

PUBLIC

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UA 279/07 Fear for safety/death threats/torture

MEXICO **Geovanni Alcaraz Vielman (m), aged 25**
Members of his family

On 22 October, Mexican citizen and former soldier Geovanni Alcaraz Vielman was deported as an illegal immigrant from USA back to Mexico. According to his testimony, he has been beaten and he and his family have been threatened by officers of the Mexican Military Judicial Police (*Policía Judicial Federal Militar*). Amnesty International believes that the lives of Geovanni Alcaraz Vielman and his family may be in danger.

According to reports, Geovanni Alcaraz deserted the Mexican army and fled to USA in 2004 after allegedly being accused of involvement in the death of a superior officer. On 18 October 2007, the US authorities arrested him in San Martín, California. When he was deported four days later, he was arrested the same day as he arrived in the Mexican city of Tijuana.

According to Geovanni Alcaraz, on 23 October, officers of the Federal Attorney General's Office (*Procuraduría General de la República*, PGR) transported him to Mexico City where he was placed in the custody of the Military Judicial Police at their barracks in Mexico City. That night, he was taken to a room and was beaten by five plain-clothed soldiers for about three hours apparently in order to force him to confess to the killing of the army officer. He was not allowed to contact a lawyer or members of his family. When he asked for a lawyer, the officers told him "if you report us, we will kill you and will send someone to rape your mother and your sister" (*si abres la boca para denunciar, nosotros mismos nos vamos a encargar de matarte y de mandar a alguien para que viole a tu mamá y a tu hermana*). They also showed him a picture of his family's house and said they had photos of his mother and sister.

Following his beating, Geovanni Alcaraz was then taken to the infirmary at the barracks, where he claims that a doctor noticed his injuries, but did not document them. The Military Judicial Police then forced him to read out a confession, which was videotaped. He was finally taken to a military prison, where he was seen by the prison doctor who noted he had marks on his leg and collarbone, and measured and took photographs of them. Geovanni Alcaraz also had pains on his neck and stomach. However, this evidence has not been made available to his lawyer. In an interview with the head of the military prison, Geovanni Alcaraz said that the military judicial police officers who beat him had also threatened to kill him in prison. The prison authorities allowed him to sleep in the infirmary for his own protection for a few days.

On 24 October, members of Geovanni Alcaraz Vielman's family and lawyer were allowed to see and speak to him. He told them that he had been beaten and threatened, and that he was fearful for the lives of himself and his family. His lawyer has filed a complaint with the National Human Rights Commission, but so far, no protection has been granted to him or his family.

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

- expressing concern at reports that Geovanni Alcaraz Vielman was tortured and threatened with death by officers of Mexican Military Judicial Police based in Mexico City;
- calling on the authorities to ensure that protection is provided immediately for him in prison and for his family;

- calling for an immediate, thorough and independent investigation by the civilian authorities into the reported torture of Geovanni Alcaraz Vielman, for the results to be made public and those responsible brought to justice;
- calling for him to be given a fair trial, according to international human rights law, including the right to fair trial and due process, and the exclusion as evidence of any confessions extracted under torture.

APPEALS TO:

President of the Republic

Lic. Felipe de Jesús Calderón Hinojosa
Residencia Oficial de "Los Pinos", Casa Miguel Alemán
Col. San Miguel Chapultepec
México D.F., C.P. 11850, MEXICO
Fax: + 52 55 27891113
E-mail: felipe.calderon@presidencia.gob.mx
Salutation: Señor Presidente / Dear Mr President

Minister of National Defence

Gral. Guillermo Galván Galván
Secretario de la Defensa Nacional
Secretaría de la Defensa Nacional
Bulevar M. Ávila Camacho esqu. Industria Militar S/N
Col. Lomas de Sotelo
Delegación Miguel Hidalgo
México D.F., C.P. 11640
MEXICO
Fax: + 52 55 5580 1153
Salutation: Señor Secretario / Dear Minister

Federal Attorney General

Lic. Eduardo Medina-Mora Icaza
Procurador General de la República
Procuraduría General de la República
Paseo de la Reforma nº 211-213, Piso 16,
Col. Cuauhtémoc, Del. Cuauhtémoc, México D.F., C.P. 06500, Mexico
Fax: + 52 55 53 46 09 08 (if voice answers, ask "tono de fax, por favor")
E-mail: ofproc@pgr.gob.mx
Salutation: Señor Procurador General/Dear Attorney General

President of the National Human Rights Commission

Dr. José Luis Soberanes Fernández
Presidente de la Comisión Nacional de Derechos Humanos
Periférico Sur 3469, 5º piso
Col. San Jerónimo Lídice
México D.F. 10200
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Fax: +52 55 5681 7199
Salutation: Señor Presidente/Dear President

COPIES TO:

Asociación Nacional para la Protección de los Derechos Humanos y la Vigilancia Permanente de la Aplicación de la Ley, A. C., Calle Dr. Erazo No. 85, 3er. Despacho 314, Del. Cuauhtemoc, México DF, Mexico.

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 11 December 2007.