

**SECRETARIAT OF THE COMMISSION  
FOR ENVIRONMENTAL COOPERATION**

[REDACTED], of Mexican nationality, acting on our own behalf and in our capacity as co-owners of the woodlands known as “Los Amoles,” located in the municipality of Cuautla in the state of Jalisco, Mexico, as duly evidenced in the Register [REDACTED] kept by the Jalisco State Office of the Ministry of Environment and Natural Resources (*Secretaría de Medio Ambiente y Recursos Naturales*—Semarnat), and holders of the timber extraction authorization and respective endorsement contained in Document No. [REDACTED], entered by said Office on 14 July 2021, hereby stating the domicile to hear and receive all kinds of notices in reference hereto as the property located at [REDACTED] and hereby authorizing for such purposes and to carry out all filings, proceedings and appearances as necessary in furtherance of this procedure, [REDACTED], cellular telephone number [REDACTED] and email [REDACTED], hereby respectfully appear before you to state as follows:

**S T A T E M E N T**

**Part III: The Submission**

Pursuant to the provisions of Article 24.27 (1) of the United States–Mexico–Canada Agreement (USMCA) in effect, we hereby make this **SUBMISSION** on the effective enforcement of environmental laws with respect to the facts, acts or omissions reported herein which are causing ecological imbalances and damaging the environment and natural resources, in violation of the provisions of the Agreement and the law and other domestic rules governing matters relating to the protection of the environment and the preservation and restoration of the ecological balance. To this effect, and following the procedure prescribed by Article 24:27 (2) of said Agreement, we hereby inform this Commission as follows:

**ALLOWANCE OF THE SUBMISSION**

Pursuant to the provisions of Article 24.27 (1) and (3), (a, b, c and d) of the United States–Mexico–Canada Agreement in effect, this multilateral body shall receive, hear, admit, process and resolve this **Submission**, which asserts that one of the Parties is failing to effectively enforce its environmental laws, stating several different acts, facts and omissions that are causing serious ecological imbalances to the environment and natural resources, causing harm to the submitters. This and other Submissions raise matters whose further study will contribute to the furtherance of the goals of the respective Chapter, as they seek remedies which citizens may avail themselves of in accordance with the Party’s laws. The Submission is not based on mass media reports.

**E. Relevant Party**

- Mexico. “Los Amoles” woodlands located in the municipality of Cuautla, in the state of Jalisco.
- United States. Diplomatic representation of the United States of America in Mexico, Attention Katherine Tai, Trade Representative.

**F. Environmental Law**

- Ecological Balance and Environmental Protection Act (*Ley General del Equilibrio Ecológico y la Protección al Ambiente*—LGEEPA), Articles 189 first paragraph, 190 sections I, II, III and IV, 191 first and third paragraphs, 192, 193, 202 first paragraph and 203, with respect to Articles 160 first and third paragraphs, 161 first paragraph, 162 first paragraph, 166, 167, 169 last paragraph, 170 sections I and II and 182 first paragraph.
- Sustainable Forest Development Act (*Ley General de Desarrollo Forestal Sustentable*), Articles 154, 155 sections III, VI, VII, XII and XV.
- Regulations of the Sustainable Forest Development Act, Articles 225, 226 first and third paragraphs, 227 first paragraph, 229, 231, 232, 233 second paragraph and 234.

**G. Statement of facts**

The information contained in this section does not exceed 15 pages.

**H. List of supporting documents**

This includes full and legible copies, in the form of attached digital files with the documents of reference, located with the same reference number as the facts.

