



CASA DEL OBRERO SOCIALISTA
ANTONIO VITAL



REPORT

The invisibility of trade unionism in the human rights agenda

TOWARDS A REFORM OF MEXICO'S HUMAN RIGHTS PROTECTION MECHANISMS TO INCLUDE TRADE UNIONISTS AND LABOUR ACTIVISTS



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Contents

1. Executive Summary	2
2. The imperative to protect trade union work in Mexico	3
2.1 Towards a structural understanding of anti-union violence	3
2.2 The inadequacy of the current guarantees	4
3. Context	6
4. Political violence against trade unionists: When defending rights can cost lives	20
4.1 VU Manufacturing – Liga Sindical Obrera Mexicana	20
4.2 General Motors and Fräenkische: National Independent Union of Workers in the Automotive Industry (SINTTIA).....	24
4.3 Binational transport: SITRABRICS in Hyundai	27
4.4 Manufacturing: freedom of association in Saint-Gobain	29
4.5 Strike in the Tornel rubber factory: stop work to survive	32
4.6 Mining: Camino Rojo- between anti-union violence, organized crime and no institutional protection.....	34
5. Intersectional analysis of violations of labour human rights.....	38
5.1 Common elements between cases	38
5.2 Relevant differences and particularities between cases	39
5.3 The violations of rights	39
5.4 The network of collusion: patterns of conduct between companies, protection unions and authorities.....	40
5.5 Escalation of violence	40
5.6 Institutional responses	43
6. Policies and tools of the Colombian State for the protection of trade unionists	44
7. Guarantees of non-repetition and routes for comprehensive protection	51
7.1 Appointing to protect: legal recognition	51
7.2 Protecting those who protect	52
7.3 From the failure of omission to due diligence	53
7.4 Protection before harm occurs	54
7.5 The obligation of businesses to respect human rights	55
7.6 The working class has no borders	56
7.7 What capital breaks apart, the collective brings together	57
8. References.....	58

1. Executive Summary

This report analyzes several cases of violence against trade unionists and labour activists in Mexico. It examines the repression of freedom of association and genuine collective bargaining, despite being fundamental rights under Mexico's legal system, and its relationship to employer interests and the intervention (by action or omission) of the authorities at its three levels of government. The search for so-called "labour peace" is questioned, a concept that prioritizes stability between companies and the government at the cost of inhibiting conflicts, even in the face of the activation of international mechanisms signed through trade agreements. In this scenario, the actions of the Secretary of Labour and Social Welfare (STPS), both federal and local, is key in the current strategy of labour control in various regions of Mexico.

Through qualitative research using primary and secondary sources, including interviews with actors of the independent trade union movement who were victims of anti-union violence which put their lives, that of their families, as well as their comrades in struggle, at risk, this report demonstrates that pro-employer protection unionism continues to be prevalent, despite Mexico's labour reforms of 2019. This has forced independent unions to seek the protection of international mechanisms, such as the Rapid Response Labour Mechanism of the United States-Mexico-Canada Agreement (USMCA), for cases in covered sectors. In this document, we analyze six specific and paradigmatic cases across several states, characterized by their integration into international supply chains and subject to Mexico's federal authorities: automotive, tires, binational transportation and mining. This analysis will allow us to understand how anti-union violence has unfolded on the ground, as well as the role of the key actors in the defense of their rights and that of the rest of the workers.

The objective is to make the case for the need for the Mexican State to provide protection measures for defenders of labour rights, recognizing them as human rights for their enforceability and justiciability, to guarantee that such work can be undertaken without risking one's life.

To this end, we also include a case study of the current system of protection measures in Colombia, whose lessons are useful for the development of an effective system, while also acknowledging its limitations. The contexts, environments and problems of Mexico and Colombia are different; however, we consider it important to use their experience to find effective forms of protection that truly guarantee the safety of labour human rights defenders.

This report recommends the creation of a **National Protocol for the Protection of Trade Unionists and Labour Rights Defenders**, coordinated by an **Inter-institutional Immediate Reaction Table for High-Risk Labour Disputes**.

2. The imperative to protect trade union work in Mexico

Throughout its history, the labour movement in Mexico has faced violence and repression from the state, employers and their agents. Since the second half of the twentieth century, under the rise of the corporatist state, and later through the onset of globalization and the neoliberal era, authentic and independent unions have been marginalized, repressed, disappeared and in extreme cases have seen their leaders murdered, by pro-employer protection unions. With the Labour Reform of 2019, robust legislative foundations were laid to democratize the world of work. Certain sectors highly exposed to international trade, including mining, manufacturing and some services, received further protection derived from the USMCA. However, daily practice reveals an alarming gap between the formal recognition of rights and their actual exercise. The defense of labour human rights and freedom of association in Mexico can be dangerous, as recent cases have documented. There is an urgent need to make visible and strengthen the protection of trade unionists and labour human rights defenders who, in the exercise of their work and in the search for authentic collective bargaining, face contexts of systemic violence, employer harassment and the worrying expansion of macro-criminal dynamics in the workplace.

2.1. Towards a structural understanding of anti-union violence

This analysis seeks to overcome the idea that labour disputes are isolated events or simple disputes between individuals. On the contrary, it is based on the premise that political violence against trade unionists and labour human rights defenders responds to a persistent structural logic.

At least three central actors converge in this dynamic. Companies seek to preserve control over labour relations through protection unions, also commonly referred to as "charros" or "white unions". Authorities that, through tolerance or omission, have not effectively guaranteed the rights of workers. And, in the most serious cases, groups linked to organized crime, which deploy intimidation, violence and the use of armed force to inhibit any attempt at genuine union organization.

This situation persists despite the reforms to the labour and trade union legal framework, the commitments assumed by the Mexican State through the international treaties including the USMCA, and the ratification of conventions of the International Labour Organization (ILO). The gap between the formal recognition of rights and their effective exercise shows that legal reforms, although necessary, are insufficient when they are not accompanied by institutions capable of preventing violence, punishing those responsible and guaranteeing real conditions for freedom of association and genuine collective bargaining.

The cases documented in this study corresponding to the automotive industry, such as the union struggles at General Motors, Fräenkische, VU Manufacturing and Saint Gobain; mining, with the case of Camino Rojo, the case of Hyundai's binational truck drivers and the rubber sector with Tornel tires, allow us to identify a common pattern of violence against those who defend labour human rights and independent union organization.

Among the practices recorded are the criminalization of protest, unjustified dismissals, the fabrication of crimes, harassment, threats of violence and physical assault. Far from isolated events, these aggressions are part of a dynamic that seeks to inhibit collective participation, weaken freedom of association and discourage any attempt to transform labour relations.

The impunity that surrounds these attacks deepens the situation of risk and sends a particularly serious message: defending human rights at work can mean endangering one's life, and their physical and emotional integrity, as well as the livelihoods of their coworkers and families.

2.2. The inadequacy of the current guarantees

Although the Mexican State recognizes the defense of human rights as a legitimate activity, in practice, the Federal Protection Mechanism for Human Rights Defenders and Journalists (MFPPDDHP) usually dismisses the cases of trade unionists on the grounds that they are "labour conflicts" or criminal acts. This classification is exclusionary, since it ignores the political and human rights dimension of their work and limits access to timely protection measures.

As the Colombian experience analyzed in this study shows, leaving the safety of trade unionists in the hands of their internal bargaining capacity is clearly insufficient, especially when faced with companies, authorities or groups with greater economic, political or coercive power. In the face of institutional omission, many workers are forced to turn to international bodies. Although these channels have allowed for important resolutions, they do not replace the primary obligation of the Mexican State to prevent aggression, protect those who defend human rights at work and guarantee their security.

Therefore, an institutional debt persists: Establish protocols that explicitly recognize trade unionists and labour activists as human rights defenders, without reducing their demands to administrative, labour or criminal matters, in a detached manner. Recognizing that labour rights are human rights is an indispensable condition for moving towards social justice.

2.3. Objectives and scope of the study

This research seeks to document and analyze the different forms of violence exercised against unionized workers in Mexico, particularly in processes of organizing, internal union democratization, strikes, and the defense of labour human rights. It is based on a perspective of human rights, labour justice and critical analysis of contemporary trade unionism in Mexico.

The rationale for this project lies in the construction of a technical and normative proposal for the creation of a specialized protection mechanism. Based on qualitative research, interviews with

key actors and a comparative analysis of protection policies in hostile contexts, this study aims to:

- Identify the dynamics of violence that impede the consolidation of freedom of association and democracy at work.
- To point out the institutional omissions that perpetuate impunity in cases of anti-union violence.
- Propose effective and preventive protection measures that integrate a gender analysis, collective protection and inter-institutional coordination.

In conclusion, this study is a commitment to strengthening democracy in Mexico. The protection of those who defend labour human rights is not a privilege, but an indispensable condition for the labour reform to be a tangible reality and not a legislative promise. Ensuring that workers can organize, negotiate and raise their voices without fear is, ultimately, to protect the foundations of a rule of law where decent work and freedom are, ultimately, the guiding axis of labour relations.

3. Context

3.1 The labour control system and employer protection unions

For several decades, Mexico has been immersed in a system of labour control, characterized by corporatism and employer protection unionism and a lack of genuine collective bargaining over working conditions and wages.¹ For scholar José Alfonso Bouzas Ortiz, this "scheme is the responsibility of the authorities, of union leaderships that distance themselves from the interests they represent and of employers incapable of entering into a frank and authentic negotiation of working conditions, which have had the results to date when collective bargaining does not exist."² Although the labour reform of May 1, 2019 strengthened the legal framework aimed at transforming labour relations, there are still factors that reproduce extensive employer control. Historically, power has been concentrated between companies and authorities, despite the fact that the legislation recognizes a tripartite model that must also guarantee the effective participation of workers.

In this regard, studies indicate that "workers often face multiple difficulties in organizing an autonomous union, because in practice employers and the State decide what type of organization should operate in a workplace. From the beginning of their activities, employers choose the union of their choice and repress any attempt at change; for this reason, trade unionism in general has distorted its function of representation and defense by being subjected to interests alien to those of its members."³

This employer protection scheme is not limited to the relationship between companies and unions. Municipal, state and federal authorities also play a central role in the construction of a supposed regional stability. An example is the state of Coahuila, where business leaders, trade unions and the government annually sign the "Coahuila Pact". This agreement promotes "labour peace" and highlights the absence of strikes for more than three decades as a factor of attraction for transnational investment.

However, behind this institutional harmony, union conflicts persist that show a different reality. Recent examples from Mexico's northern industrial region include the mobilization of workers at the PKC-Arneses company in Ciudad Acuña, in 2019, and the conflict of VU Manufacturing in Piedras Negras (discussed further in the case study section), in 2023, which occurred during the negotiation of its collective bargaining agreement (CBA). In the latter case, the company closed its operations before fully recognizing the will of the workers, in the context of permissiveness of the authorities.

Both cases, which occurred in border cities in Coahuila, show that the so-called "labour peace" can be sustained through the silencing of democratic organization, pressure on workers and different forms of violence against trade unionists and labour human rights defenders.

Another central element to understand the permanence of this system of control and corruption is misinformation. Despite the 2019 labour reform, practices persist that hide, distort or limit workers' access to information about their rights and forms of organization. Therefore, "union violence not only affects union movements, it creates fear and disillusionment with respect to what true workers' organization can represent."⁴

Added to this is the persistence of historical corporatism expressed in "white", "ghost" or "letterhead" unions, which facilitate negotiations aimed mainly at protecting the interests of employers. In this scheme, workers are excluded from decisions that directly affect their living conditions and thus real collective bargaining does not occur. The result is the reproduction of labour relations that limit their well-being, deteriorate their quality of life, affecting their families and communities.

3.2 Mexico's labour reform and the labour chapter of the USMCA

Seven years ago, Mexico began the implementation of one of the most important labour reforms in its recent history. It is a broad and structural process whose purpose has been to profoundly transform labour relations, strengthen the protection of workers' rights, and modernize the labour justice system. This transition has as its main pillars the constitutional reform published on **February 24, 2017** and the reform of the **Federal Labour Law (LFT) of May 1, 2019**.

The primary objective of this new labour model is to guarantee workers' effective access to their labour human rights and freedom of association. Its approval was the result of intense pressure exerted by various national and international actors, including multilateral organizations such as the ILO, foreign governments, independent trade unions across North America, civil society organizations and human rights defenders, who for years demanded the strengthening of union democracy and respect for dignity at work.

From this perspective, the Labour Reform can be analyzed from the following fundamental axes:

1. Human Labour Rights: They comprise the set of prerogatives essential to guarantee decent working conditions, equality, freedom and well-being for workers. Article 2 of the Federal Labour Law establishes as guiding principles the obtaining of a salary sufficient to meet the needs of the worker and their family, stability in employment, access to social security, working hours compatible with rest, adequate safety and hygienic conditions, **as well as full respect for collective rights and freedom of association.**

2. Trade Union Freedom and Democracy: Article 356 of the Federal Labour Law defines a union as the association of workers or employers constituted for the study, improvement and defense of their respective interests. In a democratic system, these organizations must promote authentic

¹ Bensusan 2000.; Escobar Toledo 2021.

² Bouzas Ortiz 2009.

³ Alcalde Justiniani (n.d.).

⁴ Alcalde Justiniani (n.d.).

representation that allows for the improvement of working conditions through legal, peaceful and participatory mechanisms. The reform strengthened two essential principles:

Freedom of association: The right of all workers to form, join, remain in or separate from trade union organizations freely, without suffering reprisals, is guaranteed. No one may be forced to belong to or cease to belong to a trade union. As part of this process, the exclusion clause provided for in collective agreements was eliminated, so that no worker may be dismissed or disciplined for exercising his or her freedom of association (arts. 391 and 395 LFT).

Union democracy: The reform incorporated mechanisms aimed at guaranteeing genuine representation of workers through transparent, inclusive and democratic processes.

Trade Union Representativeness: The election of trade union leaders must be carried out by personal, free, direct and secret vote, also respecting the principle of gender proportionality (arts. 371 and 371 Bis LFT). Consequently, votes by show of hand or by delegates were prohibited.

Likewise, the terms of office of the leadership may not be established indefinitely or configured in such a way as to limit the democratic participation of the worker base. The labour authorities may verify these processes when requested to do so by the union or by at least thirty per cent of its members. If substantial irregularities are established, the election may be declared null and void and a new electoral process may be ordered.

Certificate of Representativeness: One of the main innovations of the reform was the creation of the Certificate of Representativeness (art. 391 Bis LFT), an essential requirement to negotiate an initial Collective Bargaining Agreement. To obtain it, the union must demonstrate that it has the support of at least thirty percent of the workers in the workplace. When two or more union organizations apply for representation of the same workplace, the labour authorities must convene a free, personal, direct and secret vote by the workers to determine which has the greatest support. Without this evidence, no union may call a strike for the purpose of demanding the conclusion of an initial collective agreement.

Ratification of existing collective agreements: In order to eradicate the so-called employer protection contracts, the reform established the requirement that workers must ratify all current collective agreements held by the former Conciliation and Arbitration Boards.

These consultations were to be carried out by personal, free, direct and secret vote, with a deadline of July 31, 2023. In addition, each worker had to receive a physical copy of the collective agreement beforehand to know the working conditions submitted to the vote.

Genuine collective bargaining

The ILO defines collective bargaining as the process by which employers and trade union organizations agree on conditions of work, employment and industrial relations.

The reform seeks to ensure that collective agreements effectively respond to the will of workers, eliminating fraudulent practices that characterized protection contracts for decades.

