



Journalist Fellowship Paper

Reclaiming environmental justice in Mexico: lessons from defenders

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Preface

This project draws on 21 semi-structured interviews conducted between October 2025 and April 2026 with lawyers, academics, scientists, environmental defenders, community organisers and journalists working on environmental justice in Mexico.

Their expertise informed every stage of the research, but not every interview is quoted directly in the chapters that follow. To recognise all of their contributions to the analysis, short biographies of all interviewees are provided below.

Carla Delfina Aceves Ávila Environmental lawyer, academic and researcher specialising in corporate environmental law and environmental democracy. Her work focuses on access to information, public participation and environmental justice. Specialist in legislative drafting.

Gustavo Aldair Cartoonist and illustrator from Chetumal, and member of the Múuch' Xíinbal Assembly in Bacalar. He uses art as a form of social critique, strengthening Maya identity and defending territory.

Raúl Aldama Gavilán Environmental and administrative lawyer specialising in litigation relating to megaprojects and the protection of flora and fauna. Previously worked at SEMARNAT on air quality and emissions regulation.

Haziel de la Cruz Maya photographer, artist and activist from Ticul, Yucatán. A member of the Múuch' Xíinbal Assembly, she uses photography and community art to strengthen Maya identity and support territorial defence. She is the founder of Iik'naj, a cultural centre

Rubén Jaime Flores Medina Environmental law scholar and President of the Jalisco Academy of Environmental Law. He developed the concept of Prospective Law, promoting long-term legal approaches to environmental protection and human rights.

Salvador Guerrero Lawyer specialising in international human rights law and clinical legal education. He leads the Refugee Clinic at Universidad Iberoamericana and has extensive experience in strategic human rights litigation.

Sara López Member of the Xpujil Regional Indigenous and Popular Council (CRIPX) and a leading Indigenous defender of land and water rights in the Yucatán Peninsula. Her work focuses on community organisation and territorial defence.

Viridiana Maldonado Galindo Environmental lawyer and co-founder of Territorios Diversos para la Vida (TerraVida). She specialises in supporting Indigenous communities involved in legal and social defence against megaprojects.

Diego Merla López Development economist, civil engineer and Strategy Coordinator for Oxfam Mexico's Tax Justice Programme. His work examines tax systems through the lens of inequality, environmental fiscal justice and public policy.

Jorge Fernández Mendiburu Researcher, academic and lawyer specialising in Amparo Law and environmental litigation. He represented the Múuch' Xíinbal Assembly in several landmark environmental cases, including challenges to industrial pig farms and the Maya Train.

Luz Elena Orozco y Villa Constitutional lawyer and doctoral researcher at the University of Oxford. Former Secretary of Research and Analysis at Mexico's Supreme Court, she specialises in constitutional democracy, civic culture and access to justice.

María Agustina Rodríguez Morán Lawyer specialising in Amparo Law, environmental justice and human rights litigation. She has represented communities in landmark cases involving environmental harm and institutional violence.

Roberto Rojo Biologist, arachnologist, speleologist, science communicator and founder of the citizen science initiative Cenotes Urbanos. His work focuses on exploring, mapping and conserving the underground ecosystems of southeastern Mexico.

José Urbina Bravo Cave diver, diving instructor and environmental defender based in Playa del Carmen. He led the litigation that secured suspensions of Section 5 of the Maya Train and documents the peninsula's underground river systems.

Carlos Javier Verduzco Reyna Lawyer and Director of UNAM's Free Legal Aid Clinic. He specialises in providing legal assistance to low-income communities and defending constitutional rights against abuses of public authority.

Juan Pablo Zavala Lawyer with more than two decades' experience in *amparo* litigation. He represented Indigenous communities in the landmark case that secured the first definitive suspension of the Maya Train for failure to conduct proper consultation.

Introduction

The deserts, mangroves, tropical forests and coral reefs of Mexico are home to almost 12% of the planet's known plant and animal species.¹ Yet much of that extraordinary biodiversity is under increasing pressure from state-backed megaprojects and private development.

More than [500,000 hectares](#) of primary forest were lost between 2001 and 2021, more than [2,000 species](#) are threatened with extinction, and around 52% of Mexico's vegetation has been degraded or lost.^{2,3} The destruction is visible. Less visible, however, is the dismantling of the legal protections that once allowed citizens to challenge destructive developments before they became irreversible.

This project examines one of those protections: the *amparo* proceeding. For more than 180 years, the *amparo* has been one of Mexico's most important constitutional safeguards, allowing individuals and communities to challenge abuses of state power and defend their rights before the courts.