1. The undersigned [REDACTED] are co-owners of the property known as “Los Amoles” located in the municipality of Cuautla, Jalisco. In that capacity, my then-minor daughter Celina Macedo Ibarra, as seen in the documentation contained in Register [REDACTED] kept by the Semarnat State Office in Jalisco, carried out the respective filing to obtain the authorization to extract timber from those lands (see attached).
2. On 8 January 2021, [REDACTED] received at our home a person calling himself [REDACTED] a professional engineer from Tecolotlán, Jalisco, who brought a supposed boundary survey for us to sign, informing us of the interest of unidentified third parties to acquire part of our land. In consultation with our engineer, we were advised not to sign it, as it was misaddressed and because the coordinates corresponded to our property and not the neighboring land. Upon hearing our refusal to sign and sell, he said that “he was only the messenger” and that “you give it to them, you sell it to them, or they’ll take it all away.” Several days later, he called our cell phones on several occasions.
3. Therefore, on 27 January 2021, we went before the state prosecutor’s office under the “Sierra de Amula” Regional Prosecutor in Ayutla, Jalisco, to file a criminal complaint regarding the threats to compel us to sell all or part of our property “Los Amoles” located in the municipality of Cuautla, Jalisco, in order to cut down all the trees, change the use of the forest land and dedicate it to avocado cultivation. The complaint was entered in Investigation Docket [REDACTED]. Thereafter, we proceeded to expand the complaint because another person, calling himself [REDACTED], who lives in the town of Ayutla, Jalisco, called my brother, at telephone number [REDACTED], on 26 February, and then my uncle, to tell us to sell and that he was going to take possession of that part of our land.
4. On 9 April, we appeared before the same Prosecutor’s Office to **file a new complaint** for land theft, because the day before, we went to our property and were unable to enter, since new four-line barbed wire and wood posts were put up on the boundary with the “Talillamac” property now owned by [REDACTED], thereby altering the original area of our land by taking away sections measuring approximately 59, 2, and 94.62 hectares. This complaint was entered in Investigation Docket [REDACTED].
5. On 14 July 2021, the Semarnat State Office in Jalisco, in the state of Jalisco, entered Document No. [REDACTED], in the Register [REDACTED], granting, as requested, the **endorsement to the timber extraction authorization** and the execution of the proposed Forest Management Program for our “Los Amoles” property, which was issued 22 July of that year through our forestry services provider, [REDACTED] (see attached).
6. On 27 July 2021, we appeared again before the same Prosecutor’s Office to **expand the complaint once more**, since some neighbors in the area commented that in a part of our property which can be accessed through a gap that goes to several pastures and can be seen from the Tierras Blancas-Chilacayote Highway, there were armed people carrying out various actions without our authorization and against our will—since we were unaware of them—upon arriving at the property we corroborated that unknown persons had removed the old wire fence and put up new one which they installed thus modifying the original boundaries and reducing the original area of the property, cutting and felling trees, burning vegetation and extracting wood with machinery and trucks.
7. As seen in the clerk’s receipt stamp, on 3 August 2021 we filed a **citizen complaint** with Semarnat and the Office of the Federal Attorney for Environmental Protection (*Procuraduría Federal de Protección al Ambiente—Profepa*), to have the Ministry (which issued the timber extraction authorization) and the Office (responsible for enforcement) take note of and record our timely report that unknown and unauthorized persons were engaging in uncontrolled and predatory forestry activities on our land, so that the Office could carry out the necessary proceedings and determine and ascertain the existence of the reported acts, facts or omissions and undertake the necessary procedures with other authorities to determine such activities as soon as possible, which might then involve the Federal Prosecutor with respect to any applicable crimes and other proceedings as prescribed by law. These filings were accompanied by a simple copy of Document No. [REDACTED], issued 14 July 2021 by the same agency, stating the location coordinates of the affected land and the timber species and authorized usage volumes (see attached).
8. On Saturday, 28 August 2021, a person calling himself [REDACTED] came to our house, stating his interest in buying the land comprised by the property. In the discussion, we noted that 59 hectares of land had already been taken over by unknown persons using machinery to engage in illegally logging the timber and then removing it on trucks. In the end, he said that

he was actually only a messenger for a [REDACTED], who claimed to be the owner of the land, which he said he had already purchased, and that he would stop by with papers to arrive at an agreement and he left the telephone number [REDACTED], in case we decided to sell to him. We only answered that any arrangement reached would have to include our being paid for the land, the timber that was taken and the damage and nuisance caused, as well as for any proceedings and penalties levied by the authorities.