Consequently, no collective agreement can be entered into without workers knowing its content beforehand and approving it by personal, free, direct and secret vote before its deposit with the Federal Center for Conciliation and Labour Registration.

The Federal Centers for Conciliation and Labour Registration

As part of the new institutional model, the Federal Center for Conciliation and Labour Registration (CFCRL) was created, a decentralized public body provided for in articles 590-A to 590-D of the Federal Labour Law.

Its main functions include the national registry of trade unions, collective agreements and internal labour regulations, as well as the supervision of procedures related to trade union democracy and the conciliation of labour disputes at the federal level.

The CFCRL is a fundamental piece of the new labour model, as it guarantees that trade union processes are carried out in accordance with the principles of freedom, transparency, legality and democracy.

Labour Conciliation is mandatory: It is intended that workers and employers attend a conciliation hearing before initiating a trial before the Labour Courts. The CFCRL will be responsible for the conciliation of federal matters, while the Conciliation Centers in the states will do the same in matters of local jurisdiction.

The New Labour Justice

Another of the most important transformations consisted of the disappearance of the Conciliation and Arbitration Boards and the creation of the Labour Courts attached to the Judiciary.

As a result, the administration of labour justice ceased to depend on administrative bodies and came under the responsibility of the judiciary, strengthening the principles of independence, impartiality, legality, transparency and effective access to justice (arts. 604, 605, 610, 685 and 870 to 891 LFT).

Although the new labour procedure has shown significant advances in terms of speed and transparency, daily practice has also shown the persistence of some structural problems that previously characterized the labour justice system and that still represent important challenges for its consolidation.

Gender perspective and inclusion

The reform incorporated the gender perspective as a cross-cutting principle of the new labour model, seeking to build workspaces free of discrimination, violence, harassment and sexual harassment.

In this sense, Article 132 of the Federal Labour Law obliges employers to implement, in coordination with workers, protocols to prevent discrimination on the basis of gender, address cases of workplace violence and eradicate forced and child labour.

Article 371, section IX bis, provides that the integration of trade union directives must respect the principle of gender proportionality, promoting greater participation of women in trade unions. Further, Article 133, section XV, expressly prohibits dismissing or pressuring a worker to resign on account of pregnancy, change of marital status or for exercising care responsibilities with respect to minor children.

The Rapid Response Labour Mechanism

The entry into force of the USMCA incorporated an unprecedented dimension to the protection of labour human rights in North America. Unlike the traditional dispute settlement mechanisms provided for in international trade agreements, the Rapid Response Labour Mechanism (RRLM) was the first designed to address alleged violations of freedom of association and genuine collective bargaining in specific workplaces, within covered sectors (primarily those oriented towards international trade such as mining and manufacturing but curiously excluding agriculture). If a company violates these guarantees and fails to remedy such violations, it may be subject to trade sanctions and direct financial consequences from the importing country.

Since the beginning of its application, the RRLM has acquired considerable relevance within the Mexican labour system. Various procedures have made it possible to correct irregularities related to union elections, the ratification of collective agreements and acts of employer interference in the internal life of trade unions. As of July 2026, 46 complaints had been admitted within the framework of the RRLM. However, other cases show limits, omissions and challenges that must be analysed in order to prevent their repetition and improve the effectiveness of the mechanism.

From a critical perspective, the main challenge is to ensure that compliance with the reform does not respond solely to the possibility of facing international trade sanctions. The consolidation of trade union democracy must obey, above all, the constitutional mandate to protect labour human rights and not exclusively the obligations arising from international trade. In this sense, the RRLM must be understood as a complementary supervisory instrument and not as the main engine of institutional transformation.

3.3 The role of institutions

The Secretary of Labour and Social Welfare

The Secretary of Labour and Social Welfare (STPS) is the agency of the Federal Executive Branch in charge of conducting the country's labour policy, monitoring compliance with the legislation on the matter and promoting decent working conditions. Its responsibilities include labour inspection, the protection of workers' rights, the promotion of freedom and union democracy, as well as the strengthening of collective bargaining.

The legal basis for these powers is mainly found in article 123 of Mexico's Constitution, which recognizes the right to decent and socially useful work and establishes the general bases of labour relations. Article 90 of the Constitution also provides that the Federal Public Administration shall be centralized, parastatal and support the existence of the Secretariats of State responsible for assisting the Executive Branch.

In the Federal Labour Law, the STPS is recognized as one of the authorities responsible for applying labour standards. Article 523, section I, formally identifies it as a labour authority, while article 524 indicates that it will exercise the powers established in the legislation and in the corresponding organic provisions.

Article 26 of the Organic Law of the Federal Public Administration includes the STPS among the agencies that make up the centralized Federal Public Administration. Article 40 of the same law develops its main powers, among which the following stand out:

- To monitor the observance and application of article 123 of the Constitution, the Federal Labour Law and its regulatory provisions.
- To seek a balance between workers and employers.
- To coordinate the procedures related to the formulation and execution of the contracts-law.
- Promote training, training, and increased labour productivity.
- Promote cooperative societies and other forms of social organization for work, in coordination with the competent authorities.
- Establish and monitor health and safety measures in the workplace.
- Promote trade union democracy, freedom of association and effective access to collective bargaining.
- Follow up on compliance with Mexico's international commitments in the area of labour rights.
- Issue and supervise compliance with official Mexican standards related to occupational safety and health.

In addition to these powers, employers are obligated, provided for in article 132, section XXXI, of the Federal Labour Law, to implement, in common agreement with the workers, protocols to prevent discrimination on the basis of gender and to address cases of violence, harassment or sexual harassment, as well as to contribute to the eradication of forced labour and child labour.

Monitoring compliance with these obligations is the responsibility of the labour authorities and, in particular, of the labour inspectorate. Therefore, the role of the STPS should not be reduced to the issuance of regulations or the development of administrative procedures. Its responsibility includes preventing violations, inspecting workplaces, correcting illegal practices and ensuring that formally recognised rights can be exercised effectively.

From this perspective, the action of the STPS is central to violence against trade unionists and labour human rights defenders. Its intervention should contribute not only to resolving labour disputes, but also to identifying contexts of harassment, discrimination, employer interference and reprisals that may jeopardize freedom of association, integrity and security of workers.

The National Human Rights Commission

The National Human Rights Commission (CNDH) is an autonomous constitutional body of the Mexican State, with its own legal personality and assets. Its function is to protect, observe, promote, study and disseminate the human rights recognized in the national legal order. Its autonomy is essential to monitor the actions of the authorities and to offer society an institutional channel against abuses, omissions and decisions of the public power that violate rights.

The legal basis of the CNDH is found in Article 102, paragraph B, of the Mexican Constitution. This provision establishes that public human rights bodies may hear complaints related to acts or omissions of an administrative nature attributable to authorities or public servants, with the exception of acts emanating from the Judicial Branch of the Federation.

The Constitution also empowers the National Human Rights Commission to take cognizance of disagreements related to the recommendations, agreements or omissions of the public human rights bodies of the states. It may also investigate acts that constitute serious violations of human rights when it so determines or when requested to do so by the authorities expressly empowered to do so.

In accordance with its regulatory framework, among the main powers of the CNDH are to receive and investigate complaints of alleged human rights violations; to formulate non-binding public recommendations; to file complaints with the competent authorities; to request precautionary measures in the face of serious risks or risks that are difficult to repair; to promote actions of unconstitutionality; and to prepare studies, diagnoses, special reports and public policy proposals.

It also develops activities of education, training, promotion and dissemination of human rights, in addition to addressing problems that particularly affect people and groups that face contexts of inequality, discrimination, exclusion or risk.

These powers make the CNDH an institutional bridge between society and the public authorities. Its task should not be limited to intervening when violations have already occurred. It is also responsible for making structural problems visible, strengthening social awareness of human rights, and promoting institutional transformations that make it possible to prevent new violations.

In the labour field, the CNDH does not replace the courts nor does it have the function of directly resolving disputes between companies and workers. However, it can intervene when the acts or omissions of labour, administrative, police, ministerial or security authorities violate human rights.

This intervention is necessary, for example, when the federal authorities tolerate employer interference in union life, allow reprisals against those who seek to organize, fail to investigate

threats or attacks, or do not guarantee effective conditions for the exercise of freedom of association and collective bargaining.

Labour rights are part of all human rights. Freedom of association, collective bargaining, equality, social security, personal integrity and the right to decent working conditions are not exclusively administrative or contractual issues. They are linked to dignity, autonomy and the possibility for workers to participate collectively in the defense of their living conditions.

This perspective acquires special relevance in the face of violence against trade unionists and labour rights defenders. Threats, aggressions, dismissals in retaliation, smear campaigns, criminalization and fabrication of crimes cannot be reduced to simple "labour conflicts". When these practices seek to punish the defense of rights, dismantle autonomous organizations or inhibit collective participation, they acquire a political and human rights dimension that requires an effective response from the State.

For this reason, the CNDH must strengthen its capacities to receive, document, and analyze these cases from a comprehensive perspective. This includes requesting precautionary measures when life, integrity, or security are at risk; investigating the actions and omissions of the authorities; and formulating recommendations that are not limited to reparating individual cases, but that allow for the identification and transformation of the structural patterns that make it possible to repeat these aggressions.

It is also necessary to expressly recognize trade unionists and labour rights defenders as human rights defenders when their activity is aimed at promoting, protecting or demanding constitutionally and internationally recognized rights. This recognition would make it possible to overcome the artificial separation between labour rights and human rights, as well as to prevent aggressions from being dismissed on the grounds that they are only labour disputes or isolated criminal acts.

Consequently, the role of the CNDH in the face of anti-union violence cannot be reduced to the reception and administrative processing of complaints. Its mandate requires preventive, critical and transformative action, capable of contributing to breaking impunity, strengthening coordination between institutions and placing the dignity, integrity and security of workers at the centre of the protection of human rights.

3.4. Understanding the structure of criminal power in Mexico: macrocriminality

Violence in Mexico escalated with the so-called "war on drugs" during the presidential term of Felipe Calderón Hinojosa (2006-2012), moving from common criminality to a complex control system. The term macro-criminality in this document not only refers to a large-scale crime but also to organized crime within power structures. According to the UN, it is defined as groups of three or more people, with hierarchy and permanence, who commit serious crimes to obtain

benefits.⁵ We understand it more deeply as illicit networks between criminals, state agents and economic actors to consolidate criminal enterprises. Their territorial control is sustained by armed, economic and political power.⁶

Claus Roxin's theory of the "organized apparatuses of power" explains how it works: in a criminal hierarchy, where orders are carried out even if the executor is replaced. The material author is fungible (interchangeable); the one who orders is a "desk criminal"⁷ who rarely executes. This figure emerged after the Nuremberg Trials to establish responsibility for those who order without acting.

Kai Ambos takes up Roxin and points out three pillars of macro-criminality: 1) Power of command with a clear hierarchy; 2) Disengagement from the Law, operating with its own rules; 3) Fungibility of executors, where the structure immediately replaces those who fall.⁸

An example of fungibility is the case of Rancho Izaguirre where the Jalisco New Generation Cartel (CJNG) recruited young people with false job offers, trained them and exterminated the "unfit", forcing those recruited to carry out crimes, being necessary but replaceable pieces.⁹ Organized crime in Mexico is no longer just drug trafficking. It is a system of governance networks made up of three spheres: criminal, political and business. The groups control territories, charge "derecho de piso", resolve disputes and impose mobility schedules. According to the Executive Secretariat of the National Public Security System (SESNSP) between 2018 and 2025 complaints of extortion rose 53.8%, affecting everything from mining companies to small producers.

One of the most well-known cases where we can identify the collusion of the three levels of government with criminal groups is that of the disappearance of the 43 students from Ayotzinapa,¹⁰ where the criminal group "Guerreros Unidos" and the army were involved. In this case, the Attorney General's Office used the logic of organized apparatuses to accuse military commanders who, with control of the structure, used the state apparatus to disappear the students. However, it is not the only case, in "Operation Swarm" similar networks were revealed in the State of Mexico (Edomex)¹¹ and in "lightning operations", also in Veracruz¹², where

⁵ United Nations 2000.

⁶ Patrón Sánchez 2024.

⁷ Roxin 2006.

⁸ Both 2011.

⁹ Ferry 2025.

¹⁰ Ontiveros 2019.

¹¹ The Attorney General's Office of the State of Mexico reported that between April 2024 and March 2025, files were prosecuted against 580 public servants from 49 municipalities for various crimes. The officials protect groups such as "La Familia Michoacana", allowing them to control the sale of basic products, construction materials and the collection of rent in exchange for financing their campaigns. The operation known as "Operation Swarm" dismantled criminal networks in collusion with local authorities mainly in the municipalities of Almoloya de Alquisiras, Amanalco and Ixtapan de la Sal.

¹² During 2025, Veracruz was one of the states most disputed by organized crime, at the end of 2025 there were at least six cartels operating in Veracruz territory: CJNG, Sinaloa Cartel, Gulf Cartel, Zetas Vieja Escuela, Northeast Cartel and the Caborca Cartel, in addition to cells such as Pura Gente Nueva, the Grupo Sombra Special Force and the Independent Cell 35-Z. As of early 2026, at least 10 municipalities remain under federal investigation for alleged links to organized crime, linked to extortion and territorial control. Federal forces have arrested at least four directors of Municipal Public Security and 29 municipal agents for alleged links to organized crime.

municipal officials facilitated disappearance and extortion operations in exchange for political financing. The criminal map is fragmented. The division of the Sinaloa Cartel and the expansion of the CJNG created violent cells that dispute states such as Guanajuato, Guerrero and Chiapas. There is not a single leader: there are multiple structures.

On February 22, 2026, after the capture and death of "El Mencho", leader of the CJNG, in Tapalpa in the state of Jalisco, 252 narco checkpoints were registered in 22 states. The structure operated without its head: proof that the executor is replaceable and the order survives the command¹³. The problem is not a lack of laws, but the existence of "states within the State" where the criminal is more effective than the institutional. This impacts independent unions¹⁴, since the violence does not come only from the employers, but from groups that control territory or are linked to companies and governments.

3.5. Who defends those who defend?

Precautionary measures for human rights defenders in Mexico

Mexico continues to be one of the riskiest countries for human rights defenders. According to the *2025 Annual Report* of the Inter-American Commission on Human Rights (IACHR), 3,357 petitions were received in the region that year; 700 originated from Mexico, the second highest figure, only after Colombia. Although this data includes different types of alleged violations and does not refer exclusively to labour defenders, it does show the magnitude of the matters that reach the inter-American system in the absence of sufficient responses at the national level. On the other hand, during 2025 the IACHR received 1,969 requests for precautionary measures in the region as a whole, the highest figure recorded up to that time. These measures do not constitute a privilege, but an instrument of protection aimed at preventing irreparable harm when a person or a group faces a serious and urgent situation. Through them, the Commission asks the States to adopt immediate actions to protect the life, personal integrity, and other fundamental rights of those who are at risk because of their work.

Recourse to these international bodies also reveals a worrying reality: many people turn to the inter-American system because the national authorities did not prevent the risk, did not act with due diligence, or did not offer adequate protection. Understanding the operation, scope, and limitations of precautionary measures allows us to measure the conditions in which the defense of human rights is exercised in Mexico.

¹³ The CJNG is one of the Cartels with the most territorial control and de facto power in Mexico, on Sunday, February 22, 2026, special forces of the Mexican Army, with the support of the National Guard, located Oseguera in the mountain area of Tapalpa, Jalisco, who was injured in the operation and died while being transferred by helicopter to receive medical attention. The death provoked violent reactions such as drug blockades, burning of vehicles in 20 states of the Republic.

