental defenders, December 16, 2022](#), OEA/Ser.L/V/II. Doc400/22, para. 217.

²⁰ IACHR, [Towards Effective Integral Protection Policies for Human Rights Defenders](#), December 29, 2017, OEA/Ser.L/V/II. Doc. 207/17, para. 333; IACHR, [Second report on the Situation of Human Rights Defenders in the Americas](#), December 31, 2011, OEA/Ser.L/V/II. Doc. 66, paras. 456-460.

²¹ IACHR, [Towards Effective Integral Protection...](#), previously cited, para. 263, 264, 281, 299 *et al.*

²² IACHR, [Towards Effective Integral Protection...](#), previously cited, para. 321-234.

²³ IACHR, [Resolution No. 9/24](#), Precautionary Measures No. 519-17, Eduardo Valencia Castellanos regarding Mexico, March 6, 2024, para. 35; [Resolution No. 20/24](#), Precautionary Measures No. 887-19, Families of the Nueva Austria del Sira Community regarding Peru, April 10, 2024, para. 36; Second Report on the situation..., previously cited, para. 529, 531. For its part, the Inter-American Court has ordered internal risk assessments to be carried out on several occasions: Inter-American Court of Human Rights, [Matter of Castro Rodríguez regarding Mexico, Provisional Measures, Order of November 18, 2020](#), considerandum 14 (Available only in Spanish); Matter of Castro Rodríguez regarding Mexico, Provisional Measures, [Order of the Inter-American Court of Human Rights of June 23, 2015](#), considerandum 18; [Order of November 14, 2017](#), considerandum 10 (Available only in Spanish); [Order of considerandum 14](#).

²⁴ IACHR, Resolution No. 15/2015, previously cited.

32. The following is an analysis of the validity of risk that *Esperanza Hernández* faces:

- a. Protective measures: The beneficiary was incorporated into the Mechanism on April 27, 2015. Prior to the relevant risk assessment, she and her two children were provided panic buttons, as well as telephone numbers and security agents for transfers by the Federal Police. Subsequently, her protection plan provided for: a) three panic buttons; b) emergency numbers; c) federal police security agents, with prior notice; d) inform the state and municipal governments of her incorporation; and e) provision of temporary housing. In addition, on December 10, 2015, infrastructure measures were installed that allowed their return to the family home, such as closed-circuit television with six cameras, high-security locks, floodlights, cyclonic and razor wire.
- b. Concertation actions: Meetings were held on May 6, 8, and 15, June 19, August 14, 2015, and February 24, 2016. The Commission emphasizes the importance of dialogue and communication between the parties as an essential tool for reaching agreements on implementation.
- c. Investigation of threatening events: Even though the PGJS reported on the initiation of investigations into threats received by beneficiaries in 2015, the IACHR has not received any updates on the progress made in these investigations or their impact on risk mitigation.
- d. Ongoing risk: The IACHR notes that Esperanza Hernández reported threats and harassment from organized crime in 2015, but there is no indication that she provided information or allegations about any situation of risk in her communications in 2018 and 2023. Although the beneficiary has indicated that her work continues, the Commission takes careful note of the willingness of state institutions to address any needs that may arise.

B. Regarding the beneficiary “K”

33. The following is a corresponding analysis of the validity of risk that “K” faces:

- a. Protective measures. Initially, she was provided with Federal Police security agents, patrols, and emergency numbers. On March 31, 2015, the approved plan consisted of: a) permanent surveillance by the state police at their residence; b) state police emergency numbers; and, c) a panic button. On July 31, 2015, a protection plan was approved consisting of: a) telephones with panic buttons; b) emergency numbers; c) federal police security agents, upon prior notice; and d) informing state and municipal governments of her incorporation. In addition, six surveillance cameras, high-security locks, lighting reflectors, cyclonic and razor wire were installed on August 30, 2015. Following reports from the representation regarding the inadequacy and ineffectiveness of the measures in response to the risk allegations made in 2015, the measures were adjusted. The beneficiary relocated to Querétaro, where she was initially provided with temporary hotel accommodation and later with shelter and food in that city. In 2022, a new risk assessment was carried out by the government of Sinaloa, resulting in a change to its telephone number and emergency numbers. Lastly, from 2023 to date, it was reported that a telephone chip, emergency numbers and patrols have been kept at their residence. as well as police security agents with prior notice.
- b. Concertation measures. In addition to the meetings on May 6, 8, and 15, June 19, August 14, 2015, and February 24, 2016, meetings were held with “K” in January, May, and August 2022. In addition, there has been fluid communication between the parties, which has allowed for the reporting of possible