In environmental cases, it became a crucial mechanism for halting projects that threatened forests, rivers and Indigenous territories while judges considered the evidence. Recent reforms to both the judiciary and the Amparo Law, however, have fundamentally altered that balance. Environmental defenders now face higher legal barriers, narrower protections and a justice system that many experts believe has become less able – or willing – to act as an independent check on executive power.

The consequences of these reforms can be seen most clearly in southeastern Mexico, where the construction of the Maya Train has transformed both the landscape and the legal battle surrounding it.

Promoted by the government as a flagship infrastructure project, the railway has also become one of the country's most contentious environmental conflicts. Millions of trees have been cleared, *cenotes* and underground freshwater systems

¹ Ministry of the Environment and Natural Resources (2025) *Sectoral Programme for the Environment and Natural Resources 2025–2030*. Mexico: SEMARNAT. [Source 176]

² Global Forest Watch, 2024. *Mexico Deforestation Rates & Statistics*. [online]. Washington, DC: World Resources Institute. [Accessed: 10 March 2026]. Available at: <https://www.globalforestwatch.org/dashboards/country/MEX/>

³ United Nations Statistics Division (2024). *Threatened species – Mexico*. [online] United Nations. Available at: https://unstats.un.org/unsd/publications/statistical-yearbook/files/syb64/T25_Threatened.pdf (Accessed 10 Mar. 2026)

have been disrupted, and Indigenous Maya communities have challenged the project through the courts, arguing that their rights and territories have been violated. Their struggle provides a window into a much broader question: what happens when the legal mechanisms designed to protect citizens are weakened?

This project draws on interviews with environmental lawyers, constitutional scholars, scientists, community leaders and Maya activists, alongside field reporting in the Yucatán Peninsula. It argues that recent judicial reforms have reshaped the balance of power between the state and those seeking to defend land, water and Indigenous rights. And it seeks to equip journalists with the language they need to continue telling these stories.

Whilst the Maya Train provides the central case study, the issues explored here extend far beyond a single railway. They reveal how changes to legal institutions can quietly redefine environmental justice, access to information and democratic accountability. For the Maya communities whose voices shape this report, the stakes are measured not only in hectares of forest or legal reforms, but in the survival of a way of life. As one community leader told me: “Without territory there is no language, no culture, no Maya life.”

This project is about power: who exercises it, who is protected by it, and what remains available to ordinary citizens when the institutions intended to uphold the rule of law begin to change.

Defenders under duress

Environmental defenders and the journalists who cover their stories face a persistent pattern of violence and intimidation, and diminishing protection.

- At least 25 environmental defenders were [murdered in 2024](#).
- A total of [236 attacks](#) were documented, including intimidation, harassment, stigmatisation, criminalisation and defamation.
- [Six in 10 victims](#) were members of indigenous communities.
- The state is responsible for almost [two-thirds of recorded attacks](#), followed by private companies and organised crime.
- As of August 2026, [178 journalists](#) have been killed in Mexico since 2000.
- An attack or act of harassment against the press is recorded [every 14 hours](#).
- Mexico ranks [118th of 142 countries](#) in the Rule of Law Index.
- These attacks take place in a country with more than [133,000 missing persons](#), amid a persistent crisis of security and justice.

The last defence: unpacking the ‘amparo’

The tropical forest of the Yucatán Peninsula gave birth to more than the *cenotes* and underground rivers that sustain life across southeastern Mexico. More than 180 years ago, they also gave rise to one of Mexico’s most important legal innovations: the *amparo*.



A cenote (a natural sinkhole providing access to underground freshwater systems) in the state of Yucatán, south-eastern Mexico. Photo: Rafael del Río.

Created in Yucatán in 1841, the *amparo* is a constitutional legal remedy designed to protect citizens from the overreach of state authority. At its simplest, it allows any person to ask a judge to intervene when they believe the government has violated their constitutional or human rights. If a farmer saw someone clearing his land without permission, for example, he could file an *amparo*, and a judge could halt the clearing while the case was being reviewed.

For generations, it has been one of the country’s most powerful legal safeguards, earning recognition well beyond Mexico’s borders and inspiring similar legal mechanisms in at least 45 countries. Comparable constitutional remedies exist elsewhere, including *tutela* in Colombia and *recurso de protección* in other legal systems.

To the lawyers interviewed for this project, however, the *amparo* is much more than a constitutional mechanism. Environmental lawyer Carla Aceves described it as the final legal remedy available when no other defence against authoritarianism exists. Juan Pablo Zavala compared it to a “retaining wall”, built to prevent the weight of the state from crushing the individual.

