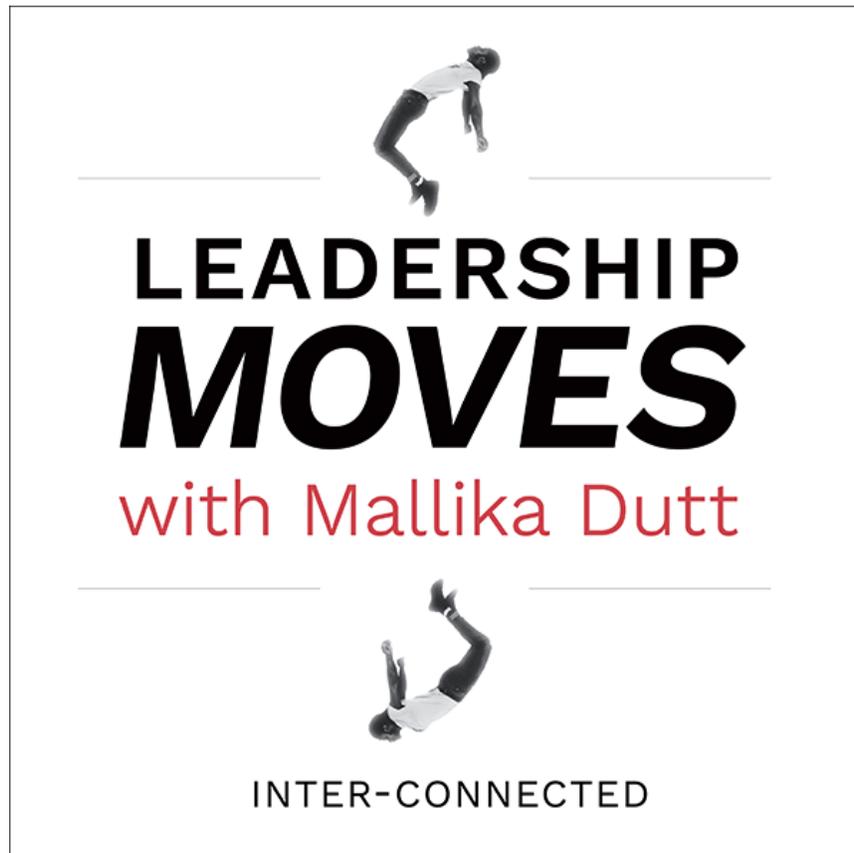


**S2 Ep06: Leading the Pursuit of Justice and
Defending Human Rights While Risking Everything
with Ana Lorena Delgadillo Perez**



Full Episode Transcript

**With Your Host
Mallika Dutt**

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What do you do when the government that is supposed to be protecting you, turns on you for being a human rights defender? How do you manage your own fear while standing for the thousands of migrants that have been killed by organized crime? Join Ana Lorena from the Fundación para la Justicia el Estado Democrático de Derecho for a riveting conversation on navigating life and death issues in this episode of Leadership Moves.

Welcome to Leadership Moves, a podcast for visionary changemakers ready to shake up and re-envision the world. I'm your host, Mallika Dutt. Join me and my extraordinary guests as we discuss how to generate social change through leadership and the entrepreneurial, non-profit and philanthropic fields.

Mallika: I'm so happy to see you, Ana Lorena. And I am excited to have this conversation with you today about your work, your incredibly important work with the Fundación para la Justicia. Can you start us off by sharing a little bit about what the Fundación does and your role?

Ana Lorena: Yes, thank you very much for the invitation, Mallika, so happy to be here. I am the Executive Director of the Fundación para la Justicia and we work with families of migrants that have disappeared, or they have been killed, or executed in their way from Central America, Mexico to the United States. We have offices and working directly with the families, with a community of families of migrants that have disappeared in Honduras, El Salvador, Guatemala and Mexico.

And we make actions to promote identification of bodies, of remains that are in the transit, that are found in the transit. But also, actions related to justice for these families.

Mallika: That's really important work and it's really difficult work. I mean whenever one is that proximate to the ways in which human rights violations are taking place of any vulnerable community, it's challenging. And here you are looking at the deaths of many, many people as they are

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trying to find their way to safety, to their families, to a better life. I know that in the last couple of years you have been involved in a very, very important seminal case which has to do with a massacre that happened in 2011.

Can you tell us a little bit about what happened and then your role in challenging the Mexican Government to really address the massacres and provide justice for the families?

