

PUBLIC

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Further Information on 103/09 (AMR 41/021/2009, 21 April 2009) Torture/Threats/Legal Concern

MEXICO **11 men held without charge in a detention centre known as “Quinta Pitiquito”
NEW ARRESTS; 2 more men from the Tzeltal Indigenous community**

All of the men arrested in two separate police operations in the towns of Tuxtla Gutiérrez and Ocosingo, Chiapas state have been either released or formally charged.

Four of the five members of the grassroots farmers’ organisation, MOCRI-CNPA-MN who were arrested on 7 April, in Tuxtla, Gutiérrez were released from Quinta Pitiquito without charge on 30 April. The fifth man, Eric Bautista Gómez, was formally charged with murder, fraud and criminal association (*homicidio, fraude y asociación delictuosa*) on 1 May, and remanded to “El Amate” state prison in Tuxtla Gutiérrez.

At the time of his arrest, Eric Bautista Gómez was beaten, and then beaten again and threatened while in Quinta Pitiquito informal detention centre. He claims to be a political prisoner and has refused to give a preliminary statement to officials of the State Attorney General’s Office. Eric Bautista has reported that he has been beaten by fellow inmates since arriving at the state prison. MOCRI-CNPA-MN believes the inmates are acting with the consent of prison officials. On arrival at the prison he was told by officials that other inmates have been told to receive him “with lots of love” (*con mucho cariño*) and that “the pain will last for a good while” (*le durará el dolor por un buen tiempo*).

The six men from the Tzeltal Indigenous community of San Sebastián Bachajón, Chilón municipality, arrested on 13 April and a further two men arrested on 17 and 18 April and believed to be sympathetic to the National Zapatista Liberation Army (Ejército Zapatista de Liberación Nacional, EZLN), have been formally charged with violent robbery and organised crime (*robo con violencia y delincuencia organizada*). They were moved to “El Amate” state prison in Tuxtla Gutierrez on 1 May and are awaiting trial. The names of the eight men are: Jerónimo Gómez Saragos, Antonio Gómez Saragos, Miguel Demeza Jiménez, Sebastián Demeza Deara, Pedro Demeza Deara, Jerónimo Moreno Deara, Alfredo Gómez Moreno and Miguel Vázquez Moreno.

According to a local human rights organization, the eight men were beaten at the time of arrest and tortured while in the informal detention centre (**casa de arraigo – for translators**) and then forced to give a preliminary statement to the State Attorney General’s officials. They did not have access to adequate legal representation, or an interpreter in the indigenous language they speak. Most of them have limited or no Spanish speaking skills and some of them cannot read or write. A state court judge hearing their case has until Friday 8 May to determine whether they will be committed for trial or released on the basis of the evidence submitted by the State Attorney General’s Office. Amnesty International is concerned that the judge’s decision will be influenced by statements taken after the men had been tortured, threatened and suffered other ill-treatment.

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

- urging the authorities to ensure that Eric Bautista Gómez, Jerónimo Gómez Saragos, Antonio Gómez Saragos, Miguel Demeza Jiménez, Sebastián Demeza Deara, Pedro Demeza Deara y Jerónimo Moreno Deara, Alfredo Gómez Moreno and Miguel Vázquez Moreno who have been charged and placed in official custody are not subject to torture or other ill-treatment by prison officials or other prisoners acting with the complicity of prison authorities;

- calling for a prompt, impartial and thorough investigation into allegations of torture and ill treatment against suspects named above detained initially in pre-charge detention (*arraigo*) and subsequently in “El Amate” state prison in Tuxtla Gutiérrez, for the findings to be made public and for those responsible to be held to account;
- calling on the authorities to guarantee the right of all those in detention to a fair trial, including the exclusion of evidence from trial proceedings of any statements obtained under duress or through other violations of due process guarantees, such as statements rendered without access to adequate legal representation or appropriate interpreters.

APPEALS TO:

Interior Minister

Lic. [Fernando Francisco Gómez-Mont Urueta](#)

Secretaría de Gobernación

Bucareli 99, Col. Juárez, Del. Cuauhtémoc

México D.F., C.P.06600, MEXICO

Fax: +52 55 5093 3414

Salutation: Señor Secretario / Dear Minister

E-mail: secretario@segob.gob.mx

Chiapas State Prosecutor

Mtro. Raciél López Salazar

Procurador General de Justicia del Estado de Chiapas

Libramiento Norte y Rosa del Oriente, no. 2010

Col. El Bosque,

Tuxtla Gutiérrez, Chiapas, CP 29000, MEXICO

Fax: + 52 961 616 5724

Email: raciel.lopez@mje.chiapas.gob.mx

Salutation: Dear Attorney / Señor Procurador

Governor of Chiapas State

Lic. Juan José Sabines Guerrero

Gobernador del Estado de Chiapas

Palacio de Gobierno, 1º piso, Col. Centro,

C.29000, Tuxtla Gutiérrez, Chiapas, México

Fax: +52 961 618 8088

Email: juansabines@chiapas.gob.mx

Salutation: Dear Governor/Señor Gobernador

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, México, Email: accionurgente@frayba.org.mx

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 17 June.