9. After a reasonable time had passed without receiving any communication or response, on 7 September 2021 we filed additional documents with the Semarnat and Profepa offices, providing the telephone numbers and email addresses of the interested party and the authorized representative, to facilitate and further streamline the process of submitting any documents and not creating any conflict, **accompanied by a USB memory device containing various photographs and videos as evidence** showing and supporting the claim of serious damage caused to the ecosystem as of that date. In these documents, we also requested that the necessary procedures be carried out to halt the unlawful acts as soon as possible and that the Federal Prosecutor be informed of the potential environmental crimes being committed (see attached).
10. Our authorized representative, who was present at the Semarnat State Office, notified Mr. Gálvez that same day (7 September 2021) of the Document [REDACTED], issued 4 August 2021, reporting that the information was forwarded to Profepa to provide the corresponding support on the matter (see attached).
11. At 10:08 am on 22 September 2021, a document was filed with the **diplomatic representation of the United States of America in Mexico, to the attention of Ms. Katherine Tai, Trade Representative of that government**, with respect to the facts of the matter as of that time, said document **accompanied by a USB memory device containing different digital documents, photographs and videos as evidence**. The filed document requested her intervention under the trade section of the USMCA, since the timely reporting of the unlawful activities to the different Mexican domestic authorities has not prevented the illegal actions from continuing, causing direct impacts in commercial and economic areas as both illegal timber and illegal avocados are being introduced from the state of Jalisco into the domestic market and, possibly, foreign markets, fostering a rise and surge in money laundering, financing of criminal gangs, and violence in the country and abroad. **The request has not been answered, as of this date** (see attached).
12. At 12:30 pm that same day (22 September 2021), a document was filed with the **Citizen Outreach Office of the Office of the President** (of Mexico), with respect to the facts of the matter as at that time, **accompanied by a USB memory device containing different digital documents, photographs and videos as evidence**. This document requested the intervention of the President of Mexico with the federal agencies under him then involved (Semarnat and Profepa) and that he order their proper and timely attention to this problem since they were not carrying out their clear and concise duties specifically imposed on them by law and various regulations in this regard (see attached).
13. On 22 September 2021, we received an emailed notice from the Profepa State Office acknowledging receipt of citizen complaint No. [REDACTED] and calling attention to warning notice [REDACTED] apparently entered 12 August 2021, which acknowledged receipt and recording of the citizen complaint and asked for improper and unnecessary information, specifically **“the exact place where the logging is or was carried out, stating the exact coordinates of the place of the facts, completing a polygon,”** supposedly **“because the data provided are insufficient for this Authority to request an inspection visit from the Inspection Bureau and for the latter to appear at the place of the facts,”** noting that if the request is unmet the complaint will be dismissed (see attached).
14. Despite the fact that the initial complaint fully covered the requirements specified in various sections of Article 190 of LGEEPA, including “data enabling the identification of the alleged offender or location of the pollution source,” on 27 September 2021 a **motion** was filed with the Profepa State Office, addressing the warning notice *ad cautelam* and providing the coordinates of the **places on our property where the illegal logging was taking place**, as well as additional information consisting of a photocopy of the UTM WGS 84 projection coordinates map referring to the “Los Amoles” property and its boundaries with other lands (the area shaded in gray-blue shows the extent of the illegal logging as of 21 September 2021). The filing questioned the irregular and delayed procedure being followed to deem the filed complaint to be noncompliant and dismiss it, as the Office intended, and to offer evidence to process and resolve the motion. The motion requested that the necessary proceedings be carried out to determine and ascertain the reported acts, facts or omissions and that the Federal Prosecutor be involved

regarding any potential environmental crimes, failure to address the illegal logging in a timely manner, deforestation, unlawful timber extraction and commercialization, damage to the ecosystem, and the continuing irreparable ecological deterioration of the area (see attached).