Luz Elena Orozco y Villa argued that it created a legal space where conflicts that had long remained invisible – including environmental disputes – could finally be heard by the courts. Viridiana Maldonado said it enabled judges not only to halt projects threatening communities, but also to challenge laws and reshape public policy.

Its importance increased significantly in 2011, when reforms strengthened constitutional protections and recognised collective and environmental rights. From that point onwards, judges could suspend projects that threatened entire communities rather than only individuals. The reforms also recognised the principle of “legitimate interest”, meaning that people no longer had to own land to defend it. It was enough to demonstrate that environmental damage would affect the collective good. Jorge Fernández Mendiburu recalled one such case in 2016, when two citizens successfully halted the construction of a seawall after arguing that it would destroy mangroves.

For communities defending forests, rivers and *cenotes*, these changes mattered enormously. Environmental damage rarely respects property boundaries. Rivers flow across municipalities, underground aquifers connect entire regions, and forests sustain communities far beyond the limits marked on a title deed. The law had begun to recognise that reality. Yet legal protection on paper did not always translate into justice in practice.

Luz Elena Orozco y Villa argued that access to justice in Mexico has remained constrained by corruption, technical legal language, limited civic education and the cost of litigation. Many people simply do not know where to seek help or cannot afford to do so. Although the law provides state-appointed lawyers, these services are often overstretched and lack specialist expertise in environmental cases. According to the Public Defender’s Office for Indigenous Peoples and Communities, only 17 court-appointed lawyers are assigned exclusively to support Indigenous peoples, most of them based in Mexico City, far from the affected territories.⁴ Indigenous communities make up around 19% of Mexico’s population of 133 million,⁵ yet they must frequently depend on universities, civil society organisations and pro bono lawyers to defend their rights.

Distance presents another obstacle. Juan Pablo Zavala recalled one case in which farmers from Xpujil travelled more than 350 kilometres simply to sign legal documents. Environmental cases also require expert scientific evidence, which lawyer and environmental activist Raquel Gutiérrez pointed out often exceeds 50,000 pesos (£2,155) – equivalent to around four months’ average salary in Mexico.

⁴ National Institute of Statistics and Geography (2023) National Census on the Administration of Federal Justice (CNIJF) 2023. Results. [PDF]. Available at: <https://www.inegi.org.mx/programas/cnijf/2023/>

⁵ National Institute of Statistics and Geography (INEGI) (n.d.) [Indigenous peoples in Mexico](#).

Whilst communities struggle to raise those resources, construction often continues. Lawyer Agustina Rodríguez recalled rulings delivered after 14 years, by which time the damage they sought to prevent had already become irreversible and some plaintiffs had even passed away.

Despite these barriers, the *amparo* remained one of the few legal tools capable of challenging projects that threatened Mexico's environment. It enabled communities to ask difficult questions of those in power and, at least for a time, to halt actions before irreversible damage occurred.

That legal landscape changed in 2024. The table below summarises how new reforms have altered some of the most important rules governing who can bring an *amparo*, how harm is assessed and when judges may grant protection.

Issue	Before the 2024 reforms	After the 2024 reforms
Who benefits from an <i>amparo</i>	Suspensions could protect entire communities or society.	Protection only applies to the claimant.
Water and strategic resources	Water-related decisions could be challenged through <i>amparo</i> under the ordinary rules.	Reforms to water and mining rules strengthened the government's control over concessions and restricted some avenues for obtaining suspensions.
Preventive protection	Potential environmental harm could justify a suspension.	Harm must be real and direct, limiting preventive action.
Legitimate interest	One person could bring a collective claim.	Two or more people must file together.
Proving legitimate interest	Show a special legal interest and likely harm.	Additional requirement to "socially justify" the claim.
Case admissibility	Judges usually examined the merits of every case brought through court proceedings.	Judges have broader powers to dismiss cases early.
Scope of a suspension	A suspension could have effects beyond the individual claimant in some circumstances.	A suspension in an <i>amparo</i> challenging a general rule cannot have general effects; it benefits only the person who brought the case.
Expanding claims	New impacts could be added during proceedings.	Later amendments are much more restricted.
Notifications	Paper notifications encouraged delays.	Electronic notification is mandatory.

Table 1: Selected provisions of Mexico's Amparo Law before and after the 2024 reforms

Other recent constitutional and judicial reforms have reshaped the institutions responsible for protecting environmental rights and holding power to account.