¹⁴ From the Labour Reform of 2019, in which union democracy was strengthened through the legitimization of Collective Bargaining Agreements (CBAs) and Certificates of Representativeness. With the rise of the possibility of eliminating or reducing Protection Contracts, also came the creation of new forms of unionism and with it unions were formed that, unlike the traditional employer protection conglomerates, sought a real representation of workers, these being known as Independent Unions as opposed to the so-called "Charros" or employer protection Unions.

At the federal level, the Protection Mechanism for Human Rights Defenders and Journalists has been operating since 2012. Its creation responded to persistent aggressions against both groups and to the demands made for years by national and international organizations. At the local level, out of 32 states, only 20 have specific regulations to protect journalists and human rights defenders¹⁵, and of these, only 8 have a labeled budget and specialized personnel.¹⁶

The legal framework provides for preventive protection and urgent care measures, as well as public resources for their operation. However, institutional capacity continues to be uneven among the states. Although there are coordination agreements between the Federation and various state governments, not all entities have consolidated local structures, specialized personnel, clear protocols, or sufficient resources to respond immediately and effectively to a situation of risk.

These territorial differences mean that, in many cases, protection depends on the administrative capacity and political will of local authorities, rather than on stable institutions capable of activating themselves in an emergency. The guarantee of human rights, however, cannot be subject to the good will of those who govern. It requires a sufficient budget, trained personnel, accessible mechanisms and effective ways to demand accountability when the State fails to comply with its obligations to prevent, protect, investigate and redress.

3.5.1 Application procedure for the Protection Mechanism for Human Rights Defenders

Due to its national scope and mandatory nature, we will focus on the Federal Protection Mechanism for Human Rights Defenders and Journalists, and specifically the protection of human rights defenders.

In this context, a defender is considered to be someone who, individually or collectively, promotes or defends human rights.¹⁷ A degree or membership of an organization is not required; the central thing is activism and its defense work.

To avoid barriers to access the Protection Mechanism, the request can be submitted in writing, verbally, by telephone or electronically. It must include: a) identification of the applicant; b) account of the aggression and place; c) description of their work as a defender; d) statement on other protection mechanisms. Although requests are accepted through other channels, when they are not in writing, they must be formalized within eight working days, unless there is a serious

¹⁵ <https://protegerladignidad.osc.mx> Website developed by the Space of Civil Society Organizations for the Protection of Human Rights Defenders and Journalists (Espacio OSC), with the support of the Embassy of France in Mexico.

¹⁶ The most up-to-date data on this information is from 2022, in relation to an investigation carried out by the Colectivo Desde Provincia through 115 requests for information and the review of 143 official documents, the findings of which can be seen in <http://piedepagina.mx/proteccion-de-papel-para-periodistas-en-mexico/> as they are not found on the original portal.

¹⁷ Article 2, *Law for the Protection of Human Rights Defenders and Journalists*, Published in the Official Gazette of the Republic on June 25, 2012, Last amended on April 28, 2022.

impediment. The Mechanism is also activated ex officio: **any authority that knows of a risk must immediately notify the Case Reception and Rapid Reaction Unit.**¹⁸

3.5.2 The contradiction of the Mexican State: recognizing rights, failing to protect those who defend them

Protecting human rights defenders is not a concession of the State, but a legal obligation. Article 1 of the Mexican Constitution establishes that all authorities, within their respective competences, must promote, respect, protect and guarantee human rights. This implies not only refraining from violating them, but also preventing risks, acting in the face of aggression and generating conditions for their effective exercise.

For its part, the International Covenant on Economic, Social and Cultural Rights recognizes work, fair wages, decent conditions, freedom of association, collective bargaining and strikes as human rights.¹⁹

It should be noted that Mexico's Constitution of 1917 set a historic precedent by incorporating social rights, particularly in labour and agrarian matters. This early recognition does not, however, eliminate the distance that still exists between the formal protection of these rights and the real conditions for exercising them. Precisely for this reason, defending labour rights continues to be an activity that requires effective guarantees and institutional protection.

Despite the formal recognition of social rights, the Mechanism's Regulations allow the authority to analyze and qualify the "activity" of the person requesting protection.²⁰ In fact, when it comes to labour rights defenders and/or trade unionists, this analysis translates into the denial of admission.²¹ This systematic exclusion is reflected in the search for international protection: in 2025 the IACHR reported an increase in Mexican requests with allegations of violations of economic, social, cultural, and environmental rights (ESCER).²²

The lack of protection leaves a situation of special vulnerability to those who demand decent wages, denounce non-payment of profit shares or defend freedom of association. This contradiction became more visible after the 2019 Labour Reform,²³ which sought to strengthen union democracy and give workers back the ability to choose through a free and secret vote. The

¹⁸ Mexico 2022.

¹⁹ United Nations 1966.

²⁰ Mexico 2012.

²¹ The public information available so far, in relation to the monthly statistical reports and the Report on Activities for the Strengthening of the Protection Mechanism for Human Rights Defenders and Journalists, reflect that they do not have indicators on the type of work that the beneficiary carries out.

²² IACHR 2025.

²³ It was published on May 1, 2019 and changed 569 articles of the Federal Labour Law. It brought 2 axes: Axis 1: New Labour Justice. The Conciliation and Arbitration Boards were eliminated. Now labour justice is in Labour Courts of the Judiciary and federal and local Conciliation Centers. Conciliation became mandatory before going to trial. Axis 2: Union Democracy. In which it was established: a) Personal, free, direct and secret vote to elect union leaders; b) Legitimization of collective agreements: workers must vote to approve their initial collective agreement, its revisions and to legitimize existing ones; c) Certificates of representativeness: a union needs to demonstrate that at least 30% of the workers support it in order to negotiate; and d) End of protection contracts: it seeks to dissolve collective agreements signed behind the backs of the worker base.

reform made it possible to make visible the will of workers and to challenge protection unions and sham contracts, but it also sharpened the dispute between independent organizations, corporate union structures, and companies.

As a result of the new wave of independent trade unionism, those who promoted independent unions, promoted the legitimization of collective agreements and demanded authentic negotiation faced threats, dismissals and other forms of violence. The same legal framework that recognized their right to organize has not always guaranteed safe conditions to exercise it.

Demanding the payment of profits, accountability for union dues or clean elections constitutes the exercise of the rights recognized in the law. However, an area of institutional uncertainty persists, when there are threats and violence, some authorities reduce these events to labour disputes, in addition to the fact that the protection mechanisms usually do not recognize them as acts of defense of human rights.²⁴

This lack of recognition leaves union leaders in scenarios in which business interests, state omissions and even criminal dynamics converge. The result is an inhibiting effect on collective participation and the strengthening of co-opted union structures. As long as the defense of labour rights is not fully recognized as a defense of human rights, many people will continue to turn to international bodies to seek the protection they do not find at the national level.

3.6. Defending labour rights, a challenge in the face of macro-criminality in Mexico

Violence against trade unionists in Mexico is one of the most persistent expressions of political and structural violence against human rights defenders. Although the country has formally made progress in terms of trade union freedom and democracy, the reality shows that organizing collectively continues to be a high-risk activity for many workers, especially when they challenge economic interests, corporate structures or networks of political and/or criminal power.

Anti-union violence is not limited to physical aggression. It also manifests itself through threats, harassment, surveillance, smear campaigns, dismissals, fabrication of crimes, criminalization of protest, psychological pressure, as well as the so-called blacklists used to register those who organize for better conditions. These practices seek to generate fear, demobilize workers and weaken the possibilities of building autonomous union representation.

In Mexico for decades, many unions have been linked to political and economic structures that limit workers' democratic participation. In this context, those who attempt to build independent organizations often face reprisals at work, exclusion, or other types of violence. While recent labour reforms have opened up new opportunities for free union organization, they have also intensified conflicts in sectors where companies and power groups seek to maintain control over collective bargaining agreements and labour relations.

²⁴ STPS 2026.; Heras 2026.

In recent years, various conflicts have shown that anti-union violence can reach extremely serious levels. Organized workers have reported the presence of armed groups, death threats, and physical attacks during strikes or union legitimization processes. In some cases, international organizations and labour mechanisms of the USMCA have documented intimidation and coercion against workers seeking to join independent unions. This situation is particularly worrying because it shows how workplace violence can be intertwined with macro-crime dynamics and general contexts of insecurity in the country.

Political violence against trade unionists also occurs through the institutional weakening of their rights. Many workers face obstacles in accessing labour justice, deficient investigations when reporting attacks and lack of effective protection against threats. Impunity sends the message that attacking those who defend labour human rights has no consequences, generating an environment of permanent vulnerability.

In addition, trade unionists often play a key role in defending other human rights. Labour struggles are often related to demands for social security, decent working conditions, gender equality, health, housing and access to justice. As a result, attacks against trade unionists do not only affect specific individuals, but also entire working communities and the exercise of democracy in general.

Women trade unionists face specific risks. In addition to the common aggressions against labour defenders, many suffer gender-based violence, sexual harassment, disqualifications based on stereotypes and exclusion from decision-making spaces. In many cases, violence seeks to expel them from political and trade union participation through intimidation, isolation or emotional exhaustion.

The persistence of these attacks shows that freedom of association cannot be understood only as a formal right recognized in law. It requires material and security conditions that allow workers to organize without fear of losing their lives, physical integrity or their jobs. Trade union democracy can only fully exist when people can exercise their collective rights in an environment free of violence, that is, guaranteeing the justiciability of labour rights.

For this reason, it is urgent that the Mexican State explicitly recognize trade unionists as human rights defenders and establish specialized mechanisms for prevention and protection. This implies guaranteeing effective investigations, punishing those responsible for attacks, generating immediate attention protocols and building public policies that protect the right to collective organization. Therefore, it is urgent to have a clear route of enforceability and justiciability of labour rights.

Defending human rights in the workplace should not mean facing threats, physical assault, repression, dismissals, and in extreme cases the loss of life. The protection of trade unionists is an indispensable condition for strengthening labour justice, combating precariousness and consolidating real democracy in Mexico.

4. Political violence against trade unionists. When defending labour rights can cost lives

In recent years, Mexico has experienced an upsurge in violence against organized workers, trade unionists, and labour rights defenders. Although the 2019 labour reform and the mechanisms provided for in the USMCA opened a new stage for freedom of association and collective bargaining, several recent conflicts show that the exercise of these rights continues to be marked by threats, harassment, dismissals, physical attacks, criminalization, and pressure exerted by companies and, in some cases, by actors linked to criminal dynamics. Far from isolated events, these cases reveal a structural pattern of anti-union violence that particularly affects those who promote democratic and independent forms of organization. The cases presented below allow us to observe more precisely how these aggressions operate, which actors intervene, and what institutional omissions favor their persistence.

Against this backdrop, we reiterate that it is essential for the Mexican State to expressly recognize trade unionists and labour rights defenders as human rights defenders and guarantee specialized mechanisms to protect their life, integrity, and freedom of organization. This protection must include preventive measures, immediate responses to threats, diligent investigations, coordination between labour, ministerial, and security authorities, as well as effective guarantees for the exercise of union activity. Union democracy cannot be consolidated as long as workers must organize under fear, intimidation, or violence. Protecting those who defend labour rights means, at the same time, protecting freedom of association, labour justice, and the democratic life of the country.

4.1 VU Manufacturing – Liga Sindical Obrera Mexicana

A historic watershed in the border region of Coahuila, an area with a terrible record for democracy and freedom of association, arose when a recently created independent union obtained a certificate of representativeness in an election won against the Confederation of Mexican Workers (Confederacion de Trabajadores de Mexico -CTM). We refer to the case of VU Manufacturing, a company that manufactures vehicle interiors. The achievement was not easy; during the process of organizing, patterns of anti-union violence were observed, including collusion between the company and the traditional union, the co-optation of workers, threats and even damage to private property, resulting in the denial of union rights.

In 2021, after participating in a training that helped to denormalize violent dynamics within the workplace, a group of workers decided to organize and join an independent union, the Mexican Workers' Union League (Liga Sindical Obrera Mexican -LSOM), thinking that with the benefits of the labour reform they could improve their working conditions and thus their quality of life.

Despite the widespread fear of being fired, workers in the factory began to join the new union due to the poor working conditions. In VU Manufacturing, 12-hour days were managed from Monday to Thursday, plus overtime, which increased the working day by two hours, 14 hours a day; and many times on Fridays they went full-time, with some Saturdays part-time. Their lives were practically spent working between the production lines. This overtime, which in practice was mandatory, was not immediately reflected in their income, as it usually had a lag, of two to three weeks. This dynamic forced them to constantly cover overtime to have a regular income.

"... it helped us to organize ourselves ... the bad working conditions, being 12 hours in a workplace ... we left at 7:00 at night and the next day we entered at 7:00 in the morning ... then they gave us overtime, 2 more hours of work, 14 hours and sometimes on Fridays and weekends, they forced us to attend. But then, we did not get the extra pay we had worked. "

—Former worker at the company VU Manufacturing and Trade Union Representative LSOM.

When they began to organize, there was no incumbent protection union in the factory; however, once the company found out that there were workers meeting and talking about their working conditions and the changes they would like, it brought the CTM to its facilities. The CTM is characterized by a model of protection unionism that mostly prioritizes the interests of employers and the maintenance of low wages, and that regionally controls a large part of the manufacturing companies in Coahuila, being a pillar to maintain the aforementioned "labour peace". In synergy with the company's management and human resources, the CTM used the factory's lunchroom to compel workers to sign their affiliation. However, thanks to the training they had received, workers knew that the company could not legally influence their union affiliation, and the workers refused to sign. In July 2022, after the workers refused the imposed union, the company began a policy of violence against those who sought real representation for the benefit of the interests of the working class.

"They told me about HR and told me that I was fired; they wanted me to sign a letter of resignation, which I did not sign because it was violating my rights as a worker, that was a very big reason for me to continue in the movement and my work.

Former worker at the company VU Manufacturing and Trade Union Representative LSOM.

This violence and harassment, during the first months, was mainly against the leaders of the movement. The employers' actions included extensive surveillance, to the point of following them to the bathroom, prohibiting them from speaking among colleagues in the workplace. In one case, a transgender worker who was in the process of transitioning to a woman, was punished by being sent to the basement of the company to the foundry and welding area, to create her discomfort by being assigned jobs considered to be only performable by men.

Another of the frequent forms of reprisal and economic violence against workers were the so-called "technical stoppages". Under the pretext of not having the supplies or resources, the company would send some workers to "rest" on a discretionary basis, with 50% of their salary; on a couple of occasions the entire workforce was laid off. This practice, which was common before

starting to organize, is a figure that is regulated in the Federal Labour Law, however, the company never complied with the regulatory requirements for the stoppages to be legal. By doing them at their discretion, when the workers began with the independent union organization within the factory, these stoppages were a tool to harass leaders. Not only would they lose half their salary, they would also lose opportunities to communicate directly with the rest of their colleagues within the workplace.

The Border Workers Committee (Comité Fronterizo de Obreras y Obreros -CFO), a civil society organization on the northern border with thirty years of experience, supported workers in the unionization process with training, accompaniment in cases of dismissal or harassment, advice and international solidarity. During the organizational accompaniment, CFO staff were also affected by violence from people related to the company, the CTM and co-opted workers.

*"On another occasion, **my car tires were slashed with a knife outside a bank, that is, the tires were in good condition, but when I left the bank, you could tell, that they had been cut with a knife and all that.**"*

—LSOM Advisor and Labour Human Rights Defender CFO.

