

PUBLIC

AI Index: AMR 41/053/2008

24 October 2008

UA 294/08

Fear for safety/Legal concern

MEXICO

Residents of the town of Rafael Lara Grajales, Puebla state

Residents of the town of Rafael Lara Grajales, in the central state of Puebla, gave assistance to a group of Central American migrants escaping from a gang holding them for ransom. The migrants told them that the gang were working with Rafael Lara Grajales municipal police officers. Residents may now face reprisals.

According to eyewitnesses, on the morning of 12 October, about 60 people from Honduras, El Salvador and Nicaragua who had been kidnapped while trying to travel to the US, escaped from a house where the kidnapers were torturing them to secure ransom payments from their relatives in the US and their home -countries. Residents saw them running down the streets, some of them naked and bleeding, and gave them first aid, clothes and food. When they suggested calling the police, the migrants told them that members of the municipal police had been working with the kidnapers.

Accompanied by a growing crowd of residents, the migrants pointed out four members of the gang. Residents detained them and took them to the town hall, but the municipal authorities refused to provide assistance in identifying other members of the gang. By now over half the migrants had fled, but agents of the local State Public Prosecutor's office detained all the migrants who were still present. When officials tried to force the migrants and the kidnapers onto a bus without number plates, driven by a civilian, residents protested, thinking the migrants might be given back to the kidnapers, and prevented them from being removed before federal migration authorities arrived. Some of the crowd, which had grown to more than 1,000, clashed with police: a police car and two motorbikes were set on fire, and municipal offices were damaged. Some 300 state riot police dispersed the crowd with tear gas and batons. Later that day, residents delivered the migrants directly to federal migration authorities, and the four kidnapers were handed over to the Federal Attorney General's Office.

Two hours later, state police arrested eight people, including two teenage boys, and charged them with "rioting" (*motín*) and "damage to property." The first charge was dropped before they were committed for trial by a state judge. According to sources in the town, the eight were prevented from seeing lawyers or their families for several days. The authorities have issued warrants for the arrest of 18 local residents for their supposed involvement in the clashes. Many local residents believe these are intended to deter opposition to the actions of the municipal government and police. The municipal police implicated in the activities of the kidnapers are under investigation but have not been suspended, and at least six of the kidnapers are still at large. The National Human Rights Commission has opened an investigation into the abuses against the migrants.

BACKGROUND INFORMATION

Hundreds of thousands of people attempt to travel through Mexico from central and South America every year to reach the US. Many are detained by the Mexican migration authorities and returned to their countries of origin. Amnesty International recently visited Mexico to investigate reports of human rights violations against these people. They found that many had been kidnapped by gangs, often collaborating with local officials. These gangs and the corrupt officials are almost never brought to justice and people who file complaints against them may face reprisals and fabricated criminal charges. This impunity has allowed abuses against the migrants, who are extremely vulnerable, to increase since about 2003, despite government commitments to ensure respect of migrants' rights.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in Spanish or your own language:

- calling on the authorities to protect the people who assisted migrants fleeing from kidnappers on 12 October in Rafael Lara Grajales municipality, Puebla State;
- calling on the authorities to ensure that all those arrested in Rafael Lara Grajales receive due process and a fair trial, and to ensure that no residents are subject to fabricated criminal charges in reprisal for their humanitarian efforts to assist migrants;
- urging the Federal Attorney General's Office to investigate allegations that municipal police were involved in the kidnapping of irregular migrants in Rafael Lara Grajales municipality, and ensure the kidnappers are brought to justice;
- calling on the authorities to provide the migrants, who were kidnapped, beaten and subjected to extortion, with temporary visas, so they can testify against those responsible without fear of reprisals or repatriation.

APPEALS TO:

Attorney General of the Republic

Lic. Eduardo Medina-Mora Icaza

Procuraduría General de la República, Av. Paseo de la Reforma n° 211-213, Piso 16

Col. Cuauhtémoc, Del. Cuauhtémoc, México D.F., C.P. 06500, MEXICO

Fax: +52 55 53 46 09 08

Salutation: Señor Procurador General/Dear Attorney General

Governor of Puebla State

Lic. Mario Marín Torres, Gobernador del Estado de Puebla

Palacio de Gobierno, Av. Reforma 711 Altos Col. Centro, Puebla 72009m MEXICO

Fax: +52 22 46 02 71

Salutation: Señor Gobernador/Dear Governor

Attorney General of Puebla State

Lic. Blanca Laura Villeda Martínez

Procuradora del Estado de Puebla, Blvd. 5 de Mayo y 31 Oriente

Col. Ladrillera de Benítez, Puebla 75539, MEXICO

Fax: +52 22 372 867

Salutation: Señora Procuradora/Dear Attorney General

Official with national responsibility for migrants

Lic. Cecilia Romero Castillo, Comisionada del Instituto Nacional de Migración

Calle Homero 1832, Col. Los Morales, Del. Miguel Hidalgo

México D.F., C.P. 11510, MEXICO

Fax: +52 55 5557 9865

Salutation: Señora Comisionada/Dear Commissioner

COPIES TO:

President of the National Human Rights Commission

Dr. José Luis Soberanes Fernández, Comisión Nacional de los Derechos Humanos

Edificio "Héctor Fix Zamudio", 6° piso, Blvd. Adolfo López Mateos n° 1922

Col. Tlacopac San Ángel, Del. Álvaro Obregón, México D.F., C.P. 01040, MEXICO

Fax: +52 55 56 81 81 25 When a recorded voice answers, dial 0

and to diplomatic representatives of Mexico accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 5 November 2008.