Since late 2024, seven autonomous constitutional bodies, including the National Institute for Transparency, Access to Information and Protection of Personal Data (INAI), have been abolished, reducing institutional checks and balances and limiting public access to information.

Judges are now elected by popular vote, replacing a system based largely on professional appointment and career progression within the judiciary. [Critics argue](#) that the reform risks weakening judicial independence by exposing judges to political pressures and removing important protections around tenure.⁶ They also warn that making judges electorally accountable could place greater weight on political appeal than professional expertise, a particular concern for complex constitutional and environmental cases.

Taken together with changes to the *amparo*, these reforms have shifted the balance of power between citizens and the state, reducing some of the legal mechanisms that communities relied upon to defend land, water and Indigenous rights.

⁶ Human Rights Watch (2025) 'Mexico: Electoral Process Undermines Judicial Independence', 1 September. Available at: <https://www.hrw.org/news/2025/09/01/mexico-electoral-process-undermines-judicial-independence>

Case study: the Maya train

Act I: The promise

The jungles of southeastern Mexico are low, tangled and resilient. They grow on porous limestone, clinging to thin soils above one of the world's largest underground freshwater systems. Sacred ceiba trees rise above the canopy, mangroves protect the coastline, and thousands of caves and cenotes feed rivers that flow unseen beneath the Yucatán Peninsula.

Among this landscape lives Haizel de la Cruz, a Maya photographer and environmental activist from Ticul, Yucatán. Raised in a family of potters, she sees the land not simply as territory, but as the foundation of Maya identity.

A few years ago, she founded Iik-Naj (“Wind and Seed”), a cultural centre where workshops, exhibitions and community gatherings seek to strengthen Maya language and culture.

But Haizel’s work extends beyond preserving culture. She is also a member of the Múuch' Xiinbal Assembly, a network of communities that has become one of the peninsula’s most important spaces for understanding the forces reshaping Indigenous territory.

When Andrés Manuel López Obrador announced the Maya Train, it was presented as a project that would bring prosperity to south-eastern Mexico. Stretching across Chiapas, Tabasco, Campeche, Yucatán and Quintana Roo, the railway promised jobs, tourism and development for one of the country’s poorest regions. Environmental concerns, the president assured the public, would not stand in the way.

“Not a single tree will be felled,” he pledged.

As construction advanced, millions of ceiba, cedar, palm and maculix trees were cleared. Estimates suggest that around 10 million trees were felled.

The greatest concern, however, lay beneath the surface. More than 15,000 concrete and steel piles were driven into the fragile limestone to support elevated sections of the railway. Scientists and environmental defenders argue these works threaten the underground freshwater systems that sustain life across the peninsula.

The conflict that followed was not simply about a railway. It became a struggle over who decides how land is used, whose voices are heard, and whether the law could still act as a restraint on state power.



A heavy machine clears a path through the vegetation, felling trees during the construction of the Maya Train. Credit: Rafael del Río.

Act II: Learning to read power

Inside the Múuch' Xíinbal Assembly, resistance began with translation. Representatives from Maya communities met with lawyers, academics and environmental defenders to translate contracts into Maya, explain concessions and untangle legal concepts that rarely appear in everyday conversation.

Environmental impact assessments, land-use agreements and trust arrangements were discussed alongside maps, local knowledge and lived experience. The Assembly became a place where communities learn not simply how megaprojects work, but how to question them.

Haizel said the pattern is strikingly familiar.

Representatives from government agencies or private companies arrive with promises of development: lower electricity bills, financial support, sponsorships and community festivals. Beer is handed to adults and footballs to children. Projects are presented as environmentally responsible and economically transformative. Less attention is given to the contracts that may commit communities to leasing their land for up to 120 years in exchange for 0.70 Mexican pesos per hectare per day.



Community training workshop at the Múuch' Xiinbal Assembly. Photograph: Haziél de la Cruz.

Behind those promises, Haizel said, lies a recurring story of water pollution, deforestation and fractured communities. In some cases, companies or public authorities encourage divisions within villages; in others, they exert pressure, make threats or carry out evictions. The language of development conceals consequences for land, culture and identity.

Gustavo Aldair Tut, an artist from Bacalar and another member of the Assembly, argues that dispossession extends far beyond the loss of land. It is also the loss of memory, identity and culture.

His artwork – murals, posters and fanzines – has become part of that resistance, translating legal and political struggles into images that circulate through Maya communities. He described a long history of communal land passing into private hands after irregular expropriations and decisions taken without meaningful community consent. In one ejido, he said, signatures obtained from community authorities without collective agreement were later used to justify the fragmentation and sale of communal land.