For their part, the workers affirm that the aggressions increased over the months, including pressure to renounce their union membership, the intensification of the policy of persecution and surveillance, including outside union meetings, as well as smear campaigns inside and outside the workplace, which included defamation of a sexual nature against the most visible colleagues.

"Within the company, as I was one of the main organizers, they took photos of me with my colleagues, uploaded them to social networks and made sexual insinuations; violence increased a lot in the process."

Former worker at the company VU Manufacturing and Trade Union Representative LSOM.

Violence was constant inside the factory, but it also extended outside it. Company and CTM representatives followed workers, took photos of those who attended meetings, followed the labour human rights defenders who accompanied the process, and damaged their property. On one occasion, when the LSOM union held a press conference in Piedras Negras, CTM sympathizers tried to force their way into the room, with the intention of giving the impression that the workers were upset by what was happening in the plant, or were waiting for the media to leave.

Thanks to the large amount of evidence collected from workers affiliated to the LSOM and the CFO organization, they were able to file a complaint with the RRLM, being the fifth accepted in under that procedure. The activation of the mechanism caused the Mexican authorities to also take action in the case, and scheduled an election on August 31, 2022, to decide which union

would represent the workers. With 186 votes in favor, the LSOM took the majority, against 101 for the CTM. For the first time in the region, a newly created independent union had won the right to negotiate a collective agreement.

*"My family did not like that we were in that process, they saw that there was a lot of harassment; **they tracked when we went to meetings and they even followed me.** I talked to my family and told them to continue fighting to the end; the new generations must have a reason to continue."*

—Former worker at VU Manufacturing and Trade Union Representative LSOM.

The triumph at the polls did not bring a stop to the harassment and violence against the representatives of the LSOM and the accompanying organization, CFO. On the contrary, it increased. In the face of direct attacks on property, organizers applied for protection from the Mechanism for the Protection of Human Rights Defenders and Journalists. The institutional response was not only late, but inadequate. Its determination stated: **"does not comply with the same indications, because the risk to which it refers is the competence of other authorities such as the Judicial Branch of the State of Tamaulipas and the Attorney General's Office of the State of Tamaulipas. [sic]."**²⁵ The response demonstrated that the authorities had not even reviewed the background of the specific case, since the violence exercised was carried out in the state of Coahuila, and not in Tamaulipas. Perhaps the reply had been recycled from another case in Tamaulipas.

In the context of an institutional lack of protection, the collective bargaining process for the signing of the contract intensified. Ultimately, the company refused to negotiate with the Mexican Workers' Union League and dismissed union members²⁶. The U.S. government twice requested a review of the violations of freedom of association through the RRLM process. The Mexican government concluded that there were "serious irregularities" to hinder union life. As a journalist reported, "On the eve of the negotiation of the Collective Bargaining Agreement between the LSOM, whose representativeness they won last August with the company VU Manufacturing, in Piedras Negras, the attacks against this independent union organization began."²⁷

*"We came to the decision or to the point of **seeking precautionary measures with the Undersecretary of Human Rights, Population and Migration, of the Secretary of the Interior**, who rejected the request, they told us, after 3 months, first, that they lost the file and then, when we sought, a response to the authority. They told us no. That the case did not merit any precautionary measures and that there was not enough evidence for it. No authority (STPS,*

²⁵ Annex 1 Refusal of incorporation. MEC/CEN/NEG/038/2023. Official Letter: DGPPDDHP/915/URC/0938/2023. April 28, 2023. Mexico City: https://drive.google.com/file/d/1e2L0u0QeqZx_iRvLj3pSdyj7BIS2IFx7/view?usp=drive_link

²⁶ Martínez 2023a.

²⁷ Becerra 2023.

CFCRL and U.S. labour attaché) cared about this situation and downplayed it." –LSOM Advisor and Labour Human Rights Defender CFO.

Finally, in summer 2023, despite the fact that there was a Remediation Plan in effect intended to obligate the negotiation of the first Collective Bargaining Agreement in the VU Manufacturing maquila, the company closed operations. The closure was done illegally, machinery was removed overnight to be sold. The last 50 workers employed did not receive any form of legally mandated severance pay. Blacklists were implemented against nearly all of the 400 former workers, so that they would not be hired in other factories. To this day, the STPS denies the existence of these blacklists, but in reality the people who actively participated have not been able to return to work in the region's maquilas.

"During the years 2022 and 2023, in the auto parts maquila VU Manufacturing, in Piedras Negras, Coahuila, workers denounced obstacles to freedom of association and business favoritism towards traditional unions during collective representation processes, a situation that led to labour review mechanisms under the USMCA²⁸.

– Secretary of Labour and Social Welfare and Secretary of Economy.
Joint Statement 026/2023, March 31, 2023

4.2 General Motors and Fräenkische: National Independent Trade Union of Workers in the Automotive Industry (SINTTIA).

Another case that was marked by violence, harassment and intimidation was that of the National Independent Union of Workers of the Automotive Industry (Sindicato Independiente Nacional de Trabajadores y Trabajadoras de la Industria Automotriz -SINTTIA) who broke with 25 years of control of the CTM in General Motors (GM) Silao in February 2022. In this historic moment, SINTTIA obtained 4,192 votes out of the 5,478 votes were cast, with 87.9% of the workforce of 6,232 participating."²⁹ SINTTIA won recognition as the representative union, and with it was elected the first woman union leader in the automotive industry in Mexico, the general secretary of SINTTIA, Alejandra Morales Reynosa.

The historic achievement was difficult. There was workplace harassment and favoritism of the company towards the CTM. The STPS had to annul the first vote held in May 2021 due to the

²⁸ Secretary of Labour and Social Welfare and Secretary of Economy 2023.

²⁹ Martinez 2022.

theft and destruction of ballots³⁰. For this to happen, there had to be a complaint from the RRLM, for all the irregularities that occurred during the organizational process, in the previous vote and that ultimately led to a historic vote in GM Silao, the collusion between HR and the incumbent union was enormous. When the latter denounced a worker who raised his voice and defended his rights, the company immediately dismissed him. In this sense, a participant said:

"The employers' union (CTM) intimidated from the psychological to the physical level, including hitting workers, harassment of colleagues, intimidating messages at home or at the time of exit-entry"

—Advisor and Defender of Labour Human Rights of SINTTIA

Through a press release, the organization Casa Obrera del Bajío Workers (House of the Bajío) denounced that on Sunday, January 30, unidentified people in a vehicle without license plates, visited the home of Alejandra Morales Reynoso, and threatened her to discourage her from running in the February 2022 union election.³¹ In this regard, on the same day the Casa Obrera del Bajío demanded of the authorities: "We endorse our struggle for union freedom and democracy through legal and peaceful means, and support for all the fellow workers of the GM plant in Silao and we demand the governor of the state of Guanajuato Diego Sinhue Rodríguez Vallejo; the State Prosecutor, Carlos Zamarripa Aguirre, and the corresponding authorities to guarantee the safety of Alejandra, her family, the members of the Executive Committee of SINTTIA and/or her supporters."³²

This violence not only within the workplace, but also in the homes of union leaders, trying to prevent the general secretary from participating in the elections, shows the type of aggression they had to face during the organizational process. Not to mention the multiple dismissals and harassment within the workplace, as well as the difficulty for workers to get support from the authorities who exercise this function:

"The local labour conciliation centers or the PROFEDET, when complaints are made for unjustified dismissals, the complaints can remain weeks, months without receiving salary and each visit costs money to go and follow up, and there the companies took advantage of letting time pass, tire the worker and then they arrive and offer a sum well below that corresponds to them and in desperation the workers accept these much lower sums."

—Advisor and Defender of Labour Human Rights of SINTTIA

Undoubtedly, the economic and physical violence experienced by workers in independent unions is continuous and systematic. Another contemporary case in the same municipality of Silao, Guanajuato, with the participation of the same independent union, SINTTIA, also in the

³⁰ Secretary of Labour and Social Welfare 2021.

³¹ Vázquez 2022.

³² Vázquez 2022.

automotive branch, is that of the Fräenkische Industrial Pipes company. Workers were fed up with their working conditions, safety and the little or no support from the existing union, the Union of Workers of the Metal-Mechanical, Automotive, Similar and Related Industry of the Mexican Republic (SITIMM), headed by Alejandro Rangel Segovia and affiliated to the CTM. As a result, workers decided to organize to change their conditions.

"We got tired of the treatment and injustices, we did not have enough benefits, the union and the company were the same. They did not pay us well for overtime, and when we decided to organize it was because they gave us very little profit, despite the fact that there had been a lot of work and even overtime, but when the profits came they told us no, that the company had done badly."

–SINTTIA Trade Union Representative at the Fräenkische company.

The company opened in 2011 "as part of a series of automotive investments with the purpose of densifying the value chain for the assembly plants already installed and that were going to be built in the Bajío area."³³ According to Zuppa, in this case the practices of sham or protection unionism were reproduced: "the collective bargaining agreement (CBA) was signed with the SITIMM-CTM before there was a single person hired." Therefore, when they joined, they automatically became part of the SITIMM union.³⁴

Once the company found out that there was a group of dissatisfied workers with the intention of organizing, the company and the employers' union threatened the organized workers and carried out several dismissals.

"When we organized, they fired approximately 20 people at the beginning. On another occasion, the company called the National Guard and the police, they strongly threatened us. On another occasion they practically beat a colleague."

–SINTTIA Trade Union Representative at the Fräenkische company.

On June 26, 2023, the election to determine union representation was held. SINTTIA won by a majority with 345 votes, the SITIMM affiliated to the CTM, achieved 314 votes in its favor.³⁵ That election was highly contested, due to the irregularities that were marked and especially the harassment, violence and dismissals suffered by workers, inside the company and outside; a complaint from the RRLM of the USMCA was activated.³⁶

³³ Gomez Zuppa 2023a.

³⁴ Gomez Zuppa 2023a.

³⁵ Maquila Solidarity Network 2023.

³⁶ Martinez 2023b.

"... I was afraid that they would do something to me and that one day I would not come home, that was my fear every day and as I was part of the independent union I was also afraid, I said where we don't win, I was also going to see reprisals, they were going to fire us. That was my fear. If we didn't win anymore, it was that my work ended here, I suffered a lot of stress because of it. To date HR, the managers are always going to humiliate you."

– Worker at the Fränkische company.

"From the beginning of the union representation process, SITIMM, in agreement with Fränkische, maintained its strategy of threats, bribery and confusion among workers. For example, in February, SITIMM denounced a call to strike for alleged violations of the CBA, which ultimately never occurred. Six months later the SITIMM, began a process to ratify the new CBA that they had negotiated at the end of 2022, but without informing members of its contents."³⁷ Despite the fact that SINTTIA was the owner of the CBA, violence continued inside the workplace.

"The most aggressive thing has been that we constantly want solutions. The company signs agreements and then does not respect what was agreed, they are very opposed to working with an independent union like SINTTIA."

–Worker at the Fränkische company and SINTTIA Trade Union Representative.

It is common for companies that should dialogue and negotiate with independent unions to refuse to do so, to claim they do not know how to do it, they have not been trained. If middle management are unaware of labour and union legislation, it is due to the habit and inertia that existed over decades and on the other hand independent unions seek a real change.

4.3 Binational transport: SITRABRICS in Hyundai

Likewise, in conflicts such as that of the Union of Supply Chain Transporters (SITRABICS), workers have denounced practices of intimidation, employer pressure and reprisals, and unjustified dismissals against those who seek to organize independently.

"I began to organize my colleagues, but the authorities, [...] at the very least they are ignorant, [...] they are always on the side of the companies, no matter how much discourse they have about the people and workers and that they are different; well, no. In practice they do not pay attention to us and the independent unions. Alongside fighting corporatist unions, the economic powers of the companies, we have to be dealing with the obstacles that the authorities put in front of us."

³⁷ Gomez Zuppa 2023b.

–Secretary General SITRABICS.

In the case of SITRABICS, after three years of threats and harassment by the Benito Juárez Union of the Mexican Regional Workers' Confederation (Confederacion Regional Obrera Mexicana -CROM), the transport workers filed a complaint with the government of the United States through a complaint from the RRLM of the USMCA, for denial of freedom of association due to practices of intimidation, employer pressure and reprisals against those who seek to organize.³⁸

"The first reaction of the company was to fire me and the other leaders, there were 2 or 3 other fellow leaders accompanying me on this issue, and they were firing them, first it was me and shortly after the second and immediately, the third and so on to date 5 years later, and they continue to fire people."

–Secretary General SITRABICS.

The hostility and threats against the workers affiliated to SITRABICS did not cease during the process of union organization. One of the most serious episodes was recounted by its general secretary, who described how the warnings coming from the company's environment generated a climate of fear that ended up affecting even their daily activities and their public exposure:

*"On one occasion, I visited a colleague at his house because he wanted information and his wife told me, that they had a meeting with HR and the company's accountant, a very violent person, (fortunately, she has already been fired). [...] She told them that **they had better calm down because she didn't want there to be dead people**, [...] my colleagues told me, take care because they are going to do something to you and even colleagues who know her and who have been friends with this person 'if she is capable of doing something to you, because she is very angry with you and knows criminals', etc. From there, I began to moderate myself a little, to be a little more anonymous, because, in a way, I was scared, right. Since it was known that this person knew criminals throughout the region."*

–Secretary General SITRABICS.

Four years after filing a complaint with the USMCA's RRLM, the union was recognized as a union organization in a Hyundai supplier company in Baja California. One participant described the process as follows: **"Although it was a real ordeal to find justice, we finally succeeded. And any worker who is determined to raise their voice to improve their labour rights has to be**

³⁸ Martinez 2025.

willing to fight against anything."³⁹

However, formal recognition did not put an end to the aggressions or the employers' resistance. The experience of SITRABICS shows that the legal existence of an independent union does not necessarily imply that the company accepts its presence, respects its activity or establishes a relationship of dialogue aimed at the well-being of workers. On the contrary, practices aimed at hindering its operation and weakening its representation may persist. According to the general secretary, *"to this day we do not have a CBA despite having filed the complaint of the Rapid Response Labour Mechanism, and the Mexican authorities are conspicuous by their absence, I have had meetings with Dr. Tamaris (STPS) but they are conspicuous by their absence and he does not even answer us. "*

"If there were protection, the workers could freely manage their union, I stopped for my family, thinking about what might happen to them."

—Secretary General SITRABICS.

4.4 Manufacturing: freedom of association in Saint-Gobain

In Cuautla, Morelos, the Saint-Gobain Glass plant, part of the Sekurit division of French multinational manufacturer Saint-Gobain, was the scene of a historic labour struggle, with workers forming an independent union drawing support from the United Steelworkers union (USW) and the AFL-CIO. Both organizations supported a complaint to the RRLM, after the company unfairly favored the incumbent Confederation of Workers and Peasants (Confederacion de Trabajadores y Campesinos -CTC) union over the new Independent Union of Free and Democratic Workers of Saint Gobain Mexico. During the conflict, workers reported harassment, warnings of losing their benefits if they did not vote for the CTC, death threats, and even attacks with firearms.

The origin of the movement and the Labour Reform

In the absence of authentic representation in 2018, workers organized clandestinely to democratize the existing union, yet in this process several people were fired. In March 2020, workers voted to remove the Executive Committee that had been in office for 8 years, and voted out the General Secretary months later. By September, through a show of hands, they elected Gabriel Mendoza as the new General Secretary. However, on April 9, 2021, the CTC and the plant's Human Resources department told him that "by not accepting agreements between the

³⁹ Becerra 2026.