Ana Lorena: Yes. Between the work that we do we also promoted in 2013 an agreement with the General Attorney Office of Mexico and the Argentina Forensic and Topology Team to have a commission in charge of the identifications of the bodies that were found in the north of Mexico. Just to let you know, we are working in five massacres that occurred in the north of Mexico. The second massacre, there were found around 196 bodies in 48 mass graves in San Fernando, Tamaulipas. Tamaulipas is a state that is in the border with the United States.

And with this forensic commission we were working in the identifications of the bodies. Of course, we need an independent body of forensics because we don't believe in our forensic services. Because years ago, the Mexican Government were giving bodies to families, bodies that do not belong to their families. And they were giving bodies without any scientific proof that they were making these identifications right. So, we were working in case of the 196 bodies, it was very hard for us to get the file of this case.

We have to fight almost for eight years, having a case before the Supreme Court of Justice, to have the files of this case. This case has close to 270 files, so it's a lot of information. So, eight years just to have the information, to litigate. This has been the most long litigation in my life. But finally, we got these files this year in May, they gave us a file, but they didn't want to give it. And they told us that we were going to find information that was very harmful and we needed to see this information.

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So, when we opened the file, we found out that they made the organized crime area of the General Attorney Office, the same area that was investigating the massacre. They started on the investigation of kidnapping and organized crime against me. I am the lawyer of the families, of many families in the case against one journalist, Marcela Turati, and against one member of the Argentina Forensic team, Mercedes Doretti. I can say that everyone was – these three women, we in our fields, we were the ones who were fighting more to have truth in these cases.

So, it was very shocking to see that in the same file of the investigation of the massacres we have been investigated also for organized crime and kidnaping.

Mallika: So first of all, you said that there were 196 bodies found in five mass graves?

Ana Lorena: Sorry, 48 mass graves.

Mallika: In 48 mass graves. And then you had to spend eight years getting the government to give you the files to see what they had been doing in terms of this investigation. And when they finally turned the files over after eight years you discovered that they had started to use the same laws that they use against organized crime to investigate you as human rights advocates and you as a lawyer representing these people. That must have been incredibly scary and also infuriating.

I mean how dare they take laws that are meant to fight violence, and crime, and turn that against the very people, the human rights defenders that are trying to fight for justice. And this is the Attorney General's Office of the country. But before we get into how all of this has been progressing since then, I just wanted to know if you could share a little bit more background around the migrations and why they disappeared? What is happening? What is this violence about? What are some of the underlying causes that are leading to these kinds of mass killings?

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Ana Lorena: Yes. We have been working in these cases of disappearing of migrants and also migrants that have been executed in the transit since 2010. But there are a lot of people, a lot of defenders, Mexican defenders are working also in these cases, of helping the migrants in the transit. The thing is that this is happening, Mallika, because it can happen. Because the authority don't investigate the organized crime that are committing these disappearances. They are not investigating the government that is colluded with the organized crime.

They disappear because they are the most vulnerable people of the region. Their families are not here in this country to demand that they can be searched, the ones that have disappeared. They disappear because migrants have become a business for the organized crime and for the government. They are getting a lot of money off these very poor people in the region because they know that they have money for the travel because they need to pay for the travel.

So, they have been using all of these migrants for slavery, using to get them to get in the organized crimes organization, forcing them to work for them. But many times, killing them because if they don't pay, if the families don't pay the money that they are expecting they just kill them. The truth is that we don't have a strong investigation about all of this.

For example, these five massacres that I told you about, or this massacre of 2011, in more than 3 years we don't have one person that has been convicted for the crimes, not one sentence for one person that is responsible for all these crimes. So, the violence happened because we have impunity. And when you have impunity to send the message that you can kill or disappear migrants and nothing is going to happen to you.

Mallika: I'm just taking a moment to just think about and honor all of these people who have lost their lives in the situation that you're describing. And the same government that has not arrested or convicted a single person for

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this huge massacre has now turned the same laws that they're supposed to be using to convict organized crime against you as a human rights defender, as a human rights advocate.

Can you tell me a little bit about as a leader in this space and with all of the work that you are doing, what did that mean for you when you discovered your name in the files that were turned over to you after eight years of litigation?

Ana Lorena: I think at first, I was shocked and I was with a lot of fear. I was shocked because as a lawyer, as a human rights defender, when I open a case where I represent the victims, when I open a file, I expect to see how the government is working to fight against impunity. I expect to see what work are they doing to stop all the organized crime and the states that are executing and disappearing the migrants. I never expect that my position as a lawyer will change so quickly as a suspected, or as someone who has been investigated as guilty of kidnapping or organized crime.

