

URGENT ACTION

PROTESTORS UNFAIRLY DETAINED

Three leaders of a protest against high electricity bills have been detained ever since a protest in southeast Mexico. In the next few weeks a judge will decide whether their detention and prosecution should continue. They are prisoners of conscience, detained solely for the peaceful exercise of their right to freedom of expression.

Sara López, Joaquín Aguilar and **Guadalupe Borja**, leading members of an organization campaigning against the high prices charged by the Federal Electricity Company (*Comisión Federal de Electricidad*), the National Movement against High Electricity Tariffs (*Movimiento Nacional contra las Altas Tarifas de Energía Eléctrica*), in the eastern state of Campeche, were arrested in July 2009 after participating in a peaceful protest, and have been held in prison since then. Two fellow protesters arrested at the same time, **Elmer Castellanos** and **Guadalupe Vizcaino**, were released after winning an appeal at the end of September 2009.

On 25 September 2008, around 40 people living in the town of Candelaria, whose electricity had just been cut off went to the local offices of the Federal Electricity Company to ask for the electricity supply to be reconnected. The company had cut the supply to community members for non payment, because they had been unable to pay their bills although negotiations between those affected and the company were underway. After the protest, the electricity company's lawyer filed a complaint with the Federal Attorney General's Office (PGR) for the minor offence of "obstructing the delivery of a public service" against those named on an electricity company list of debtors for non-payment of bills. On 25 June 2009, the PGR charged them with the additional serious crime of "illegal deprivation of liberty in the form of hostage-taking" – meaning they could not be freed on bail. Warrants were issued for the arrest of 14 people for both offences. Five were arrested; two were subsequently released on appeal, only Sara López, Joaquín Aguilar and Guadalupe Borja are still in custody.

On 6 January, a federal appeal court ruled that the evidence against the three was unsubstantiated, and did not indicate that the crime had ever been committed. However, the PGR has appealed against the appeal ruling, and the three must remain in custody until another judge rules on the merit of the appeal, which is expected to take place in the next few weeks. Amnesty International believes that the PGR fabricated the additional charge of hostage-taking as a reprisal against the protest leaders.

PLEASE WRITE IMMEDIATELY in Spanish, English or your own language:

- Calling on the authorities to release Sara López, Joaquín Aguilar and Guadalupe Borja immediately and unconditionally, as they are prisoners of conscience;
- Calling for a thorough and impartial investigation into the misuse of the judicial system to wrongfully imprison the protesters and prevent them negotiating on behalf of their community for fairer electricity prices.

PLEASE SEND APPEALS BEFORE 23 APRIL 2010 TO:

President of the Republic

Lic. Felipe de Jesús Calderón Hinojosa
Residencia Oficial de "Los Pinos",
Col. San Miguel Chapultepec, México
D.F., C.P. 11850, MÉXICO
Fax: +52 55 50 93 53 21

E-mail:

felipe.calderon@presidencia.gob.mx

Salutation: Señor Presidente/

Dear Mr President

Attorney General of the Republic

Arturo Chávez Chávez
Procuraduría General de la República
Av. Paseo de la Reforma nº 211-213,
Col. Cuauhtémoc, Del. Cuauhtémoc
México D.F., C.P. 06500, MEXICO

Fax: +52 55 5346 0908

Email: ofproc@pgr.gob.mx

Salutation: Dear Attorney General/

Señor Procurador General

Minister of the Interior

Lic. Fernando Francisco Gómez-Mont
Secretaría de Gobernación
Bucareli 99, 1er. piso,
Col. Juárez, Del. Cuauhtémoc,
México D.F., C.P.06600, MEXICO

Fax: +52 55 5093 3414

E-mail: secretario@segob.gob.mx

Salutation: Señor Secretario/

Dear Minister

Also send copies to diplomatic representatives accredited to your country. Please check with your section office if sending appeals after the above date. This is the first update of UA 190/09. Further information: www.amnesty.org/en/library/info/AMR41/039/2009/en

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ADDITIONAL INFORMATION

Members of National Movement against High Electricity Tariffs in Candelaria live in poverty and are unable to pay the bimonthly electricity tariffs of around 5,000 Mexican pesos (equivalent to US\$400). The excessively high cost of electricity was driving them deeper into poverty and depriving them of other basic needs, including food. For some National Movement against High Electricity Tariffs members, electricity is essential to work the pumps on the wells which provide drinking water. Members of the community decided to organize themselves to demand a decent standard of living and a fair price for their electricity service, based on the social and economic status of the different communities.

Further information on UA190/09 Index: AMR 41/020/2010 Issue Date: 12 March 2010

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