Union and the company, he was fired".⁴⁰ Therefore, it is inferred that his dismissal was due to his firm defense of the labour rights of his colleagues.

"At that time, we were all enraged, furious, because we finally had a real representation of a Secretary General who finally defended us and that's why he was being fired."

–Saint Gobain Worker

Injustice, far from repressing the movement, strengthened the workers' organizing in search of better working conditions; by May 2021, organizing meetings were constant. Added to this was an event that caused widespread outrage. During the health crisis, a worker died of COVID-19; his widow presented evidence that the General Secretary imposed by the CTC, together with his advisors, attempted to extort her from receiving compensation for his death, they demanded thirty percent. The outrage was compounded when it was confirmed that the CTC not only agreed to bilateral agreements reducing the liability of the company but also disregarded them even after workers had died. The Labour Reform of 2019 made it easier for frustrated workers to create an independent organization and in January 2022 the Independent Union of Free and Democratic Workers of Saint Gobain Mexico was formally born.

"... as I tell my wife, I don't have a job, I don't have money, I don't have anything..."

–Saint Gobain worker

Challenges, digital divide and employer violence

The consolidation of the independent union faced severe financial, family and physical obstacles. The group faced harassment from an external "shock group". They could not confirm it but they were certain that it was financed by the CTC. The founders of the new independent union remember that their first day of promoting it within the factory was quiet because "they were caught off guard".⁴¹ However, once identified, the shock group began to harass, insult and physically attack them, regardless of whether they were men or women. Inside the plant, the provocations of other employees sought to trigger violent reactions to justify dismissals, which forced the leaders to maintain a strict discipline of self-control; close communication between the organizers was essential to identify these dynamics.

Internally, economic precariousness discouraged some supporters under the premise: "the truth is that I can't get involved, I wish you luck guys, if at some point you manage to have the registration as a union, count on my vote and that's it" (Saint Gobain worker).

Additionally, the digitization of procedures by Federal Centre for Conciliation and Labour Registry (CFCRL) during the pandemic deepened inequalities, forcing organizers to pay for internet café services and assistance for the digitization of PDF documents. This example exposed short

⁴⁰ Information from semi-structured interviews

⁴¹ Information from semi-structured interviews

comings of the reform insofar as it assumed workers possessed digital literacy and access to computers to complete tasks that were difficult on a cell phone.

"There are times that between coperacha, 'there are my 20' [pesos], 'there are my 50' we would collect just the cost for transportation and leave and return without eating that day."

—Saint Gobain Worker

The normalization of violence, group cohesion as a tool for resistance

Despite the adversities, the workers described their experience as upholding their dignity, collective organization and the ability to sustain the movement in deeply unfavorable conditions. However, their testimonies also show how violence came to be normalized as a form of adaptation to risks that were beyond their control. In some accounts it was stated that "there were no major aggressions", although an anecdote was later shared of how a union member was attacked with a firearm while he was inside his vehicle. The event was not discussed for fear that its dissemination would discourage the participation of the worker base. In a context where support for the movement depended, to a large extent, on the perception that the process could be carried out safely, publicly acknowledging that the physical integrity of its members was at risk could weaken the organization. This decision shows how workers not only had to face violence, but also manage it and partially hide it to avoid demobilization.

Faced with this scenario, the cohesion of the group became a central tool of resistance. The defense of employment and family welfare was one of the main reasons for continuing: "either we win, or we say goodbye to our jobs," said one of the Saint-Gobain workers, referring to the fear of being fired, included in blacklists and excluded from future job opportunities. Added to this was the example of other independent unions, particularly SINTTIA, whose experience strengthened the idea that transformation was possible: "if they can do it, so can we." Internal solidarity allowed personal differences to take a back seat to the common goal, to the point that the collective came to recognize itself as a "family." The technical and formative support of the Puebla based Centro de Apoyo al Trabajador (Worker Support Center -CAT) and the AFL-CIO supported Solidarity Center was also essential, providing training and materials. More than complementary support, these external networks helped to sustain the confidence, organization and continuity of the movement in an environment marked by fear and uncertainty.

The voting process to recognize the new independent union was complicated. The first voting day, which centered on workers rejecting the existing CTC Collective Agreement, required the protection of the National Guard to discourage violent repression and reassure workers. After the "No" vote won, the right to determine the union in the factory was enabled. This process included a rigorous deployment of security and institutional supervision that included the National Guard, municipal and state police forces, human rights observers and CFCRL personnel. Finally, in September 2022, the Independent Union of Free and Democratic Workers of Saint-Gobain Mexico officially won the right to negotiate the Collective Bargaining Agreement, proceeding to the formal signing of a new agreement in March 2023. An achievement not only for the workers

of Sekurit in Cuautla, but for all the people who today fight for dignity at work. To this day, the independent union continues to win rights for its colleagues.

4.5 Strike in the Tornel rubber factory: stop work to survive

The rubber sector witnessed the strike at Tornel, beginning in February 2026 for working conditions and respect for their collective rights, until its resolution several months later in July. The eventual victory upholding several of the key rights established under the rubber industry's sectoral Contract Law, was hard fought. On March 18, armed men entered the strike area in front of the plant gates in Tultitlán, State of Mexico and physically assaulted workers, leaving people injured by gunshot wounds⁴². Mexico's Secretary of Labour and the Federal Center for Conciliation publicly condemned the events and pointed out that violence cannot be used to resolve labour conflicts.⁴³

The violence in Tornel reflects the physical vulnerability of the strikers. The strike is sustained by the physical presence of the workers at the entrances to the plants, often without effective protection measures. When attacks occur, investigations are usually slow and impunity favours new threats. This type of direct physical violence seeks to break the morale of the movements and dissuade any attempt at organized protest.

Struggles with Corporatism

Until 2008, the union representation of the plant was subordinated to the CTM. After becoming independent that year, the National Union of Workers of the Hulera Tornel Company, began a process of democratization that suffered a serious setback in 2017, when the union's general secretary made significant concessions to the company on the benefits stipulated under the Contract Law. These concessions, including the non-payment of profits and accumulated irregularities, prompted the current leadership to demand the restitution of their rights, triggering the recent strike.

Institutional Violence and Obstacles of the State Apparatus

Formalizing the strike was not easy, access to the constitutional right to strike faced significant bureaucratic hurdles. The worker testimonies contend that the Mexican labour authorities actively operated to delay and not recognize the legality of the strike, forcing the rank and file to carry out mobilizations of social pressure to force its admission and legal recognition.

⁴² La Izquierda Diario 2026.

⁴³ Secretary of Labour and Social Welfare and Federal Center for Conciliation and Labour Registry 2026.; Urrea 2026.; Martinez 2026a.

Once the strike began, the institutional bias persisted. According to the workers' statements, the State agencies acted in a de facto way as "public defenders of the companies", using speeches that accuse the workers of "making Mexico look bad" in the face of foreign investment, an attitude that has persisted during the process before the RRLM. Likewise, the international protection mechanisms revealed an alarming passivity: the complaint filed with the RRLM of the USMCA has not led to the opening of a formal panel, delaying justice in the face of the economic wear and tear experienced by the strikers.

Power Asymmetry and Low-Intensity Digital Warfare

The conflict reveals two aspects of employer attrition against the workers. While the direct physical attack at Plant 4 in Tultitlan was used to break the lines of resistance on March 18, attracting the spotlight of the national press⁴⁴, with the rest of the workers on strike at the company's several other sites, a "silent violence" or low intensity warfare was implemented. This was carried out through the use of the company's economic resources to finance anti-union campaigns, while presenting the appearance of complying with all the legally required obligations. These included an organized group of online accounts, perhaps some of them bots, that discredited the movement and the demand for rights. The obvious objective of this digital harassment was to criminalize the labour movement and fabricate a false narrative of contractual compliance on the part of the company, which deepens the economic and emotional uncertainty that each striker lives individually.

"Putting the Body Together": Organizing Picket Line Guards and Class Solidarity

In the face of armed physical violence, the response of the rank and file was not dispersal, but the tactical reorganization of their sit-ins. The guards were strictly restructured to cover the full working day, guaranteeing the collective shielding of the perimeter of the plants and prohibiting the participants from withdrawing in isolation.

The strike, conceptualized by its protagonists as the act of "putting one's body on the line", has transformed community relations in the factory. The previous daily isolation has been replaced by a fabric of organic solidarity in which workers who historically did not communicate today make up a cohesive bloc. Despite five months of resistance and financial exhaustion, the conviction to defend a just cause and the horizon of achieving a decent job with job stability unified the rank and file in an unbreakable collective learning experience.

The union ultimately reached a tentative agreement on July 17, 2026 that included 15 points, among which are retroactive salary increases, respect for the 40-hour workweek and the payment of lost wages. This agreement was ratified by the members and formalized before the corresponding authorities on July 24, 2026, officially ending the strike.⁴⁵

⁴⁴ La Izquierda Diario 2026.

⁴⁵ Laureles and Villaseñor 2026.

4.6 Mining: Camino Rojo- between Anti-Union Violence, Organized Crime and Lack of Institutional Protection

One of the most serious cases featured in this report is that of the Camino Rojo mine⁴⁶, in Zacatecas, initially owned by the Canadian company Orla Mining (in July 2026, the company was absorbed by another Canadian firm, Equinox Gold. In early 2026, a panel of the USMCA RRLM⁴⁷ concluded that threats and acts of intimidation were carried out against workers to coerce them to disaffiliate from Section 335 of the National Union of Mine, Metal, Steel and Similar Workers of the Mexican Republic (better known as the Mineros).⁴⁸ Various investigations documented that armed individuals allegedly linked to organized crime were used to threaten and pressure workers to leave the Mineros and join an organization associated with the company, the (misleadingly named) National Federation of Independent Trade Unions (FNSI). The RRLM panel found the company directly liable for employer interference and tolerance of these violent acts.⁴⁹

"The company used organized crime to repress us, it already had a preferred union, a union that it already wanted to put at the service of the company and they began a campaign of intimidation against the workers"

–Camino Rojo Worker

Inaction of the authorities: a normalization of labour and human rights violations

The case of Camino Rojo is especially alarming because it shows how anti-union repression in Mexico is no longer limited to dismissals or administrative reprisals, but can involve death threats, the presence of firearms and the use of criminal structures to prevent the free organization of workers⁵⁰. The seriousness of the case led the United Steelworkers union from its offices in the United States and Canada as well as international authorities to demand investigations and guarantees of safety for the affected workers.⁵¹ The most alarming feature of this conflict has been the refusal of the Mexican authorities to take charge of such a complex case, between not knowing how to deal with the risks and denying the existence of them, the result is the defenselessness of the threatened workers.

From the direct testimony of those who experienced resistance and repression on the ground, the conditions of vulnerability and exploitation preceded the inter-union conflict itself. In the day-to-

⁴⁶ Laurels 2026.

⁴⁷ U.S. Department of Labour 2026.

⁴⁸ Martinez 2026b.

⁴⁹ U.S. Department of Labour 2026.

⁵⁰ The CEO 2026.

⁵¹ USW 2026.

day life of the mine, the workers faced grueling days of up to 14 consecutive hours for seven days, under rotating day and night shifts, in conditions of high physical risk associated with heavy machinery and with deficient wages that did not correspond to the wealth of the mining area. As the Mineros organized against these abuses, the employers' immediate response consisted of administrative harassment, including attempts at unjustified discipline of workers, delays in labour-management negotiation processes and multimedia smear campaigns aimed at fracturing the fabric and trust of rank and file workers.

It's not that they don't have it, it's that they're not willing to share it

In Mexico, mining companies have a two-year grace period, known as the exploration stage, during which they are exempted from paying profits to their workers, this operates under the pretext that it is not known how profitable the mine will be and if there will be profits after the initial investment for the exploration and extraction from the land. Camino Rojo, went from the exploration phase to the commercial exploitation phase in April 2022, its main minerals are gold and silver. According to its official reports in 2023 it generated a total of \$233.6 million dollars⁵², revenue grew significantly in 2024 to \$343.9 million dollars⁵³. Breaking the billion barrier in 2025, its production obtained \$1,057.9 billion dollars in revenue⁵⁴.

Article 123, section A, section IX of Mexico's Constitution recognizes the right of every worker to receive a share of the profits generated by the fruit of their work. Of the profits, companies must allocate 10% to be divided among their workers. In the case of Camino Rojo, this distribution should have been made in 2023, but Orla Mining was not willing to pay what they were entitled to. When the Mineros Union requested the distribution of the profit-share and noticed that the amounts were not what they were entitled to by law, they complained to management, who cynically said "it's for their good, they are not used to seeing so much money together", wanting to⁵⁵ justify the unjustifiable.

When harassment is followed by violence

Faced with the insistence of the Mineros Union for the respect for their labour rights, the employers' hostility escalated through the use of external criminal structures, and were visible from the annual negotiation period on the profit-share in the spring of 2024. Camino Rojo allowed the use of organized crime to sow fear and force workers to disaffiliate from the Mineros in favor of the corporate protection union. Employees of a company subcontracted by Orla Mining, who were known as members of a faction of the Sinaloa Cartel, disrupted meetings of the Mineros Union and visited workers' homes, issuing death threats.⁵⁶ According to workers' testimonies,

⁵² Orla Mining 2024.

⁵³ Orla Mining 2025.

⁵⁴ Orla Mining 2026.

⁵⁵ Information obtained from semi-structured interviews

⁵⁶ Barrera 2026a.

complaints to a company telephone hotline were ignored from more than two dozen workers regarding local management collaborating with organized crime to attack the Mineros Union.⁵⁷

This climate of generalized fear and explicit death threats strongly influenced the result of a union certification vote on November 14, 2024, in which the FNSI defeated the Mineros Union, to the economic benefit of the Canadian mining company. The human consequences were devastating for the union at the mine: its legal representatives and delegates suffered immediate forced displacement, they were obliged to flee the state of Zacatecas, for fear that their lives or those of their families could be threatened, as on several occasions threatening messages were left at their homes. In addition to carrying deep emotional impacts and being forced to live apart from their wives and children due to the imminent danger of suffering attacks on their homes, this persecution has led members of the Mineros Union to be in hiding for over a year and a half without being able to reveal their location to their own family.

"Right now I live separated from my wife for safety, because of what happened, I don't want her and my daughters to be there when they go to look for me, I fear for it."

–Camino Rojo Worker

Faced with this panorama of explicit violence, the Mexican institutional apparatus demonstrated a worrying omission that was tantamount to collusion. According to the complaints of those affected, the STPS acted in an openly biased manner in favor of Orla Mining, obstructing the workers' challenges and systematically legitimizing the mining company's alleged compliance actions. The lack of protection of the State was evident in the field of public security: in the face of the heavy presence of organized crime in the community of San Tiburcio, municipality of Mazapil adjacent to the mine where many workers lived, the formal requests for help sent by the Mineros to the Mexican Army and the Navy to protect the union assemblies were completely ignored. Instead of the forces of order, organized crime arrived to intimidate the Mineros' members' spaces for deliberation.

In the processing of the complaints, presented to both national and international bodies, the response of the STPS maintained a pretext that they could not intervene, variably claiming insufficient evidence of labour rights violation, that the company had already voluntarily implemented sufficient measures to address concerns, or that the criminal allegations were of such a serious nature that they were beyond the purview of the STPS. The demarcation of labour authorities not only constituted revictimization, but also an omission of their obligation to report immediately as soon as the probable existence of an act constituting a crime is known.⁵⁸

It was through the determination of an international panel under the RRLM of the USMCA in March 2026, that these omissions and violence were recognized as part of a system that violates

⁵⁷ Barrera 2026b.