15. On 21 October 2021, we received an emailed notice from the General Crime Prevention and Community Service Bureau (*Dirección General de Prevención del Delito y Servicios a la Comunidad*) of the Office of the Federal Attorney General, consisting of document no. [REDACTED], Presidential Folio [REDACTED], entered on 27 September 2021, the content of which was based on a misperception and misinterpreted data—namely, the matter was incorrectly interpreted to refer to a problem of **illegal logging affecting public lighting**. The mistaken deduction was that it was an urban or suburban dispute belonging under the jurisdiction of local authorities, and that the Bureau was not responsible for the matter forwarded by the Office of the President. It listed other authorities as responsible. This reply was given even though it had been made very clear that **the matter involves criminal acts in environmental and forestry matters under federal jurisdiction** (see attached).
16. It was not until 8 November 2021 that the Profepa State Office, without previously, properly and fully informing us of the decisions and resolutions as of that date, issued Inspection Order [REDACTED] to conduct the ordinary inspection visit at a generic place referred to as “**the land comprising the property known as Los Amoles, in the municipality of Cuautla, Jalisco.**” The order shows that the coordinates that we had been asked in the warning notice of 12 August to provide were not necessary to **request the inspection visit and appear at the place of the facts**—meaning that the stated requirement was only a reason to justify the delay in processing the complaint and was an attempt to dismiss it under any pretext. The visit was conducted on 10 November, and the acting personnel verified and listed on several pages of inspection report [REDACTED] the innumerable illegal activities that were being carried out on the forest land property. Even though the environmental and forestry offenses were serious and flagrant, the inspectors refrained from imposing the mandatory and necessary security measures, which consisted of the total shutdown of activities being carried out, placing corresponding closure seals and/or notices, or immobilizing machinery and/or means of transportation found at the site, stating only that “for the safety of the inspector, the inspected person and the witness, no measures are imposed at the time of the inspection,” without stating what special safety circumstances were present at the time that would have hindered the mandatory security measures (see attached).
17. On 16 November 2021, a document was filed with the Profepa State Office within the statutory period. In this document we made various observations with respect to the irregular inspection visit conducted by the Office on our property, during which activities were not shut down or suspended and machinery and/or means of transportation were not immobilized. We requested in this filing that the procedure be corrected and that the Public Prosecutor be involved, as applicable to the potential environmental crimes committed. We have yet to receive a specific favorable response to date (see attached).
18. On 17 November 2021, [REDACTED], identifying himself as an expert from the Jalisco State Institute of Forensic Sciences (telephone number [REDACTED]), called us asking us to visit the property the next day for part of the investigation file being put together by the State Public Prosecutor. When we arrived, we noticed that a lock had been placed on our property entrance, the illegal logging was continuing, and timber was being loaded onto several trucks, one with Jalisco state license plate [REDACTED]. The expert proceeded to do a walkthrough along some of the boundaries and take photographs with his cellular telephone. He subsequently issued Identification and Appraisal Report No. [REDACTED], dated 25 November 2021 (see attached).
19. On 15 December 2021, we appeared at the Profepa State Office to be informed of the subsequent actions arising from the inspection visit conducted more than one month before. We were informed that there was no progress, as the forestry inspection bureau had yet to communicate anything to the other departments.
20. At 10:18 AM on 13 January 2022, we filed a new report with the **Citizen Outreach Office of the Office of the President**, containing the facts as of that date, **accompanied by a USB memory device containing images of different digital documents, photographs and videos as evidence**, and requesting once more that the various responsible agencies and public officials be ordered to carry out the necessary effective proceedings to duly address this problem and to halt all illegal activities, and that the Federal Prosecutor be involved, with respect to the potential environmental and forestry crimes and to observe the reported acts, facts and omissions.