Knowledge, however, has begun to change the balance of power.

When companies now arrive to negotiate, communities increasingly ask for copies of contracts before signing them. They request time to seek legal advice, ask to see

environmental impact assessments and question whether similar projects have benefited other territories.

Sometimes, Haizel said, one simple sentence is enough to change the conversation.

“Leave us the contract to review and then we’ll decide.”

The hesitation that follows often reveals inconsistencies that previously passed unnoticed.

The conversation continues beyond the Assembly. For the past four years, Haizel, Gustavo and their colleagues have produced programmes for No Radio, a community broadcaster that explains legal developments and megaprojects in Maya. Where internet access is unavailable, loudspeakers are placed in village squares or outside people’s homes. Leaflets are distributed and discussions continue door to door.

Information circulates by word of mouth, just as knowledge has historically travelled across the peninsula.

Act III: Taking power to court

By the time construction of the Maya Train was underway, many Maya communities understood far more than they had when the project was first announced. They had



Freshwater contamination in cenotes in southern Mexico. Credit: Haizel de la Cruz.

learned to question contracts, demand environmental impact assessments and scrutinise consultation processes. Increasingly, they also turned to the courts.

Juan Pablo Zavala, who has specialised in *amparo* litigation for more than two decades, secured what he described as the first definitive suspension of work on the Maya Train in January 2020. The ruling found that the project had proceeded without adequate consultation with Indigenous communities and without complying fully with environmental requirements. Historically, Zavala recalled, governments generally respected such court orders whilst legal proceedings continued. This time, they did not.

Rather than suspend construction, the federal government declared the Maya Train a matter of national security. Responsibility for large sections of the project was transferred to the military, allowing work to continue despite ongoing litigation. For Zavala, it marked a fundamental shift in the relationship between the courts and executive power. The constitutional safeguard that had constrained governments for generations no longer produced the same practical effect.

The legal challenges nevertheless continued.

Since construction began, more than 70 *amparo* applications have been filed seeking to protect forests, rivers, cenotes and Indigenous territories affected by the railway. Most, however, have been unsuccessful.

According to several of the experts interviewed for this report, the obstacles extended beyond the merits of the individual cases. Proceedings relating to the Maya Train were centralised in Mérida, the capital of Yucatán, hundreds of kilometres from many of the affected communities. They argued that concentrating litigation in a single location made participation significantly more difficult by forcing communities to spend time and money travelling long distances simply to attend hearings or sign legal documents. The effect, they believed, was to reduce public scrutiny whilst allowing construction to continue with fewer interruptions.

Zavala also questioned whether consultation requirements had ever been fulfilled in any meaningful sense.

He argued that compliance with the law was often more apparent than real. Consultation meetings were held, but key information was frequently omitted or presented in language that communities could not reasonably be expected to understand. Although Indigenous communities are legally entitled to interpreters, he explained that this rarely extended to technical subjects such as environmental impact assessments, trust agreements or land contracts. Consultation, he argued, had too often become a procedural formality rather than an informed dialogue.

Whilst communities were learning how to use the *amparo*, the institutions responsible for hearing those cases were themselves beginning to change.

Act IV: Changing the rules

In 2024, former president Andrés Manuel López Obrador proposed a sweeping judicial reform that fundamentally altered the way judges are selected in Mexico. Instead of being selected through a professional judicial-career system based on

experience and merit, judges would now be elected by popular vote. For communities relying on constitutional litigation, the change carried particular significance. Judges decide whether *amparo* applications proceed and whether projects that threaten constitutional rights should be suspended whilst cases are heard.

With a congressional majority, the government secured the reform without support from the opposition. Amendments to the Amparo Law followed soon afterward, reshaping one of Mexico's most important constitutional safeguards. In June 2025, Mexicans voted for the first time to elect around 2,700 judges, magistrates and Supreme Court justices, although turnout reached only 13% of registered voters.

For many of the experts interviewed, the significance of these reforms extends well beyond the Maya Train.

Environmental lawyer Carla Aceves described the election of judges by popular vote as “a terrible idea”, arguing that constitutional justice depends on technical expertise rather than political popularity. Environmental cases often require judges to weigh complex scientific evidence, competing constitutional rights and international obligations – areas in which expertise and experience matters.

Raúl Aldama viewed the reform differently but reached a similar conclusion. He described it as an act of “revenge” against a judiciary that had blocked several government megaprojects. Whilst acknowledging longstanding problems within Mexico's justice system, he argued that reform should have focused on prosecutors' offices and lower courts, where corruption is more pervasive, rather than weakening one of the few institutions capable of acting as a constitutional counterweight to executive power.