So, I changed from defender to a person that has been investigated. And the last part that it was very hard for me, I have to confess to accept that I am now a victim of the system. For me what I changed in my mind completely, I am not prepared, or I was not prepared to defend myself. I have been defending human rights for more than 20 years. I know how to defend others but at the moment I didn't know how to defend myself. And I didn't want to. I don't want to talk about my case because what I want to do is to defend, to fight for justice and for truth in these cases.

So, it has been like a transformation also for me to accept that this is happening to me is happening to a lot of these human rights defenders in the Americas but in many other parts in the world. This has been, during these days we hear about the case in India which was horrible. We hear about a lot of human rights defenders in Guatemala, in Honduras, in Colombia, that are living the same. So, after that I thought, well, I mean

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what is happening to me is happening to a lot of human rights defenders in the case. And this is not against Ana Lorena, because I'm Ana Lorena.

So, I don't have to take it personal. This is happening to me because of the work that I'm doing with my team. That is why that is happening. So, a lot of reflection during these days have come to my mind. And of course, I was able to suit them, to present a case against the organized crime area in the General Attorney Office because I have a lot of people working with me, first the victims, when I talked to the victims it was fantastic how they were supporting me, how they were telling me, now we are their lawyer.

And when I talk to many of the organizations, NGOs that I work with, with many members of United Nations, they were saying, "We are with you because it's not only you, if you - it is right for the journalist making investigations in this case, is the right to have forensics that work independently from the government. So yeah, I have a lot of perspective from the case also.

Mallika: It's always interesting for me, well, not interesting, is not even the right word. I mean when one is in the human rights space and acting as a defender, we are so outwardly focused. We are so focused on trying to address the issues that we are working on. And get justice for the people that we are representing or trying to change law, or policy, or trying convict people that have committed atrocities against people. And we often forget the cost of that on ourselves, on our own lives, on our bodies.

What does it mean to be on the frontlines of human rights and the exposure to constant pain, and violence, and trauma, and hurt, and abuse? Even when it has not being directed at you, you are proximate with it all the time. So, it is having an impact on you. And I know that for me after almost 30/40 years of working on gender-based violence primarily within the home, primarily in the context of relationships or within the familial context. I know that it took a real toll on my psyche, on my soul, on my body.

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And it finally got to the point where I was completely burned out. I was burned out because I was so focused on the external work that I was doing, that I wasn't really paying attention to how I needed to take care of myself. How have you shifted the ways in which you take care of yourself as a leader even as you continue to push now you've filed a new complaint that you were telling me about that I want you to share with the listeners? But first, how do you take care of yourself?

Ana Lorena: Well, I also have to learn to take care of myself because of course during these years I am more close to some tools that I use to take care of myself. For example, meditation helped me a lot. I have people that helped me to work with my body. So that's helped me also a lot. But when this happened, I don't know, Mallika, it's like you forget everything about how to take care of yourself. It's like you have to relearn. So, at the beginning I have to first, to meet with my fear, to meet with my anxiety, to meet with my vulnerability.

I have to relearn that this is something that I can use as a tool for this situation. And I have to say that these talks that we have, when I was leading this, you helped me a lot. I remember this hour that we have together talking, that was, yeah, something that helped me very much. And I was telling you, "Mallika, I cannot meditate, please help me. I want to be my center, I want to be wise. I want to be strong. And I am full of fear. I am full of anxiety. I am full of anger."

And you were telling me, "Oh my God, and who is telling you that that is not your center? This is also your center?" And I was like, "Oh my God, it is?" So that helped me a lot. And the other thing that you told me was that, I was telling you that I needed to meditate. And you told me, "Right now what you need is a baseball bat. And then you find a place to meditate. So now you need to learn how to defend yourself. It's going to be impossible if you are a miner." I remember you said, "If you are on a miner's field, it's

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impossible to sit down and meditate. You need to run, so learn to run, learn to defend yourself.” You helped me a lot.

But also, for example, I have a lot of people around me, all the people that is supporting the Foundation for Justice, some of our donors, that were very close, that were always helping us to be close to all the four foundations. The Wellspring Foundation, a lot of people that is helping us. And also, I have one faith that show me how to face this as women because at one point I didn't see that this attack was against three women.

And I have this space that is called Solidarity Symposium, that is organized by Chris Stone and Akwe and a lot of people, fantastic people who got together a lot of different leaders of NGOs in the world. So, I have this space who help me to speak to others to see that many people in the world are suffering this. So, I got a lot of strength from people that is suffering the same, a lot of our biases. So, this is something that I didn't do only by myself.

I have to put what I needed but also, I think I have a lot of masters around me that help me to find the way to know how to defend myself and how to work with my vulnerability, accept it and use it in a wise sense.