21. On 23 February 2022, we again appeared at the Profepa State Office to be informed of progress on the citizen complaint procedure and any subsequent actions arising from the inspection visit conducted 10 November 2021, since as of that time the acting personnel, despite having witnessed flagrant, serious infractions of forestry and environmental regulations that corroborated what we had denounced in a timely manner, that is, land invasion, immoderate logging, deforestation, illegal extraction, transport and commercialization of timber, and change of land use, did not impose the obligatory security measure consisting of closure with the placement of seals or corresponding notices, the immobilization of machinery and vehicles that would somehow prevent the continuation of these illegal activities, thus leading to the continuation of illegal logging, deforestation, extraction, and commercialization of illegal timber in the area of our property without any problem or restriction, terminating the existing trees.
22. On 28 February 2022, a new filing was made with the Profepa State Office, reporting that on two occasions (15 December 2021 and 23 February 2022) we requested information on the procedure's progress. The last proceeding entered in the related docket, acknowledging receipt of a notice to the Jalisco office from Semarnat, was carried out on 26 October 2021. We requested the necessary actions to prevent the activities from continuing and to file a report with the Public Prosecutor (see attached).
23. On 1 March 2022, according to the **Office of the Civil Service Secretary** clerk's receipt stamp, we filed a **complaint** against various Profepa public servants at the Jalisco state office, due to the irregular and delayed processing of the timely filed citizen complaint (see attached).
24. On 2 March 2022, we received an email from the Profepa State Office, consisting of the Admission of Filing, Report of Proceedings on citizen complaint No. [REDACTED], entered that same day. The document provided disorderly updates of various actions taken in the citizen complaint procedure, referring to the inspection visit, opening the respective legal-administrative docket separate from the citizen complaint, and **groundlessly and falsely stating that we are not involved**. The confusing notice also referred to the issuance of memoranda [REDACTED], notifying the Legal and Natural Resource Inspection offices of the contents of our filings dated 16 November 2021 and 28 February 2022, with respect to the requests to impose the temporary total shutdown of the activities being carried out on our property and to notify the Public Prosecutor of the reported facts. The mandatory determinations have yet to be made and we have yet to be informed (see attached).
25. On 7 March 2022, a new filing was submitted to the Profepa State Office which served to file another **motion** concerning errors in the procedure, i.e., incorrect name of one of the complainants and incorrect identification of the email; omissions, i.e., failure to evaluate the study and to assess the circumstances of the change in fence-wire placement apparently meant to cause confusion as to what property it was located on; and the Office's adoption of excessive and irregular determinations in the aforementioned decision on the citizen complaint procedure, wherein it determined, groundlessly and contrary to the legal provisions, that I, as complainant, was not involved in the legal-administrative docket opened by reason of the inspection visit, the Office failing to consider my capacity as owner of the inspected property and my having offered the necessary evidence to process and resolve the motion (see attached).
26. On 7 March 2022, we belatedly learned of the existence and full contents of Admissibility Decision No. [REDACTED] acknowledging compliance, entered 13 October 2021, this information was gained through our authorized representative, who accessed and reviewed the docket. The decision had been sent to the wrong email address and its contents had thus not been reviewed by us. In the decision, the Profepa State Office deemed the warning notice to have been completed but **did not resolve the motion** the Office admitted the citizen complaint file and the evidence offered, and ordered a memorandum be issued to the corresponding Office to begin proceedings to determine the existence of possible acts, facts or omissions constituting an offense and then notify the corresponding Public Prosecutor. Without legal grounds, it required excessive and unreasonable conditions to be met by the complainant, such as stating a single email account to be notified and providing a certified copy of the complaint filed with the Public Prosecutor to be deemed a victim in order to access and be involved in the administrative inspection and enforcement procedure (see attached).
27. We received a citizen notice via email on 9 March 2022 and by regular mail on 18 March of that year, of Document [REDACTED], control number [REDACTED], issued 9 March 2022 by Ms. Rocío Rangel Vera, Director of Complaints for the Ministry of Civil Service (*Secretaría de la Función Pública*), informing us that the **complaint** filed would be forwarded to the attention of Semarnat, with Document No. [REDACTED] and Register [REDACTED] (see attached).