⁵⁸ Mexico 2026a.

labour human rights, and the risks that defending workers can entail were made visible. Despite the resolution of the international panel, the position of the Mexican authorities has not changed, in an attempt to protect themselves they end up protecting those who violate the rights of workers. Despite the international panel's resolution, the Mexican State granted permits in March 2026 to expand the mine's operations and advance an underground project.

In contexts like this, the defense of labour rights not only implies confronting a company, but navigating scenarios where fear, violence, and the absence of the State weigh in every decision.

5. Intersectional analysis of violations of labour human rights and freedom of association

A comparative analysis of the cases interviewed and documented shows that political violence against labour and trade union human rights defenders in Mexico are not isolated events, but tied to a systematic pattern aimed at preventing the exercise of freedom of association and the consolidation of democratic organizations to preserve the inequality in the distribution of wealth between workers and transnational corporations. Despite the fact that the economic sectors, regions and independent unions involved are different, the mechanisms of aggression, the perpetrators involved and the institutional responses coincide, allowing us to identify structural practices of the violation of labour and human rights.

5.1 Common elements between cases

In all cases, collective organization arises as a response to the weariness of a continuous deterioration of their working conditions. Among the main triggering factors are low wages, excessive hours, non-payment of benefits and profits, unsafe working conditions, unjustified dismissals and the existence of employer protection unions that prevented authentic representation of workers. This configures a systematic pattern of violation of labour rights.

It was also identified that the response to the exercise of freedom of association is reprisals. When workers decide to start organizing to change the unfavorable conditions in their workplaces, those who represent the employer usually respond immediately with dismissals, harassment, surveillance, threats, smear campaigns, coercion to resign or to incorporate them into supervisory positions in exchange for leaving their union activity, criminalization and different forms of intimidation directed at both workers and their families, as well as those who assume responsibilities of accompaniment in union struggles.

In all cases, some degree of employer intervention in trade union life is documented. The transnational corporations documented participate directly or indirectly by favouring protection unions, providing information on workers, obstructing democratic processes, conditioning employment or promoting actions to prevent the strengthening of independent organizations.

It was also identified that political violence against labour rights defenders tends to develop gradually and cumulatively. It can begin with seemingly minor acts, such as disqualification, surveillance, isolation or threats, and escalate to more serious reprisals, such as dismissal, criminalization, physical attacks, and even attempts on life. This progression allows us to develop the idea of a traffic light of political violence, in which each level of alert shows an increase in the intensity of the risk and shows the need to intervene before the aggressions reach irreparable consequences.

Finally, a constant in the cases studied was the insufficient institutional response to the problems raised, as well as a lack of inter-institutional coordination for comprehensive care. Although the victims went to various administrative, labour or law enforcement authorities, omission, delay,

lack of investigation, absence of protection measures and solutions limited to formal compliance with procedures predominated, without guaranteeing comprehensive reparation or preventing further aggressions.

5.2 Relevant differences and particularities between cases

Although there is a common pattern, the intensity and modalities of violence present important differences. Sophisticated labour control mechanisms predominate in the automotive and manufacturing industries, such as permanent surveillance, manipulation of union processes, smear campaigns, blacklists, layoffs targeting union supporters, selective dismissals, and direct intervention of human resource managers and protection unions.

On the other hand, the cases of industries such as mining and the rubber sector show a significantly greater escalation towards forms of extreme violence. In both cases, death threats, participation of armed persons, alleged intervention of shock groups or organized crime, displacement of union leaders and attacks with weapons are documented. These elements reflect that labour conflicts can be transformed into serious risks to the life and integrity of those who defend labour rights, not only isolated events, but derived from their union activity.

In Fräenkische, specific manifestations of gender-based violence appear, including sexual harassment. In Saint-Gobain and VU Manufacturing, many women were involved in union organizing, which shows the possibility of differentiated risks for women labour defenders.

Another relevant difference is the results of the union organization. While some unions managed to obtain the right to negotiate the collective agreement (CBA) or reinstatements of fired workers with support from the RRLM, in other cases, company closures, breaches of agreements, loss of elections under conditions of intimidation or incomplete remediation processes persisted. Some cases are still awaiting a resolution. In cases that did not center on winning a union election, such as at Tornel where the independent union is already established, their struggle lies in respect for the rights acquired by the Contract Law.

5.3 The violations of rights

The set of cases documented repeated violations of both labour and other types of human rights, most frequently violating freedom of association and the right of association, through employer interference, the imposition of protection unions and reprisals against those who participate in organizational processes.

The right to stability in employment is also systematically violated, reflected in dismissals, blacklists and obstacles to reinstatement. In various cases, the right to decent working conditions, the right to a sufficient salary, profit sharing, safety and health at work and effective collective bargaining are also affected.

An important point within the analysis carried out is related to the location of the violence, where the events materialized. In all the cases interviewed, the documented violence transcends the

workplace, expands to criminalization on social networks and local press, harassment of the community, public space, and more seriously, reaches direct threats in the homes of workers as well as armed attacks.

Violence and aggression not only go beyond the physical workspace, but also affect labour rights, but also imply the violation of fundamental human rights, particularly the right to physical and psycho-emotional integrity, the right to a life free of violence, personal security, equality and non-discrimination, access to justice and, in the most serious cases, the right to life. It is also important to point out that attacks against leaders and organizers constitute violations of the right to defend human rights, recognized by national and international protection instruments.⁵⁹

5.4 The network of collusion: patterns of conduct between companies, protection unions and authorities

The research shows that we are not facing isolated events, but rather a consistent and systematic institutionalized pattern of collusion between companies, protection unions and authorities.

Companies repeatedly resort to interference in union life through their Human Resources department, supervisors and security personnel. In addition to carrying out selective dismissals, surveillance, harassment, smear campaigns, as well as manipulation of internal processes to hinder independent organization.

Employers' or protection unions appear as instruments to maintain control of labour relations. They function as the executive arm of labour containment. Among their recurrent practices are the simulation of representation, intimidation of workers when they seek real representation, dissemination of personal information that can later be used for threats or discredit, threats, physical violence, coordination with companies to prevent democratic processes and, in some cases, participation in criminalization and extortion campaigns.

With respect to the authorities, the predominant pattern is omission. The information analyzed shows insufficient investigations, absence of timely protection measures, delays in procedures, partiality towards protection unions, lack of institutional coordination, and limited responses to formal compliance with administrative obligations. Even when there are favorable resolutions, their implementation is usually partial or lacks effective follow-up mechanisms. In several cases, the authorities argued that the acts were outside their sphere of competence, without considering their obligation to inform the competent authority and disassociating the aggressions and violence from trade union activity, even though they derive directly from this.

5.5 Escalation of violence

As with other forms of violence, anti-union political violence does not usually begin in its most extreme expressions. It develops as a process that can advance slowly or rapidly and that, when incorporated into the daily life of the workplace, becomes normalized until it becomes almost

⁵⁹ United Nations 1998.

invisible. In its first manifestations, practices such as the imposition of overtime, precarious wages, long hours, non-payment of profit-share or other benefits recognized by law appear. Although they are often presented as isolated labour irregularities, these breaches can be part of a broader environment of the violation of labour rights and the prevalence of protection unions.

As workers try to organize, these practices are often combined with more direct mechanisms of surveillance, harassment, intimidation, and dismissal, especially directed against union activists and leaders. In many cases, dismissal serves an exemplary function: it seeks to turn the sanctioned person into a warning to the rest of the group. The message is clear: those who organize, demand, or dispute control of labour relations may lose their job, be excluded from future job opportunities, or be exposed to further reprisals. When these measures fail to dismantle the organization, violence tends to escalate into more serious forms.

From the cases analyzed, it is possible to identify four main stages in this process of political violence against independent trade unionism.

Level 1: Administrative and labour affectations.

Low-moderate risk, subtle violence: Impact mainly in the contractual sphere, it begins in the administrative and institutional field. Its objective is to undermine the organization before it takes hold without seeming to be an explicit aggression.

- a) **Control of information:** Deny access to statutes, CBAs, workers' registers.
- b) **Organizational isolation:** Modifying shifts, changing areas or physically isolating union activists, prohibiting them from talking to co-workers. Discrimination.
- c) **Bureaucratic obstacles:** Institutional traps to delay the granting of registration, repeated breaking of agreements, blocking of independent union leaders.

Level 2: Retaliation and psychological/workplace harassment

Moderate risk, open violence: Impact on job stability, work environment and personal dignity. When the organization persists, the attack becomes public and seeks to undermine the credibility of the organizers in the eyes of the working class.

- a) **Smear campaigns:** Spreading rumors that "they are going to close the company", "they are only looking for money", "they respond to foreign interests or political parties".
- b) **Intimidation and surveillance:** External supervision of dissident workers, unfounded administrative records, or threats of loss of bonuses, overtime, or benefits.
- c) **Psychological warfare:** Generate an environment of mistrust, quarrels and lawsuits to break the solidarity between colleagues. Scare them that they will be fired or will be on the "blacklists".
- d) **Economic:** Avoid giving them overtime, bonuses or not submitting dues to the independent union.

Level 3: Coercion, Legal and Institutional Persecution

High risk, direct violence: Serious impairment of personal freedom, political and trade union rights, psychological and legal security through the use or abuse of formal and informal structures.

- a) **Selective dismissals:** Dismiss the most visible people or identified leaders to send a message to the rest of the workforce.
- b) **Gender violence:** Crosses all levels, sexual harassment, harassment, spreading rumors to damage their image.
- c) **Economic:** Implementation of blacklists so that dismissed workers cannot find work, coercion to sign resignations.
- d) **Criminalization:** Prosecution, threats, use of security forces to intimidate.

Level 4: Extreme Risk and Threat to Life/Physical Integrity

Critical risk, violence is open, direct and criminal: This is the most critical level, it is used when previous practices have failed. These are direct and irreversible effects on life and the displacement of safe environments.

- a) **Stalking and persecution:** Telephone threats, persecution of leaders outside working hours, even going to their homes, vandalism of their homes, sending threatening images to their family.
- b) **Use of external groups:** The presence of people from outside the workplace to intimidate, beat or dissuade assemblies, votes, strikes or leaflets. The so-called shock groups. But it is extreme when not only shock groups are used, but organized crime groups are used to harm the leaders of the independent trade union movement.
- c) **Attacks on integrity:** Extortion, death threats, physical violence, attacks with weapons, attempted homicides.
- d) **Forced displacement:** It is a combined violation of various factors that force the affected person to be away from their family and home, affecting various spheres of those who are forced to do so; such as psychological, emotional, family, economic, among others.

Lethal attack and definitive silencing: It constitutes the apex of the scale of violence exercised against labour representation. The deprivation of the life of a trade unionist should not be understood only as an individual crime, but as a deliberate strategy of collective intimidation. It seeks the immediate dismantling of the organization, the elimination of key leaders and the imposition of terror as a mechanism to paralyze the demand for labour rights. It is the final attempt to silence the collective voice through the extermination of its members, the documented anti-union violence is not impulsive or reactive, but a deliberate strategy of attrition. It operates through a mechanism of blaming in which the company and the corporate union hold organized workers responsible for "putting their colleagues at risk", making invisible that the repression is exercised by the employers themselves. This reversal of responsibilities, added to the systematic impunity in the face of arbitrariness, has generated in part of the worker base a normalization of violence that inhibits collective organization.

In this sense, violence not only seeks to punish those who organize, but to discipline the whole: to send the message that organizing has a higher cost than enduring injustice.

5.6 Institutional response

The cross-sectional review allows us to conclude that the response of the Mexican State continues to be insufficient to prevent, investigate, punish and redress violence against labour defenders and trade unionists.

The labour and law enforcement authorities are repeatedly accused of acting late, failing to fully investigate the facts, failing to guarantee effective protection measures and allowing the continuation of anti-union practices.

Taken together, the cases analyzed show that anti-union violence is a structural phenomenon characterized by coordinated or concurrent action by companies, protection unions and institutional omissions. This situation creates an environment of permanent risk for those who defend labour rights and demonstrates the need to strengthen national mechanisms for prevention, protection and access to justice from a human rights perspective.

The following section reviews the Colombian case, where in the face of extreme levels of anti-union violence and national and international campaigns for justice, the state developed a system of protection measures for trade unionists and labour rights defenders. To date, Colombia has the most comprehensive national system of such measures in Latin America. Although the Mexican context is different from the Colombian context in several ways, there are relevant readings for the design of a program in Mexico.

6. Overview of the policies and tools of the Colombian State for the protection of trade unionists⁶⁰

6.1 Introduction

The Colombian experience is particularly relevant to this analysis. In the face of decades of anti-union violence and sustained pressure from national and international organizations, the State developed one of the broadest protection systems in Latin America for trade unionists and labour rights defenders. Although the historical and political conditions of Colombia and Mexico are different, its review allows us to identify lessons, limits, and risks that are useful for thinking about the design of a specialized protection policy in the Mexican context.

For more than two decades, Colombia has occupied the shameful place of being one of the most dangerous countries in the world for the exercise of trade union activity. The Global Rights Index 2025 and 2026 of the International Trade Union Confederation (ITUC) keeps the country in the 5 out of 5 rating group, "rights not guaranteed", and includes it among the nations where trade unionists have been murdered in recent years⁶¹.

Between 1999 and 2009, 63% of the homicides of unionized workers registered in the world occurred in Colombia.⁶² On a broader and long-term scale, the Human Rights Information System of the National Trade Union School (Sinderh) documented, between 1973 and 2020, 15317 victimizing acts against trade unionists, including 3277 homicides, 428 attacks, 253 forced disappearances, 7541 death threats and 1952 forced displacements.⁶³

Faced with this reality, the Colombian State has developed, particularly since the mid-2010s, a set of norms and institutions aimed at preventing and responding to violence against trade unionists: the Individual Protection System coordinated by the National Protection Unit (UNP), a collective protection program that emerged from the 2016 Peace Agreement, and a jurisprudential architecture that has been incorporating differential and territorial approaches. However, the regulatory design coexists with uneven implementation, the evaluation of which depends to a large extent on the work of non-governmental organizations and international organizations that independently document the real results of these policies.

In the following section we review the policies and tools that the Colombian State has developed for the protection of trade unionists, and present examples of their application in specific sectors, taking as an illustrative case the oil sector, specifically the state-owned company Ecopetrol and the Unión Sindical Obrera, the largest and oldest union in the sector. The hope is that the Colombian experience can offer some readings for the Mexican context.

⁶⁰ This section was prepared by researchers from the National Trade Union Institute of Colombia. We thank you for your participation in this report.

⁶¹ CSI, 2025; Infobae 2026.

⁶² José Alvear Restrepo Lawyers' Collective, n.d.

⁶³ Labour Information Agency, 2021.

6.2 Regulatory framework

The regulatory axis of the individual protection system is Decree 1066 of 2015, the Single Regulatory Decree of the Administrative Sector of the Interior, which compiled the dispersed pre-existing regulations and consolidated the National Protection Unit (UNP) as the entity in charge of coordinating and executing the protection of people in situations of extraordinary or extreme risk derived, among other causes, from "union leadership".⁶⁴ The decree, through article 2.4.1.2.40, defines an ordinary procedure that goes from the request for protection to the recommendation of measures by the Committee for Risk Assessment and Recommendation of Measures (CERREM), through the fieldwork of the Technical Body for the Collection and Analysis of Information (CTRAI) and, until its merger with CERREM in 2021, of the Preliminary Assessment Group (GVP).⁶⁵ This design has been modified on numerous occasions by means of various decrees, without the core of the model, focused on individual risk assessment and material measures such as security schemes, bulletproof vests or armoured vehicles, having changed substantially.