Mallika: It's so difficult for us as leaders to allow our vulnerability to be visible because so many times that vulnerability is used against us, has been used against us. So, we've learned over the years to really be strong, courageous. And when these kinds of things happen to us, when all of a sudden, we're at the end of the government probe that is calling us organized crime. It's like, oh my God, what is happening? And so many lessons to learn around how to be vulnerable leaders, and what that allows, and what that opens up.

And I am so happy to hear how well you have used your networks, and the supporting resources that you have around you, and everyone that's come together to support you. That's really fantastic. Where is the case at? What

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steps have you taken legally and in the policy space to address this case and what you discovered in these government records?

Ana Lorena: Well, just two weeks ago we just filed a case, represent a complaint at the Internal Affairs of the General Attorney Office in Mexico against the organized crime area. Because when they did this investigation against us, they committed several crimes. Because for example, they got into our private communications for one year and a half. They were following us in all the places that we were going for one year and a half. They have all our personal information, our family information, our team information.

And they didn't ask, for example, the judge's permission to get into our communication. This is a crime. But also, if they have something to investigate against us, they shouldn't do it in the same file of the investigation of the massacres. That was a huge threat against us. So, we present this case at the organized crime area. I have to say that we represented this case together with some families because they are also victims.

When the General Attorney Office investigate us, they are also against the victims because they are forbidding them to have lawyers. They are attacking the right or justice for truth and for information. So, they were presenting this case with us and also some other NGOs that work, we all work together, we'd all see in this case, they accompanied us. And so now what we are doing is that the General Attorney Office give us a response of all the cases that we presented.

We said very clearly that this is not something that was made for one, two or three people that work in that area. We were saying very clearly that this is a system and that they must change the system. Because if we have more than 90,000 people that have disappeared in Mexico, we have five massacres. We have more than 3,000 mass graves in Mexico. We have

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more than 300,000 people that have been killed in the last 10 years, it's because this area are taking the time not to investigate the organized crime and the state that is colluded.

Yes, you've seen there were sources to investigate, human rights defenders, victims, forensics and journalists. So, this is not going to end, if they only make responsible three or four people of this area. They have to change the system because we deserve a country that is in peace. We deserve to live in a country without violence. And we deserve to live in a country without impunity. So, they have to change the way they are using this area of investigation against us. They have to use it to end the violence in our country.

Mallika: Yes, you deserve a country with peace and justice. And I am so in awe of the way in which as a human rights defender you have taken a threat against you and transformed it into a systemic challenge to the government. To shift and change the way in which they go about doing the work that they do it, is absolutely outrageous as you say. That thousands, and thousands, and thousands of people have disappeared and killed with impunity every year. What's next for you? Where are you going? How are you going to take care of yourself?

We are now having this interview in the second week of December 2021. It's been an incredibly challenging year for the whole world globally. And it's been an incredibly challenging year for you personally. So, as we move into the end of 2021 and into the holiday season, what are you planning to do for yourself?

Ana Lorena: Well, first I have to say that after we filed the case, we took some time to be with the families, to thank them. Because we can continue to do our work because they have trust in us, because we are a team with them. So first, we took some time to be with them and some time to be with the team of Fundación para la Justicia because it was impossible to do this

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without all the fantastic teams that is working here. And now tomorrow I'm going to go to a place where I can recover my heart and my mind.

I'm going to take a time to be with myself, to think, and to have some peace inside. So, I think after this year that has been very hard with a lot of work, with a lot of pressure around it, with a lot of stress, it's important to take a rest for a while and to come back. Because we know that this fight that we started with this case at the Internal Affairs Office is going to take a lot of time. It's going to take a lot of effort. It's going to take a lot of work. And after we file the case now, we have to wait a little bit for the response or the answer of the government.

But in this time, I think we need to re-encounter, or meet ourself inside. So that's what I'm going to do for a while.

Mallika: Ana Lorena, sending love to the families, sending love to the whole team, sending gratitude to you and to the whole team, and to the families for becoming your lawyer in this situation. And really just thank you so much for everything that you do. And I hope that this time is generative, loving, and fills you with all of the rest, and abundance, and everything that you need to thrive, to continue to do the extraordinary work that you do. Thank you for doing this interview with me and I am wishing you a very happy holiday season.

Ana Lorena: Thank you very much, Mallika. And I honor also all the human rights defenders in the world that are going through the same or worse things and to let them know that I am also with them. And we are together and we need also to fight together.

Thanks for listening to the Leadership Moves podcast which is made possible by the BUILD program of the Ford Foundation. If you want more information or the resources from today's show visit mallikadutt.com, M-A-L-L-I-K-A-D-U-T-T.com. Until next time.

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