28. On 9 March 2022, another **motion** was filed with the Profepa State Office within the prescribed period, with respect to errors in the proceeding, including the name of one of the complainants and the email of record, due to the failure to resolve the previously filed motion and justify the decisions made in the new writ. Adopting excessive and irregular determinations, the Office decided in the citizen complaint decision to require a single email address and require that I evidence having appeared as a complainant before the Public Prosecutor; that I provide a certified copy of the complaint supporting my capacity as victim in order to be entitled to access and participate in the administrative environmental inspection procedure, this request circumventing my capacity as owner of the inspected property; that I offer evidence so that the Office could process and resolve the motion; and that the evidence offered and admitted in the complaint file be forwarded to the Office bureau that would substantiate the legal-administrative docket (see attached).
29. On 22 March 2022, a new letter was filed with the Profepa State Office, to be entered into the inspection docket under No. [REDACTED], establishing the background of the matter for the Office bureau that would continue the procedure, making reference to the inspection at our property and the determinations in memoranda [REDACTED], and again requesting that the corresponding criminal complaint be made with the Public Prosecutor. We have yet to receive any communication in this regard to date (see attached).
30. On 28 March 2022, a copy of Document No. [REDACTED], issued 8 March 2022 by Mr. Francisco Javier Zárate Ponce, head of the Complaints, Claims and Investigations Division of Semarnat, was received via email. This email also acknowledged receipt of the **complaint** filed with the Ministry of Civil Service, docket number [REDACTED], and informed us that investigations would be conducted to clarify the facts described and make the relevant determination (see attached).
31. On 5 April 2022, we received an email notice from the Profepa State Office, consisting of Admission Decision No. [REDACTED], apparently entered on 31 March 2022, which incompletely, selectively and irregularly addressed the motions filed. The decision's item 5 inconsistently deemed me to be the Complainant but not involved in the administrative penalty proceeding because the term to do so had passed, without considering the prior decision and the jurisprudence invoked (see attached).
32. On 11 April 2022, within the statutory period, a new **motion** against the above-mentioned Admission Decision, as filed with the Profepa State Office, this motion contained the necessary evidence to process and resolve it and contained once again a request that the corresponding criminal complaint be made with the public prosecutor (see attached).
33. On 13 May 2022, we received via email a copy of the Document [REDACTED], with registration number [REDACTED] dated 13 May 2022, issued by Ms. Florisel Santiago Martínez, Profepa General Director for Crimes, Commutations, Complaints and Claims, with regard to Document No. [REDACTED] dated 23 March 2022, issued by the Crime Prevention and Community Service Bureau of the Specialized Prosecutor for Human Rights. An account of the matter was made, mentioning that an inspection visit was completed in which land use change activities were observed on forest lands as well as the removal of 57 hectares of natural vegetation without the corresponding authorization. The report concluded that there was damage to the ecosystem; that "for your safety and that of the witness and the inspector," the Temporary Total Closure of the inspected property was not ordered; that there are elements that merit the levy of statutory penalties on the responsible parties; and that the applicable report would be made in due time. The aforementioned document was forwarded to the Office to provide further data to continue the respective actions and comment on such statements. No such actions or comments have been made to date, despite the excessive time that has passed (see attached).
34. As seen in the clerk's receipt stamp, on 26 July 2022 a document was filed with the head of Profepa to make a **claim** against the multiple irregularities committed by several public servants in the Jalisco State Office while handling the timely filed citizen complaint, which irregularities gravely affected the interests and rights of the complainant landowners.
35. On 6 September 2022 and 28 January 2023, we received emailed Documents No. [REDACTED], with registration [REDACTED] issued 15 August 2022, and No. [REDACTED], with registration [REDACTED] issued 26 January 2023, and on 9 September 2022 via regular mail we received Document No. [REDACTED], with registration [REDACTED] issued 15 August 2022, by Ms. Florisel Santiago Martínez, Profepa