This individual, reactive approach has been repeatedly criticized by human rights organizations, which point to the need for more preventive and collective protection.⁶⁶ In response, the Government issued Decree 660 of 2018, which created the Comprehensive Programme for Security and Protection for Communities and Organizations in the Territories.⁶⁷ This regulated program seeks to adopt preventive protection measures with a collective, differential and territorial approach aimed at communities, social organizations and their leaderships, explicitly including trade unions, rather than responding solely to individual risks that have already materialized.

The collective protection route also has a precise jurisprudential origin. Judgment T-025 of 2004 of the Constitutional Court gave rise to an architecture of structural judicial monitoring, with subsequent orders of differential, territorial and gender focus, which set a decisive precedent on the collective protection of populations at risk.⁶⁸ In development of this precedent, and in compliance with an express order of the Third Section of the Council of State (judgment of August 31, 2017, file 41187), which urged the Government to adopt "urgently and imperatively" collective protection measures for human rights organizations, Decree 2078 of 2017 was issued, which formally incorporated the collective protection route.

In summary, the Colombian regulatory framework combines two complementary logics, but unequal in their development: an individual system, consolidated since 2015 and widely used, although criticized for its reactive nature, and a collective and preventive system, of more recent origin, 2017-2018.

⁶⁴ Public Function of Colombia, n.d.-b; National Protection Unit, n.d.

⁶⁵ Civil Service, n.d.-a.

⁶⁶ Hacemos Memoria 2024.

⁶⁷ Función Pública de Colombia, n.d.-c.

⁶⁸ Constitutional Court, 2004; Dejusticia, 2023

6.3 The institutional route of protection

In practice, when a trade unionist is the target of a threat or attack, the Colombian institutional route articulates at least three entities. First, the State requires the filing of a complaint with the Office of the Attorney-General of the Nation, in which the victim's status as a trade unionist is recorded; this classification has, in theory, accelerated the subsequent proceedings. On the basis of this complaint, it is common for the person to be summoned within a month for further investigation of his or her version before the Prosecutor's Office, after which the case is referred to the appropriate body for evaluation of protection measures.⁶⁹

A critical element of this route is the voluntary nature of the information that is transferred to the UNP: entry into the protection program requires the free and express consent of the applicant,⁷⁰ which means that if the threatened person does not respond to the requests for additional information requested by the Unit, the protection scheme may not be granted, even if the risk is real. This design, designed to protect the autonomy and security of the applicants' information, has the collateral effect of introducing delays and potential gaps in protection in cases of emergency.

The most recent evaluations of the UNP, prepared by civil society organizations, are notably critical. Astrid Torres, coordinator of the Somos Defensores Program, has pointed out that the Unit maintains a "militaristic" conception of protection and that approximately 80% of its practical measures are outsourced to private security operators, in addition to lacking an ethnic and gender approach appropriate to the reality of the territories.⁷¹ In the same vein, Front Line Defenders described in 2024 the UNP as an entity in "structural crisis", incapable of delivering effective protection measures, which has led defenders to abandon their territories, weakening the resistance of their communities.⁷² The Constitutional Court, for its part, has declared it unconstitutional that beneficiaries of protection schemes must directly assume the costs of food, accommodation and transportation for their own bodyguards.⁷³

These shortcomings are not only theoretical. The case of Ludivia Galíndez Jiménez, murdered in her home after being left without the UNP's protection scheme, illustrates how the interruption or insufficiency of a measure already granted can have fatal consequences.⁷⁴ At a more aggregate level, RAYA Magazine documented that, between 2001 and 2022, more than 6,000 complaints and threats against trade unionists were accumulated before the Attorney General's Office, of which only two cases had reached the trial stage at that time.⁷⁵ This enormous gap between denunciation and prosecution constitutes, in itself, one of the main indicators of the structural

⁶⁹ Función Pública de Colombia, n.d.-a

⁷⁰ UNP 2019.

⁷¹ Hacemos Memoria 2024.

⁷² Mongabay 2024.

⁷³ Mongabay 2024.

⁷⁴ Mongabay 2024.

⁷⁵ Revista RAYA, n.d.

weakness of the institutional route: the system collects information, but investigates and punishes marginally.

6.4 Sectoral measures: the Ecopetrol case and the Union Sindical Obrera

The oil sector, and in particular the relationship between Ecopetrol and the Union Sindical Obrera (USO), offers a paradigmatic case to observe how trade union protection operates outside, and sometimes in substitution, of the state apparatus. The USO was born on February 10, 1923 in Barrancabermeja, Santander, within the framework of oil exploitation initially led by the Tropical Oil Company. Ecopetrol, for its part, was created on August 25, 1951 after an intense union and peasant mobilization in the Middle Magdalena region, including the so-called "patriotic strike" of January 1948, which brought together more than 10,000 people.⁷⁶ Since then, both parties have signed 27 collective labour agreements.⁷⁷

This long history of negotiation has been accompanied by sustained violence: the Truth Commission documented 865 victimizing acts against members of the USO between 1986 and 2019, including at least 125 homicides of union leaders, without there being a specific state reparation process for these victims to date.⁷⁸ The USO ranks third among the most victimized union organizations in the country, only surpassed by the teachers' union Fecode, and Sintrainagro from the agro-industrial sector.⁷⁹

Faced with this reality, Ecopetrol has developed, in parallel with the state protection system, its own internal measures: when a union leader is threatened, the company can grant security and vehicle schemes, as well as facilitate relocation or even temporary departure from the country. This logic of corporate protection has deepened in recent years: in the list of demands that the USO presented to Ecopetrol on April 17, 2026 for the negotiation of the new collective agreement, the union explicitly included a request for quarterly "security assistance", 212,400,000 Colombian pesos (approximately 1.15 million Mexican pesos) for the national executive board, and smaller amounts for other committees, expressly justified by the persistent situation of public order.⁸⁰ This fact confirms that negotiated protection through collective bargaining agreements continues to be, thirty years after the first informal schemes, a central mechanism of union security in the oil sector.

This model, however, has obvious limits. Its coverage is restricted to workers in companies with sufficiently strong unions and with real collective bargaining capacity, which excludes, from the outset, the vast majority of unions in the country, particularly in agro-industrial or service sectors with a low rate of unionization. In addition, the report presented by the José Alvear Restrepo Lawyers' Collective (CAJAR) to the Truth Commission documents the historical reverse of this same dynamic: companies that, at different times during the armed conflict, introduced private or state security agents to monitor union leaders considered "critical", in some cases to the point of

⁷⁶ Comisión de la Verdad 2022; Infobae 2022

⁷⁷ El Espectador 2023.

⁷⁸ El Espectador 2023.

⁷⁹ El Espectador 2023

⁸⁰ Infobae 2026; Portfolio 2026

allying themselves with paramilitary structures for their physical elimination, as happened in an extreme way with the National Union of Workers of the Agricultural Industry (Sintrainagro), which registered 694 homicides of its members.⁸¹ A similar sectoral pattern, although on a smaller scale, was also documented in the palm industry of Cesar, where 112 Sintraproaceites trade unionists were murdered between 1971 and 2018.⁸² The Ecopetrol-USO case shows, then, both sides of private corporate security: it can operate as a legitimate complement to trade union protection when it is bargained collectively by a union with bargaining power, or as an instrument of surveillance and repression when bargaining power rests on the side of the employer.

6.5 The role of non-governmental organizations

Given the documented limitations of the state system, much of the work of monitoring, documenting and denouncing anti-union violence in Colombia has historically fallen to non-governmental organizations, whose production of information is today the most cited source by both the media and international organizations.

The National Trade Union School (ENS), through SINDERH, is the most comprehensive historical database on anti-union violence in the country, with series dating back to the 1970s. Its records show that the historical peaks of homicides occurred in 1988, 138 cases, and between 1996 and 1997, nearly 300 cases, coinciding with the consolidation of the United Self-Defense Forces of Colombia (AUC), as the armed actor with the highest number of actions perpetrated against the trade union movement.⁸³ The ENS data also allow us to observe that violence is not an exclusively historical phenomenon: between 2021 and 2022 the documented cases went from 153 to 287, an increase of 46.68%, with a parallel increase in homicides, from 14 to 21.⁸⁴

The Somos Defensores Program, through its Information System on Attacks against Human Rights Defenders in Colombia (SIADDHH), complements this panorama with a broader focus on social leaders and human rights defenders. Its 2024 annual report, entitled "Without Protection", documented 727 attacks during that year and concluded that the slight reduction in the figures compared to previous periods does not allow it to be sustained that the situation of defenders is improving consistently.⁸⁵ Its semi-annual report "La Espera", corresponding to January-June 2023, had recorded, for its part, 466 attacks and 85 homicides, an increase of 6% compared to the same period in 2022.⁸⁶

At the international level, the Office of the United Nations High Commissioner for Human Rights in Colombia (OHCHR) presents an annual report to the UN Human Rights Council with specific recommendations to the Colombian State. Its most recent thematic report on the period 2022-2025 concludes that, despite the fact that the Government of Gustavo Petro recognizes and

⁸¹ José Alvear Restrepo Lawyers' Collective, n.d.

⁸² National Center for Historical Memory, n.d.

⁸³ Periferia Press 2022.

⁸⁴ AIL 2023.

⁸⁵ Somos Defensores 2024.

⁸⁶ Somos Defensores 2023.

prioritizes the problem of violence against defenders, the State as a whole has not managed to reverse trends or overcome obstacles to guarantee comprehensive and sustained protection; the Office explicitly points out that the State response remains fragmented, without effective coordination between the national, departmental and municipal levels, the latter being "the most fragile link" in the system of guarantees.⁸⁷

Added to this is the work of the Center for Research and Popular Education (CINEP/PPP), whose Human Rights and Political Violence Data Bank, published biannually in the magazine **Noche y Niebla** since 1988, offers a territorial and political analysis of violence that transcends the more quantitative and legalistic approach of the State.⁸⁸ Finally, the International Trade Union Confederation (ITUC), through its Global Rights Index, places Colombia among the ten countries with the worst rating in the world for workers; in its 2026 edition it documented the murder, on April 28, 2025 in Valledupar, of Walberto Quintero Medina, vice president of the Central Unitaria de Trabajadores (CUT) in Cesar and militant of the National Union of Workers in the Food Industry (Sinaltrainal).⁸⁹

The set of this evidence reveals a structural tension: while the most detailed and systematic technical diagnosis of the phenomenon comes from non-governmental organizations and international organizations, and a large part of the material implementation of state protection is outsourced to private operators, the state retains the normative and general coordination function, but not necessarily the role of direct and more informed guarantor of protection. This configuration raises, as developed in the next section, a tension between the principle of subsidiarity that should govern state action and a de facto form of outsourcing of security to non-state actors.

6.6 Critical System Diagnostics

A review of the Colombian system allows us to identify four structural problems. The first is institutional fragmentation: there are numerous regulations and entities with protection responsibilities, but without sufficiently clear coordination between the Ministry of the Interior, the National Protection Unit, the Prosecutor's Office, the Unit for Victims and territorial governments. This dispersion generates parallel routes that are not always articulated and makes a comprehensive response difficult. Added to this is a predominantly reactive approach. The Committee for Risk Assessment and Recommendation of Measures (CERREM) usually intervenes when the threat has already materialized, while instruments aimed at collective prevention, such as Decree 660 of 2018, have had limited application. Although budget and design adjustments have been announced in recent years, there are still not enough independent evaluations to allow us to affirm that these measures have fundamentally transformed the functioning of the system.

⁸⁷ Office of the United Nations High Commissioner for Human Rights in Colombia 2026.

⁸⁸ Revista Noche y Niebla / CINEP-PPP 2024.

⁸⁹ Infobae 2026.

The third problem is the inadequacy of collective reparation for trade unionism, despite its recognition as a historical subject of violence. There have been formal advances, but these have not been translated into material measures commensurate with the magnitude of the damage documented. Finally, impunity continues to weaken any protection policy: a large part of the homicides, threats and attacks against trade unionists remain without investigation or effective punishment. Under these conditions, security measures function as a partial response to the risk, but they do not dismantle the causes that sustain anti-union violence. Taken together, fragmentation, reactivity, incomplete reparation and impunity explain why, despite having a broad regulatory framework, Colombia remains one of the most dangerous countries in which to carry out trade union activity.

6.7 Conclusions

The Colombian experience offers relevant elements for thinking about the Mexican case, although there are significant differences across the contexts. For decades, Colombia has experienced extreme levels of political and armed violence against the trade union movement, linked to internal conflict, paramilitarism and other forms of territorial control. Mexico presents a different trajectory, but the cases analyzed in this study show signs that should not be minimized: threats, retaliatory dismissals, harassment, criminalization, physical aggression and, in some conflicts, the presence or possible intervention of actors linked to organized crime. The comparison, therefore, does not seek to mechanically equate both realities, but rather to warn that the absence of an early response can allow anti-union violence to deepen, normalize and acquire increasingly serious forms.

The main lesson for Mexico is that a protection mechanism should not be limited to reacting when the threat has already occurred. The Colombian experience shows the need to articulate individual and collective measures, strengthen territorial prevention, ensure coordination between labour, security and law enforcement authorities, and expressly recognize trade unionists and labour rights defenders as human rights defenders. It also shows that protection cannot depend on the size of the union, its capacity to exert pressure or the possibility of resorting to international bodies.

In this sense, Mexico has the opportunity to learn from the advances and limits of the Colombian model. Rather than reproducing it automatically, it is necessary to build an appropriate response to the national context, capable of intervening from the first signs of harassment, addressing the risks linked to trade union organizations and preventing violence from escalating. The challenge is to move from fragmented and exceptional protection to a preventive, coordinated public policy with sufficient resources. Protecting trade unionists does not only mean safeguarding their individual integrity; it means guaranteeing freedom of association, collective bargaining and the possibility for workers to defend their rights without putting their lives, jobs or the well-being of their families at risk.

7. Guarantees of non-repetition and routes for comprehensive protection

The cases documented in this research show that violence against trade unionists and labour rights defenders does not respond to isolated events, but to a systematic pattern that articulates anti-union business practices, protection unions, omissions by the authorities and, in some contexts, the intervention of criminal groups. This violence is sustained by impunity and the lack of mechanisms that recognize that the defense of labour rights is also a defense of human rights.

Although the 2019 Labour Reform strengthened union democracy, it was not accompanied by public policies to protect those who make this process possible. While the State promotes freedom of association, those who exercise it continue to face dismissals, threats, smear campaigns, surveillance, aggression and even attempts on their lives, without an effective institutional response.

The repetition of violence without consequences normalizes these acts. In labour conflicts, this translates into the acceptance of dismissal, intimidation or criminalization as "natural" consequences of organizing, weakening reporting and strengthening impunity. In the same vein, Judith Butler warns that this lack of protection reflects a hierarchy of lives: when the State does not act in the face of anti-union violence, it conveys that the lives of those who defend labour rights are worth less than the economic interests they confront.

Faced with this reality, guarantees of non-repetition must be based on the recognition that anti-union violence represents a threat to democracy and the rule of law. The following recommendations are not only public policy proposals, but also demands that the Mexican State comply with its obligations to prevent, protect, investigate, punish and redress these violations. Because labour rights are human rights.

7.1 Appointing to protect: legal recognition

The first step to reverse impunity is to break with the invisibility of labour defenders as human rights defenders. Expressly recognize that trade unionists and those who defend labour rights are human rights defenders. Freedom of association, collective bargaining and the right to strike cannot be guaranteed if those who exercise them remain excluded from specialized protection mechanisms.

