

Mexico

Human Rights Defenders in Chiapas

Mexican human rights defenders often face harassment and intimidation in the form of spurious charges, smear campaigns and surveillance operations. Amnesty International is seriously concerned about a recent wave of threats, harassment and reportedly fabricated criminal charges against human rights defenders in the state of Chiapas.

These threats come at a time of political events and activities in the state of Chiapas including both presidential and state elections taking place in July and August 2006, and an alternative political campaign, *La Otra Campaña* (The Other Campaign). The latter was announced in 2005 by the Chiapas-based armed opposition group the *Ejército Zapatista de Liberación Nacional* (EZLN) and its supporters and was launched in January 2006 to coincide with the presidential election campaign. It seeks to mobilise leftwing grassroots organizations and raise social and political issues, including indigenous rights. In Mexico, electoral periods are often a time of political instability and unrest, particularly at municipal level where political forces vie for power in an increasing vacuum. In this context, human rights defenders highlighting human rights concerns may be vulnerable to threats and attack.

Civil society organizations have been very critical of the official response to hurricane Stan which hit Chiapas in 2005, causing widespread destruction leaving many of the most vulnerable communities homeless and without access to basic necessities. The speed and efficiency with which state authorities responded to the affected communities was criticised by some humanitarian organizations and local media, who accuse some state authorities of mishandling federal funds allocated for disaster relief.

CASES REVIEWED BY AMNESTY INTERNATIONAL

Intimidation and Attacks

- On 9 February 2006, Marina Pagés, member of the human rights organization *Servicio Internacional para la Paz* (SIPAZ), International Service for Peace, was reportedly awoken by the ringing of her door bell at around 4.00am. When she went to answer the door, she saw a four-wheel drive car parked in front of her house in San Cristóbal de las Casas playing the Zapatista's anthem at loud volume. In the afternoon, the same vehicle was reportedly found parked outside the house of Héléne Cannie, also a member of SIPAZ, also playing the anthem. A complaint regarding the two incidents was filed with

the State Prosecutor's Office in San Cristóbal de las Casas (*Fiscal Regional de la Zona Altos*).

SIPAZ was established in 1994 to carry out humanitarian monitoring in areas in which the armed conflict between the EZLN and the security forces was taking place. Amnesty International believes that these acts of intimidation may be linked to the role SIPAZ has recently had as an observer during the nationwide tour of the Zapatistas at the beginning of *La Otra Campaña* in different communities throughout Chiapas.

- During the evening of 2 February 2006 in San Cristóbal de las Casas, a black van with blacked-out windows followed Mario Ruíz, human rights defender and member of the *Comisión de Apoyo a la Unidad y Reconciliación Comunitaria* (CORECO), Community Reconciliation and Unity Support Commission and pulled in front of him blocking his path. Two of the men who were inside got out and told him “we are going to kick your arse bastard; slow down with what you are doing” (*Te vamos a madrear cabrón; bájale a lo que haces*), and threatened to kill him. A complaint was filed with the Special Public Prosecutor's Office for Indigenous affairs in San Cristóbal de las Casas (*Sub-Fiscalía Indígena*).
- Human rights activist Gustavo Jiménez Pérez was severely beaten on 20 November 2005, by six men who reportedly forced their way into his house and threatened to kill him. They cut his face and neck, and kicked him in the head. While they were beating him they told him, “We have come to kill you” (*venimos a matarte*). As he lay on the floor he overheard one of them saying, “let's go, he is already dead” (*vámonos, ya está muerto*). They left the house, taking the TV, the VCR and a backpack containing valuables including an identification card and a bank card. At around 10pm, Gabriel Ramírez Cuevas, his housemate, returned home to find Gustavo Jiménez almost unconscious (UA 295/05, AMR 41/046/2005).

It is not clear whether the six men intended to attack Gustavo Jiménez or Gabriel Ramírez. Both men were working to expose allegations of official mishandling of the distribution of humanitarian relief in the aftermath of Hurricane Stan, which struck Southern Mexico in October 2005. Both men are members of a grassroots organization promoting social activism called *Alianza Cívica-Chiapas* (Civic Alliance-Chiapas).

On the afternoon of 22 November 2005, Gustavo Jiménez and Gabriel Ramírez were accompanied home by a lawyer from the *Centro de Derechos Humanos Fray Bartolomé de las Casas*, after a press conference held to condemn the 20 November attack. When they arrived they saw a man inside their house. Fearing that they might be in danger, they

left the scene and the intruder ran away. He had searched the premises thoroughly, but taken nothing. Gustavo Jiménez and Gabriel Ramírez have now filed a complaint with the State Attorney General's Office (*Fiscalía General de Justicia del Estado*).

Arbitrary Detentions¹

- Activist, Dámaso Villanueva Ramírez, who is a member of the *Comité Ciudadano para la Defensa Popular* (COCIDEP), the Citizens' Committee for the Defence of the People, was detained on 24 February 2006 in San Cristóbal de las Casas while he was distributing information about the *Otra Campaña*. A warrant for his arrest had been issued in October 2005, for charges of damaging property, but had not been acted on. Dámaso Villanueva spent eight days in custody before a judge ordered that he be released for lack of evidence.
- Trade unionist Mario Alvarado Rodríguez, from the Chiapas municipality of Palenque, has also been active in the *Otra Campaña*. He had been arrested in 2004 on charges that he had provoked an illegal land occupation, but a judge dismissed the charges on grounds of insufficient evidence. In January 2006, the charges were filed once again reportedly on the basis of the same evidence. Mario Alvarado won an injunction against the reissuing of the arrest warrant and is presenting evidence to clear his name.