Viridiana Maldonado believed the reforms would make it “practically impossible” to obtain justice in cases involving megaprojects promoted by the Executive or the Ministry of National Defence. Luz Elena Orozco y Villa expressed concern that the newly created Judicial Disciplinary Tribunal could discourage judges from issuing decisions that challenged those in power, describing it as a “sword of Damocles” hanging over the judiciary.

The experts also pointed to a series of changes to the Amparo Law that, taken together, significantly narrowed access to constitutional protection.

One of the most important was the removal of what lawyers refer to as "general effects". Previously, where a judge found a law unconstitutional or suspended a project, that protection could extend to an entire affected community. Following the reforms, it generally applies only to those who bring the *amparo*. Jorge Fernández Mendiburu argued that the change "takes us back 30 years", forcing communities to pursue individual litigation over harms that are fundamentally collective, such as the destruction of forests, rivers and ecosystems.

The reforms also narrowed the concept of "legitimate interest". Communities and civil society organisations must now demonstrate actual and present harm rather than the likelihood of future environmental damage. Carla Aceves argued that this fundamentally weakens the preventive purpose of environmental law because, by the time many forms of environmental damage can be conclusively demonstrated, they are already irreversible. Raúl Aldama added that the reforms bring legitimate interest closer to the stricter standard of legal interest. The distinction matters in environmental cases: legitimate interest had allowed people to seek protection even when they did not own the affected land, provided they could show that environmental damage would affect them.

This was closely linked to the principle of the 'adjacent environment', which allowed people living within the area affected by environmental harm to seek an *amparo* even if they did not own the land in question. Juan Pablo Zavala warned that narrowing this protection would create financial and practical barriers that many Indigenous communities would struggle to overcome.

Raquel Gutiérrez Nájera also highlighted amendments to Article 129 of the Amparo Law, which she argued make it more difficult for judges to suspend projects that the government describes as strategic or in the public interest. She warned that requiring individuals to demonstrate direct personal harm may weaken judicial protection for common goods such as water and air.

Not every change was viewed negatively. Raúl Aldama pointed to the introduction of mandatory electronic notifications for public authorities as one practical improvement. In previous cases, officials had sometimes delayed compliance with court orders by claiming not to have received physical documents. Electronic notification, he argued, removes that excuse.

Taken together, however, the interviewees argued that the judicial reforms and amendments to the Amparo Law have shifted the balance of power between citizens and the state. Organisations including the Mexican Centre for Environmental Law

(CEMDA) and dozens of other civil society groups have also argued that aspects of the reforms are difficult to reconcile with Mexico's obligations under the Escazú Agreement, which seeks to guarantee access to environmental information, public participation and justice for environmental defenders. Although judges remain bound by international agreements, including Escazú and ILO Convention 169, several interviewees questioned whether a newly elected judiciary would have the experience and independence necessary to apply those protections effectively.

For the communities challenging the Maya Train, the consequences were immediate. They had learned to understand the law, organise around it and use it to defend their territory. At precisely that moment, the legal framework on which that strategy depended began to change.

Where dispossession ends and organisation begins

The legal reforms surrounding the Maya Train changed more than the rules of constitutional litigation. According to the lawyers, scientists and community leaders interviewed for this report, they also intensified an environment in which defending land, water and Indigenous rights carries increasing personal risk. For many of those interviewed, the challenge is no longer simply winning cases in court. It is continuing to speak, organise and resist.

The Mexican Centre for Environmental Law (CEMDA) describes criminalisation as one of the principal mechanisms used to weaken environmental and human rights defenders. The objective extends beyond prosecuting individuals. Criminal proceedings, civil claims and strategic lawsuits can consume time, money and organisational capacity, whilst creating a climate of fear that discourages others from speaking out.⁷ Defenders have faced charges ranging from trespass and obstruction of public roads to serious offences including kidnapping, arson and organised crime. Many of these cases ultimately fail, but the legal process itself becomes part of the punishment.

This pattern emerges repeatedly in the experiences of those interviewed. The case of Sara López illustrates how this mechanism operates. In 2009, in the state of Campeche, she was imprisoned for 11 months for opposing high electricity tariffs. She was accused of kidnapping and obstructing public works. In January 2010, a federal appeals court ruled that there was insufficient evidence to prosecute her. The ruling was challenged, but ultimately upheld by the courts and she was released on 6 June 2010. Her release was only possible thanks to national and international pressure. She said little has changed.