General Director for Crimes, Commutations, Complaints and Claims, acknowledging receipt of the **Claim** filed with the head of Profepa and arguing that it should have been filed with the authority that issued the action, which had the corresponding administrative procedures. The claim was forwarded to the Jalisco state office, to be settled as prescribed by law; we have yet to receive any communication in that regard (see attached).

36. On 17 October 2022, an *ad cautelam* response was filed with Profepa's Environmental Representation Office (*Oficina de Representación de Protección Ambiental*) in the state of Jalisco, under the two dockets, with respect to the requirement issued in Admission Decision No. [REDACTED] dated 31 March 2022, providing certified copies of the complaints and the acknowledgment of victim classification in order to be provided access and participate in the environmental inspection **and thereby be fully able to defend our interests and rights**, and making the relevant clarifications with respect to the inability to guard the identity of the complainants (see attached).
37. On 31 October 2022, documents were entered in the two dockets with the Profepa Environmental Representation Office, requesting that reports or opinions be required from the Ministry's administrative agencies enabling us to determine the environmental damage and harms caused, and that a new inspection visit be ordered to establish the prevailing conditions of the property in order to prepare the respective study, report or expert review and file the corresponding complaint with the Federal Prosecutor, accompanied by an electronic USD storage device containing the study prepared and supporting the endorsement of the timber extraction authorization for our property (see attached).
38. On 16 November 2022, documents were entered in the two dockets with the Profepa Environmental Representation Office, requesting once more that reports or opinions be required from the Ministry's administrative agencies that would enable us to determine the environmental damage and harms caused; that a new inspection visit be ordered to establish the prevailing conditions of the property in order to prepare the respective study, report or expert review and file the corresponding complaint with the Federal Prosecutor; that we be allowed to access the environmental inspection file; and that the 38 copies of evidence included in the file be studied and assessed (see attached).
39. On 13 February 2023, we received an emailed notice from the Profepa Environmental Representation Office, consisting of Admission Decision No. [REDACTED], acknowledging us as victims, apparently entered 8 February 2023 but which incompletely, selectively and irregularly addressed the motions filed to acknowledge our capacity as victims (see attached).
40. On 20 February 2023, another **motion** was filed with the Profepa Environmental Representation Office, within the prescribed period, against the irregular decision in the aforementioned Admission Decision due to errors and inaccuracies. As a precautionary measure in response to the improper notice that failed to address the requested corrections, a formal **citizen complaint** was filed by the co-owner of the property to eliminate any excuse for not properly following the procedure, and we asked to be informed of any of the conciliation actions taken and any coordination among several authorities to attend to the matter, as mentioned and carried out, and of the manuals and guidelines observed as issued by the Secretary to limit the handling of the matter, as well as of the guidelines and protocols for dealing with complainants appearing in the capacity as victims (see attached).
41. On 27 March 2023, we filed two documents with the Profepa Environmental Representation Office, requesting that we be included in the National Victims Registry (*Registro Nacional de Víctimas*) and provided with a certified copy of the Technical Opinion for the Summons included in the legal-administrative docket, and that we be authorized to take photographs, with any electronic means or device, of the documents we deem necessary in the docket, and reiterating our request for reports or opinions from the administrative bodies of the Ministry to determine the environmental damage and harms caused. We also requested that a new inspection visit be ordered to establish the prevailing conditions of the property in order to prepare the respective study, report or expert review and file the corresponding complaint with the Federal Prosecutor (see attached).
42. On 27 March 2023, the Profepa Environmental Representation Office allowed us to take photographs of the Technical Opinion for the Summons issued 3 December 2021, included in Legal-Administrative Docket No. [REDACTED], which determined the various ecosystem services that were affected on our property and the values that corresponded to each

one of them, in accordance with what was recorded in the Inspection Report issued 10 November 2021 (see attached).