Break-ins

- On 14 March 2006, the house of David Méndez and his wife Norma Medina, in San Cristóbal de las Casas, was broken into. They were not there at the time of the break-in and returned home to find that the lock on the door to the entrance of their house had been forced open. Inside they reportedly found that their personal belongings and that of their children had been scattered around the house. According to their testimony, the clothes of their three-year old son were placed on his bed and they also found a doll, a hair band and a bracelet, which belong to their six-year old daughter, ordered in line just outside the main entrance door. Only a portable laptop computer was taken, all other valuables were left. They have filed a complaint with the State Prosecutor's Office in San Cristóbal de las Casas (the *Sub-fiscalía Regional Zona Altos*).

¹ The detention, with or without an authorized arrest warrant, of members of human rights organizations or social activists can be considered arbitrary when such measures are intended to prevent human rights defenders from carrying out their legitimate work or are used as a form of punishment. Harassment of this type by the state contradicts guidelines laid down by the UN Working Group on Arbitrary Detention.

Both David Méndez and Norma Medina have carried out human rights work in the municipality of San Cristóbal de las Casas for many years. David Méndez is currently working closely with the local human rights organization *Centro de Derechos Humanos Fray Bartolomé de las Casas*, focusing on human rights education activities for local communities.

Norma Medina is the director of human rights organization *Cáritas-Chiapas*. She has been involved in the distribution of humanitarian aid to local communities in response to the devastation caused by the hurricane Stan, as well as in exposing alleged flaws in the official response after the hurricane.

- The house of human rights defender Ernesto Ledesma Arronte was broken into on 26 February 2006. He reportedly returned to his home in the city of San Cristóbal de las Casas, Chiapas from a work trip that had lasted several days. He found that his front door had been forced. Inside he found work-related documents scattered around the living room, and personal letters and family photographs carefully spread out on his bed. Nothing was stolen, indicating that the break-in was intended as a threat to deter him from his human rights work. Ernesto Ledesma has filed a complaint with the State Prosecutor's Office in San Cristóbal de las Casas (the *Sub-fiscalía Regional Zona Altos*).

Ernesto Ledesma Arronte is a founder member and director of the human rights organization *Centro de Análisis Político e Investigaciones Sociales y Económicas* (CAPISE), the Centre for Political Analysis and Social and Economic Research. He had participated in activities in the *Otra Campaña* in the state of Chiapas.

Amnesty International is concerned that such patterns of harassment, including threats, arbitrary detentions and break-ins of defenders homes are intended to deter human rights defenders from carrying out their legitimate work. Amnesty International fears that such patterns of harassment may remain unchanged unless the authorities in Chiapas adopt immediate measures to recognize and guarantee the right to defend human rights.

TAKE ACTION!

Amnesty International calls on the Mexican authorities to investigate all acts of intimidation and harassment against human rights defenders, to bring to justice those responsible and to ensure that human rights defenders are able to carry out their legitimate work without fear of attack, harassment or investigation for spurious criminal charges.

Please send appeals to the Mexican authorities:

- Express concern at the recent pattern of attacks, acts of harassment and intimidation, including spurious criminal charges against human rights defenders in Chiapas;
- Express concern for the safety of human rights defenders in Chiapas following recent threats and acts of intimidation, and urge the authorities to take immediate measures to guarantee their safety, in accordance with their wishes;
- Call for a prompt, impartial and thorough investigation into the pattern of break-ins, threats and attacks, for the findings to be published and for those responsible to be brought to justice;
- Remind the authorities that the UN Declaration on the Right and Responsibilities of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognised Human Rights and Fundamental Freedoms commonly known as the UN Declaration on Human Rights Defenders, recognizes the legitimacy of the activities of human rights defenders and their right to carry out their activities without any restrictions or fear of reprisals²;
- Remind the Chiapas authorities that respect for the rights of human rights defenders has been a priority for the Mexican government and;
- Call on the Chiapas authorities to develop a plan of action to implement the UN Declaration on Human Rights Defenders as an important step to ensure that human rights defenders are able to safely carry out their legitimate work.

² Adopted by the United Nations General Assembly on 9 December 1998.

Please send your appeals in Spanish or your own language to:

Governor of Chiapas

Lic. Pablo Salazar Mendiguchía

Gobernador del Estado de Chiapas,

Palacio de Gobierno, Piso 1, Col. Centro 29000, Tuxtla Gutiérrez, Chiapas, Mexico.

Fax: + 52 961 61 209 17

+ 52 961 61 256 18 (if someone answers, ask “tono de fax, por favor”)

Salutation: Estimado Sr. Gobernador/Dear Governor

Attorney General of Chiapas

Lic. Mariano Herrán Salvatti

Fiscal General de Justicia del Estado de Chiapas

Libramiento Norte s/n, tercer nivel, Colonia Infonavit “El Rosario”, CP 30064

Tuxtla Gutiérrez, Chiapas, Mexico

Fax: + 52 961 61 657 24

Salutation: Estimado Sr. Fiscal/Dear Attorney General

Director of Human Rights – Interior Ministry

Dr. Ricardo Sepúlveda

Secretaría de Gobernación,

Reforma 99, Piso 21, PH, Colonia Tabacalera, CP. 06030, México DF, Mexico

Fax: +52 55 51 28 0234 (if someone answers, say “tono de fax, por favor”)

Salutation: Estimado Doctor/Dear Dr Sepúlveda

COPIES TO:

Centro de Derechos Humanos Fray Bartolomé de las Casas A.C

Brasil No. 14 Barrio Mexicanos, CP. 29240, San Cristóbal de las Casas, Chiapas, Mexico

Fax: +52 967 67 83551 (if someone answers, say “tono de fax, por favor”)

and to diplomatic representatives of Mexico accredited to your country.