According to López, more than 300 families were displaced during the construction of the Maya Train. When communities turned to the courts, she said, the institutions that should have protected them failed to respond.

“The courts are at the service of the project, the companies and the Government.”

⁷ Mexican Centre for Environmental Law (CEMDA) (2025) [Report on the situation of environmental human rights defenders in Mexico 2024](#).

For López, the militarisation of the Maya Train intensified that sense of vulnerability. Since responsibility for the railway was transferred to the armed forces, she said, military presence has become part of daily life across affected communities. Two of her colleagues have been imprisoned following protests, whilst criminal charges have been brought against several community leaders.

She described the strategy simply:

“Criminalisation and harassment are used to make people afraid and stop them from defending themselves.”

The experience of Roberto Rojo illustrates that this pressure extends beyond community activists.

A biologist and founder of Cenotes Urbanos, Rojo spent years documenting the underground cave systems of Quintana Roo with more than 500 volunteers. His work sought to explain why the geology of the Yucatán Peninsula made construction of the Maya Train particularly risky. The region’s forests grow on a thin layer of limestone covering an interconnected network of caves and aquifers.

“Every drop of rain seeps down to the aquifer, and the trees have to break through the rock to get water.”

Rojo repeatedly warned that driving thousands of piles into this fragile landscape could have lasting consequences for the peninsula’s freshwater system. Instead of engaging with those concerns, he said, scientists opposing the project were publicly portrayed as enemies of national progress. Former president Andrés Manuel López Obrador referred to them as “pseudo-environmentalists” and questioned their motives, whilst some were accused of serving foreign interests.

“In a country as violent as Mexico,” Rojo said, “being called a traitor to the nation is practically like having a gun held to your head.”

The public rhetoric was followed by coordinated harassment online. Rojo described social media campaigns, mockery and professional isolation. He became accustomed to checking whether he was being followed in public. Some colleagues avoided collaborating with him. Yet he continues to warn that materials used to support the railway, including lead and cadmium, could contaminate groundwater for generations to come.

“And that is the water we drink.”

Others describe similar experiences. Environmental lawyer Viridiana Maldonado said she was criminally investigated after assisting with *amparo* litigation.

“They claimed I had forged the document and that the signature was not mine.”

Lawyer Raquel Gutiérrez Nájera is defending legal proceedings arising from her work on environmental developments elsewhere in Mexico. Carla Aceves said she eventually withdrew from frontline environmental litigation because the situation had become “absolutely dreadful” and increasingly dangerous.

Several interviewees also expressed concern that recent institutional reforms may deepen these pressures. They argue that changes to the judiciary and the Amparo Law, combined with the concentration of Maya Train litigation in Mérida and the growing role of the military in the project, have reduced communities’ confidence that legal institutions can act independently. At the same time, environmental defenders continue to rely on international instruments such as the Escazú Agreement and ILO Convention 169, although some questioned whether newly elected judges will have the experience required to apply them effectively.

Yet the story does not end with fear. Throughout the Yucatán Peninsula, communities continue to organise through assemblies, community radio stations, cultural centres and legal education. They share contracts before signing them, translate legal terminology into Maya and build alliances with scientists, journalists and lawyers. As legal avenues have become more constrained, collective organisation has become more important.

Haizel de la Cruz captured what many interviewees described as the deeper purpose of that work.

“Without territory there is no language, no culture, no Maya life.”

Gustavo Aldair Tut expressed the same idea from another perspective.

“The lagoon and I are not so different. Nor are the wind, the trees or the animals: the jaguar, the wild turkey, the tapir. We are all part of the same community.”

For the Maya communities featured in this project, the defence of territory is therefore about more than opposing a railway or winning a court case. It is about protecting a relationship with the land that defines language, culture and identity.

Where legal protections have weakened, organisation has become the new line of defence.

Conclusion

What emerges from this project is a portrait of Mexican justice under profound strain. Across the interviews, the same pattern emerges: legal proceedings, institutional pressure and social attrition combine to make the defence of territory and environment increasingly difficult. Yet the possibilities for defending territory have not disappeared. They have been reconfigured.

The experts interviewed for this project describe a range of strategies for responding to this changing landscape. They propose promoting collective constitutional appeals to protect entire territories and making greater use of international instruments such as the Escazú Agreement, which allows the burden of proof to be placed on the State to demonstrate the absence of harm and to bear the costs of that proof. They also recommend systematically documenting every instance of legal non-compliance, particularly where authorities fail to comply with judicial rulings.