It is essential that the Secretary of the Interior (Secretaría de Gobernación) and the Governing Board of the Mechanism for the Protection of Human Rights Defenders and Journalists modify the administrative criteria and internal guidelines that, in practice, have excluded labour disputes from the scope of protection of the Mechanism. The labour nature of the conflict can never be used as an argument to deny protection measures when there are risks to the life, integrity, or freedom of those who exercise the defense of human rights.

Likewise, the national protection policy must expressly incorporate a focus on collective labour rights, as well as recognizing that the defense of decent working conditions constitutes a form of defense of human rights protected by the Constitution, international treaties and ILO conventions.

Labour courts and the judiciary must also take an active role. Judicial protection cannot be limited to resolving individual or collective labour disputes; it must recognize that attacks against trade union representatives directly affect the exercise of fundamental rights and trade union democracy. Consequently, courts must incorporate reinforced standards of protection when dealing with cases related to anti-union violence, retaliation or employer interference.

7.2 Protecting those who protect

The Protection Mechanism for Human Rights Defenders and Journalists does not currently recognize those who defend labour rights or trade unionists as beneficiaries of their protection. Its objective is to implement and operate prevention, protection, and urgent measures that guarantee the life, integrity, liberty, and security of people who are at risk due to their rights defense work. To deny that trade unionists who fight against an archaic system that refuses to disappear are not at risk for their work in defense of rights is unreasonable.

However, it is imperative to recognize that current measures are insufficient to address the specific risks faced by trade unionists. Protection continues to be designed under individualized schemes that do not respond to the collective nature of trade union activity or to the dynamics of labour disputes. This does not mean that their exclusion is justified, on the contrary, it invites us to think of different forms of protection for those who protect rights.

In this way, we demand that the corresponding authorities expressly include in the Law for the Protection of Human Rights Defenders and Journalists, that trade unionists and labour human rights defenders are eligible as direct beneficiaries of the Mechanism. This explicit integration is an indispensable and non-negotiable first step, but insufficient in itself. Documented experience shows that the situation of those who defend labour rights has its own edges and complexities; such as the collective nature of the conflict (which also occurs with processes of defense of land and territory), the existence of employer protection unions, and their collusion with employers in the criminalization of collective organization. These complications have been the pretext to deny them recognition as defenders and, consequently, to deny access to protection measures.

For this reason, we consider it essential to draw up and implement a **National Protocol for the Protection of Trade Unionists and Labour Rights Defenders**, coordinated by the Secretary of the Interior (Gobernación), the Secretary of Labour and Social Welfare (STPS), the Federal Centre for Conciliation and Labour Registration, the Council of the Federal Judiciary (Federal Labour Courts), the Secretary of Security and Citizen Protection and the Office of the Attorney General of the Republic, trade unions, specialists in human and labour rights, as well as the National Human Rights Commission (CNDH).

This protocol should incorporate specialized risk analysis methodologies that take into account factors that are often invisible by traditional protection mechanisms. Nor can protection measures

continue to be conceived exclusively from an individual logic. Documented experience shows that aggression is usually directed against entire organizational processes. Although the strongest aggressions are against those who visibly lead the movements or exercise a spokesperson, the reality is that a democratic union process entails collective action.

Consequently, the State must develop collective protection measures that allow safeguarding union headquarters, National Executive Committees, organizing committees, information brigades, assemblies, consultation processes, strikes, union elections and training activities. It is important to pay special attention to the moments of greatest risk: unionization campaigns, ratification of collective agreements, union elections, outbreaks of strikes, collective bargaining and conflicts of high public visibility. During these stages, the labour and protection authorities must act in a preventive rather than a reactive manner.

To this end, it is proposed to create an **Inter-Institutional Roundtable for Immediate Reaction to High-Risk Labour Disputes**, made up of the Secretary of the Interior, the Secretary of Labour and Social Welfare, the Secretariat of Security and Citizen Protection, the Office of the Attorney-General of the Republic, the competent state prosecutors' offices, the Federal Centre for Conciliation and Labour Registration, the Federal Protection Mechanism, the CNDH and the participation of experts in both labour organization and the defense of human rights. This body should be activated automatically when there are indications of threats, physical violence, disappearances, systematic harassment or any situation that compromises the life or integrity of trade unionists or labour defenders.

Comparative experience demonstrates the importance of adopting specialized protection schemes, such as those developed in high-risk contexts. Although the models are not automatically transferable, they do offer a fundamental lesson: effective protection requires inter-institutional coordination, immediate responses, differentiated risk analyses and explicit recognition of trade union activity as a work in defense of human rights.

The Mexican State cannot continue to wait for threats to turn into homicides to recognize the existence of the risk. Protection must begin when the first signs of violence appear and not when the damage is irreversible.

7.3 From the failure of omission to due diligence

Impunity is the main incentive for the repetition of anti-union violence. When threats, attacks, unjustified dismissals, intimidation campaigns or even attacks on the physical integrity of trade unionists do not lead to diligent investigations or effective sanctions, the message received by employers, protection unions and other actors is clear: violence continues to be a useful and low-cost mechanism to prevent the exercise of freedom of association.

The interviews documented for this research show a worrying consistency: even when the labour authorities are aware of serious violations of freedom of association or receive complaints about threats and acts of intimidation, the institutional response is usually limited to addressing the strictly labour aspects of the conflict, without recognizing that behind these behaviors there may

be an imminent risk to the life, integrity, and security of labour defenders. This institutional fragmentation and with it the recognition and enjoyment of basic labour rights has allowed multiple aggressions to escalate without any authority fully assuming its responsibility to prevent further damage.

It is therefore essential that the Office of the Attorney-General of the Republic and the Prosecutors' Offices of the States develop and implement protocols aimed at protecting against anti-union violence, which include a human rights and freedom of association perspective. This protocol must recognize that attacks against trade unionists are not only common crimes, but also possible attacks aimed at impeding the exercise of fundamental rights protected by the Constitution and international treaties. This is despite the fact that article 49, section V, of the General Law on Administrative Responsibilities, in addition to article 222 of the National Code of Criminal Procedure, imposes on any authority the duty to immediately inform the Public Prosecutor's Office of any indication of acts constituting a possible crime.

Investigations must take into account the possible participation or responsibility of employers, protection unions, managerial personnel, firms specializing in anti-union strategies, public officials and, where there are sufficient indications, criminal groups or shock groups used to exercise violence against workers' organizations.

In addition, the Secretary of Labour and Social Welfare (STPS), the Federal Labour Defense Attorney's Office (PROFEDET), the Federal Centre for Conciliation and Labour Registration (CFCRL) and the Federal Labour Courts and the State and/or Federal Human Rights Commissions must assume active responsibility for the protection of those who defend labour rights. Their action may not be exhausted in the processing of administrative or conciliation proceedings. When any of these institutions become aware of threats, harassment, surveillance, physical attacks, disappearances, displacements or any other risk to trade unionists, there must be a legal obligation to immediately activate the protection mechanisms and to notify the competent authorities.

This obligation must be incorporated into the National Protection Protocol and articulated with the Inter-Institutional Immediate Reaction Table proposed in the previous section, establishing maximum response times, mandatory exchange of information and permanent mechanisms for monitoring cases.

Combating impunity also implies investigating those responsible for omission. Authorities who, having knowledge of situations of risk, deliberately fail to comply with their obligations of prevention or allow by action or omission the continuation of acts of violence must be subject to administrative, civil and criminal responsibilities. Corruption and institutional negligence also produce violence and cannot remain without consequences.

7.4 Protection before harm occurs

Prevention is the weakest component of Mexican public policy on the protection of defenders. In practice, institutions tend to intervene only when violence has already materialized, ignoring

previous patterns that allow high-risk scenarios to be anticipated. Or isolated training is carried out that does not really influence the transformation of the social processes that embody violence.

The evidence presented in this report shows that attacks against trade unionists follow identifiable patterns. Dismissals of leaders or mass dismissals of organizers, fear campaigns, hiring of shock groups, constant surveillance, dissemination of anti-union blacklists, threats, and public stigmatization rarely appear in isolation. They are part of staggered processes of violence that can be detected in a timely manner if adequate monitoring mechanisms are in place.

Consequently, it is required to monitor economic sectors, regions, companies and union processes with a history of violence, allowing preventive measures to be activated before irreparable aggressions occur.

It is also essential to implement permanent comprehensive and coordinated training programs for the staff of the CFCRL, the STPS, PROFEDET, the prosecutors' offices, the police forces and the judiciary on freedom of association, collective bargaining, human rights and the protection of labour defenders, which recognize the risks that the omissions of the authorities may cause to life and integrity and the importance of inter-institutional coordination.

Prevention also requires transforming institutional narratives. For decades, strikes, union mobilizations, and independent organizing have been presented as threats to investment, productivity, or economic stability. These narratives are not neutral: they contribute to socially justifying violence and favor the stigmatization of those who exercise constitutional rights.

For this reason, the Mexican State must make public commitments to eradicate any discourse that criminalizes trade union organization and develop national awareness campaigns that publicly recognize the legitimacy of the defense of labour rights as an essential activity for democracy.

Finally, the creation of a national information system is required to document, systematize and publish official statistics on violence against trade unionists and labour defenders. What is not officially recorded remains invisible to public policies.

7.5 The obligation of businesses to respect human rights

Businesses and employers have the obligation to respect human rights, regardless of the capacity or willingness of the State to enforce them. This duty derives from the United Nations Guiding Principles on Business and Human Rights⁹⁰ and includes the adoption of effective measures to prevent, identify, investigate and remedy any damage arising from their activities.

Consequently, all companies operating in Mexico must incorporate mandatory due diligence processes on labour human rights, including periodic risk assessments related to freedom of association, collective bargaining, and anti-union violence. Similarly, the reform to the Federal

⁹⁰ Guiding Principles on Business and Human Rights, United Nations, 2011
Visible in: https://www.ohchr.org/sites/default/files/documents/publications/guidingprinciplesbusinesshr_sp.pdf

Labour Law of January 16, 2026⁹¹, establishes the obligation of employers to include in their plans and programs training on violence against women and discrimination, as well as decent working conditions and environments free of violence.

It is also essential that they adopt internal policies of zero tolerance against any form of intimidation, harassment, espionage, illegal surveillance, blacklisting, hiring of shock groups or any other practice aimed at hindering the collective organization of workers.

Employer interference in trade union life can no longer be treated as a simple administrative irregularity. When companies deliberately interfere in the formation of trade unions, finance employers' protection organizations, manipulate ratification processes or carry out reprisals against legitimately organized workers, they are violating fundamental human rights and must face effective, proportionate and sufficiently dissuasive sanctions.

Similarly, the State must investigate and punish public servants who, through acts of corruption, negligence or complicity, allow their continuity. Institutional fraud is also a form of violence against freedom of association.

Finally, companies must guarantee equal conditions for all trade union organizations, refraining from favouring related organizations or preventing the access of independent and minority trade unions to the workplace.

7.6 The working class has no borders

The democratic transformation of the world of work in Mexico would not have been possible without the constant accompaniment of international organizations, global unions, cooperation agencies and multilateral mechanisms committed to the defense of labour rights.

This report especially recognizes the support of the United Steelworkers Canada Humanity Fund, whose contribution made this research possible and reflects the importance of international solidarity in strengthening the defense of labour human rights.

In the context of the periodic reviews of the USMCA, it is essential to strengthen the effectiveness of the Rapid Response Labour Mechanism (RRLM), ensuring that its operation continues to privilege the effective protection of freedom of association and genuine collective bargaining. Future evaluations of the trade agreement represent an opportunity to incorporate specific indicators on anti-union violence, protection of labour defenders, and institutional response to risks to the life and integrity of those who exercise union activities.

⁹¹ Published in the Official Gazette of the Federation on January 15, 2026

7.7 What capital breaks apart, the collective brings together

This report is the result of a collective effort and seeks to be a living tool to promote the full recognition of labour defenders and trade unionists as human rights defenders.

The documented testimonies show an undeniable reality: in Mexico, exercising freedom of association continues to involve risks including dismissals, threats, violence and even murder. As long as organizing to defend rights continues to have that cost, union democracy and freedom of association will continue to be an unfulfilled promise.

The Mexican State today has a historic opportunity to demonstrate that the 2019 Labour Reform is not limited to transforming administrative procedures but constitutes a true commitment to human dignity. This commitment requires recognizing that trade unionists are human rights defenders and that, as such, they must have access to specialized protection, investigation and reparation mechanisms.

We urge the Secretary of the Interior (Gobernación), the Governing Board of the Mechanism for the Protection of Human Rights Defenders and Journalists, the Secretary of Labour and Social Welfare (STPS), the Federal Center for Conciliation and Labour Registration (CFCRL), PROFEDET, the CNDH and state commissions, prosecutors' offices, the judiciary, the business community, and all levels of government to assume their responsibility. There is no legal impediment to expressly incorporating labour defenders and trade unionists into the Protection Mechanism; what has been lacking is the political will to respond to widely documented violence.

Modifying the Mechanism is no longer a recommendation, but an obligation of the Mexican State. Protecting those who defend labour rights is protecting democracy, social justice, and the right of workers to organize freely, without fear.

This report marks the beginning of a collective demand. We call on trade unions, organizations, defenders, academia and national and international organizations to support this initiative and contribute to the construction of a proposal to reform the Federal Mechanism for the Protection of Human Rights Defenders and Journalists, adding their cases, proposals and endorsements to the request that will be formally presented to the authorities.

We deeply thank the workers and trade unionists who trusted us to tell us their stories, which often involved reliving difficult experiences. Without these testimonies, this report would not exist, and without their courage there would be no possibility of promoting change.

8. References

Nomenclatures

AFL-CIO	American Federation of Labour and Congress of Industrial Organizations
CATEM	Autonomous Confederation of Workers and Employees of Mexico
CBA	Collective Bargaining Agreement
CDMX	Mexico City
IACHR	Inter-American Commission on Human Rights
CFCRL	Federal Center for Conciliation and Labour Registration
CFO	Border Workers Committee
CJNG	Jalisco New Generation Cartel
CNDH	National Human Rights Commission
IACHR	Inter-American Court of Human Rights
CROM	Regional Confederation of Mexican Workers
CTC	Confederation of Workers and Peasants
CTM	Confederation of Mexican Workers
ESCER	Economic, Social, Cultural and Environmental Rights
EDOMEX	State of Mexico
FGR	Attorney General's Office
FNSI	National Federation of Independent Trade Unions
GIEI	Interdisciplinary Group of Independent Experts, created by the Inter-American Commission on Human Rights as part of Precautionary Measure 409/2014, for the case of the disappearance of the 43 students from Ayotzinapa.
GM	General Motors
LFT	Federal Labour Law
LSOM	Mexican Workers' Union League
RRLM	Rapid Response Labour Mechanism ANNEX 31 of the USMCA
MFPPDDHP	Federal Mechanism for the Protection of Human Rights Defenders and Journalists
ILO	International Labour Organization
UN	United Nations
ICESCR	International Covenant on Economic, Social and Cultural Rights
SESNSP	Executive Secretariat of the National Public Security System
SINTTIA	National Independent Union of Workers in the Automotive Industry
SITIMM	Union of Workers of the Metal Mechanical, Automotive, Similar and Related Industries of the Mexican Republic
SITRABICS	Union of Supply Chain Transporters
STPS	Secretary of Labour and Social Welfare
USMCA	United States Mexico Canada Agreement

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