- 43.** As a consequence of our constant refusal to sell some fractions or the totality of the land of our property called “Los Amoles” to various messengers who have come to us, to date more than 59 hectares have already been invaded and deforested by illegal logging, and the timber obtained has been loaded, transported and removed in trucks and sold illegally by strangers. We have been sent messages that they will also invade other properties we own, known as “Terreno Colorado” and “Los Metates,” and that they would also take the timber from them.

On 3 August 2021, we filed a **citizen complaint** with the Semarnat and Profepa state offices in Jalisco, reporting serious offenses under the forestry and environmental laws, these offenses consisting of uncontrolled logging, burning of vegetation, deforestation, and extraction, transportation and illegal commercialization of timber, with the intent of changing the land use, thereby causing serious ecological imbalances and damages to the area’s ecosystem, environment and natural resources, as corroborated by the data contained in the Technical Opinion for the Summons issued by the agency on 3 December 2021 with regard to Inspection Report [REDACTED] issued 10 November 2021. Accordingly, said agencies were asked to carry out the necessary proceedings to halt all illegal acts as soon as possible and notify the Federal Prosecutor of any potential environmental crimes that may have been committed.

Unfortunately, the ongoing proceedings have encountered constant unjustified delays and persistent failures to effectively and in a timely manner enforce the environmental laws. Even though we have approached other authorities to correct the actions and properly attend to this matter, it has not been sufficient, thereby allowing environmental damage to continue, irreparably harming the population in general and us as landowners.

This phenomenon of deforestation is not exclusive to the area or to the state of Jalisco, but has been spreading and worsening in different parts of the country, due to the change in land use from forests to other types of crops and plantations that allow for greater immediate income, such as avocado and then agave, *lechuguilla* or berries, having not only environmental implications, but also direct impact in commercial and economic areas, as clearly mentioned in the document presented on 22 September 2021 to the **diplomatic representation of the United States of America in Mexico, attention of Ms. Katherine Tai, Trade Representative of that government**. As can be proved, the timely reporting of unlawful activities to various Mexican domestic authorities has not prevented such acts from continuing, thereby introducing into the domestic market, and possibly foreign markets, both illegal timber and illegal avocados from the state of Jalisco, and fostering a rise and surge in money laundering, financing of criminal gangs, and violence in the country and abroad. Therefore, this Submission, as well as others that have previously been submitted from other states in the country, raises matters whose further study will significantly contribute to the furtherance of the goals of the respective chapter of the Agreement.

Now, therefore, pursuant to the provisions of Article 24.27 (1) and (3) of the United States–Mexico–Canada Agreement, we hereby respectfully request the following:

**FIRST.** That we be deemed to have submitted, with the duly evidenced capacity, this **Submission** against the acts, facts or omissions stated herein to the jurisdiction of this multilateral body; that you proceed to qualify it and consider seeking a response from the aforementioned Parties; and that we be deemed to have stated the address and means of communication to hear and receive all kinds of notices relating hereto and to have authorized the aforementioned professionals as stated herein.

**SECOND.** That the accompanying evidentiary support attached hereto be admitted as offered in accordance with law, this support having an immediate and direct bearing on the acts, facts or omissions contained in the Submission; that it not be disallowed or deemed unnecessary or contrary to morality or law; and that this Commission proceed to carry out the necessary proceedings to determine and ascertain the existence of the claimed acts, facts or omissions.

Sworn as necessary.

Yours truly,

Cuautla, Jalisco, 16 May 2023

[REDACTED]



[REDACTED]

[REDACTED]

[REDACTED]