Alongside these legal strategies lies another equally important task: enabling communities to take ownership of the legal framework, understand it and translate it into their own contexts. Strengthening support networks, pursuing administrative complaints and preparing scientific expert evidence all become part of a broader process of collective defence.

Ultimately, however, the defence of territory is not confined to the courts. It is sustained in community assemblies, on community radio, through memory and in collective organisation. The law becomes meaningful only when it becomes part of everyday life. Faced with dispossession, what is at stake is not simply winning a case, but sustaining the conditions that make life, culture and community possible.

These stories demand more than reporting on environmental impacts alone. They require an understanding of the legal, political and social forces that shape environmental conflicts, and an awareness that decisions made in courtrooms, legislatures and government offices are ultimately experienced in forests, rivers and communities.

Included below is a journalist's field guide for reporting environmental justice. It includes questions to ask, evidence to collect, and key legal definitions to grasp. In the words of Luz Elena: "Law is a technical field where words matter."

What is documented in this project is not unique to Mexico. Conflicts over land, access to environmental justice and the weakening of legal protections are

unfolding in many parts of the world, each shaped by its own history but often following remarkably similar patterns. Yet these stories also reveal something more hopeful: that resistance is built not only through legal action, but through communities that organise, preserve memory and continue to defend their territories, even as the rules around them change.



JOURNALIST'S FIELD GUIDE

REPORTING ENVIRONMENTAL JUSTICE



KEY LEGAL CONCEPTS TO UNDERSTAND

- **Amparo** A constitutional remedy allowing individuals or communities to challenge government actions that violate constitutional rights.
- **Suspension of the challenged act** A temporary court order pausing a project or decision while an *amparo* is being heard.
- **Legitimate interest** The legal standing to bring a case where a person or community is directly affected by environmental harm, even without owning the land.
- **Diffuse rights** Collective rights shared by society, such as the right to a healthy environment, clean air and clean water.
- **Environmental Impact Statement (EIS)** A technical assessment of a project's likely environmental effects before it receives approval.
- **Escazú Agreement** A regional treaty guaranteeing access to environmental information, public participation and access to justice in environmental matters.
- **Precautionary principle** The principle that action should be taken to prevent serious environmental harm, even when scientific certainty is incomplete.
- **Expert evidence** Scientific or technical evidence presented to support or challenge environmental claims in court.
- **Contempt of court** Failure to comply with a court order or judgment.
- **Conformity interpretation** The principle that national laws should be interpreted consistently with constitutional and international human rights obligations.



WHERE TO LOOK FOR EVIDENCE

Environmental stories are strengthened by combining legal, scientific, financial and community evidence.

ADMINISTRATIVE EVIDENCE	COMMUNITY EVIDENCE	SCIENTIFIC EVIDENCE	LEGAL EVIDENCE	FISCAL EVIDENCE
□ Environmental complaints □ FOI responses □ Regulatory inspection reports □ Compliance reports □ Public procurement records □ Government correspondence	□ Assembly minutes □ Community radio broadcasts □ Oral histories □ Indigenous-language materials □ Community maps □ Photographs and videos □ Historical comparison	□ Water, soil and air studies □ Hydrological studies □ Biodiversity assessments □ Geological surveys □ Satellite imagery □ Independent academic research □ Land use change assessments	□ Amparo applications and judgments □ Court orders and suspensions □ Environmental Impact Statements (EIS) □ Public or prior consultation records □ Environmental permits and licences □ Expert reports submitted to court	□ Public budgets □ Conservation spend □ Tax incentives and subsidies □ Environmental tax revenues □ Company tax benefits □ Infrastructure expenditure □ Beneficial ownership records □ Environmental mitigation funds □ Mining royalties



WHAT QUESTIONS TO ASK

ABOUT POWER

- Who benefits from this project?
- Who bears the environmental and social costs?
- Who was included – and excluded – from decision-making?
- Who holds political or economic influence?

ABOUT JUSTICE

- Has an *amparo* been filed?
- Were communities meaningfully consulted?
- Have court orders been implemented?
- What legal barriers remain?

ABOUT COMMUNITIES

- How are local communities documenting environmental change?
- What local or Indigenous knowledge is available?
- Which voices are missing from official accounts?

ABOUT ACCOUNTABILITY

- What do public budgets reveal?
- Which institutions are responsible?
- Who is monitoring compliance?
- What information remains hidden?

ABOUT EVIDENCE

- What evidence supports the project?
- What evidence challenges it?
- Who produced the evidence?
- Is it publicly available and accessible?