risk events or failures in implementation by the representation, or the State has been able to draw attention to the correct use of the panic button. The Commission welcomes the dialogue between the parties.

- c. Investigation of events presenting a risk. As indicated above regarding Esperanza Hernández, in 2015 the PGJS reported on the initiation of investigations into the threats received by the beneficiaries; however, the IACHR has no update on the progress made and its effects on risk mitigation. With regard to “K,” the Commission observes that it has been stated that various complaints have been filed.
- d. Regarding health care for M.H. The Commission notes that the representation referred to the coverage of medical treatment for “K”’s daughter, M.H., within the framework of these precautionary measures. In this regard, it is noted that although “K”’s daughter is a beneficiary as a member of her family unit, as indicated above, the purpose of these measures is the protection of life and personal integrity in connection with the exercise of human rights. Accordingly, access to treatment or medical care was not incorporated as part of the right to health within the scope of these measures. Notwithstanding the foregoing, the measures adopted or support provided by various State institutions, in particular through the CEAV, are viewed positively.
- e. Ongoing risk. In assessing the current situation of “K,” the Commission observes that, following her return to the country, the beneficiary reported receiving “friend requests” on social media from individuals whose profiles displayed images of weapons. She provided screenshots of these accounts, first from May 2021 and later from 2024. In April of that same year, it was alleged that a former Choix official advised her not to pursue the issue of displaced persons because “nothing good will come of it.” However, the Commission does not have sufficient information to assess whether the protection detail provided by the State to date, or the institutional response implemented and available, is reportedly insufficient to protect her. In response to the need to obtain more details on her situation, the Commission requested additional information in 2025. However, the representation did not submit a response. To date, they have not provided any updates since May 2024.

34. Consequently, in this matter, and taking into account the State’s repeated requests to lift the measures, as well as the nature of the precautionary measures mechanism, the information available, and the analysis conducted, the Commission considers that it currently lacks sufficient elements to conclude that the requirements of Article 25 of the Rules of Procedure continue to be met in relation to the beneficiaries. In view of the above, given the exceptional and temporary nature of the precautionary measures,²⁵ the Commission deems it appropriate to lift these measures.

35. Lastly, the Commission emphasizes that regardless of the lifting of these measures, in accordance with Article 1 (1) of the American Convention, it is the obligation of the State to respect and guarantee the rights recognized therein of the persons identified in the matter at hand.

V. DECISION

36. Considering the factual and legal arguments presented by both parties, pursuant to Article 25 of its Rules of Procedure, the Commission decides to lift the precautionary measures in favor of Esperanza Hernández and “K,” as well as their family units in Mexico.

²⁵ I/A Court H.R., [Matter of Adrián Meléndez Quijano et al.](#), Provisional Measures regarding El Salvador, Order of August 21, 2013, para. 22; [Matter of Galdámez Álvarez et al.](#), Provisional Measures regarding Honduras, Order of November 23, 2016, para. 24 (Available only in Spanish).

37. The Commission recalls that the lifting of these measures does not prevent the representation from filing a new request for precautionary measures, should they consider that there exists a situation presenting a risk that meets the requirements set forth in Article 25 of its Rules of Procedure.

38. The Commission instructs its Executive Secretariat to notify this Resolution to the State and the representatives.

39. Approved on November 17, 2025, by Andrea Pochak, First Vice-President; Edgar Stuardo Ralón Orellana, Second Vice-President; Roberta Clarke; and Carlos Bernal Pulido, members of the IACHR.

Tania Reneaum Panszi
Executive Secretary