

PUBLIC

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16 November 2006

UA 307/06 Fear for safety/Fear of ill-treatment/Arbitrary Detention

MEXICO **Diego Arcos Meneses, (m)**
Members of the indigenous community of Viejo Velasco Suarez, Chiapas state

In the early morning of 13 November the indigenous community of Viejo Velasco Suarez, Chiapas State, was attacked by over 200 armed individuals, many of whom were wearing security force clothing. Two men died and a woman was raped and killed during the attack. Two people from Viejo Velasco are also being held hostage in the nearby community of Nueva Palestina and are at risk of being beaten or killed in retaliation for two attackers who died during the confrontation and one who was injured. Two other men remain missing, and 39 people are displaced.

About 40 individuals in civilian clothes and armed with machetes and bats first arrived in Viejo Velasco Suarez from Nueva Palestina on 13 November. About 200 individuals followed soon after, armed with high calibre firearms usually commissioned by the military. Some reportedly wore military clothes, some wore uniforms of the State Police (*Policía Sectorial*) and others wore balaclavas.

On 14 November Diego Arcos Meneses, a resident of a nearby community, was walking near the site of the attack when he was threatened and detained by agents of the Attorney of the Selva Region (*Fiscalía Regional, Zona Selva*). Diego Arcos Meneses was reportedly forced to load the body of a dead woman onto the agents' helicopter before being taken by them to the office of the Prosecutor in Palenque to be questioned as a witness to the attack in Viejo Velasco Suarez.

Diego Arcos Meneses, who does not speak Spanish very well and who cannot read Spanish, gave testimony verbally in Spanish and was not provided with interpretation. He refused to sign the written version of his testimony because he could not confirm its accuracy. As a result, he was reportedly beaten severely and was put into preventive custody.

BACKGROUND INFORMATION

Conflicts around land issues in the Selva Lacandona, Chiapas State, have brought violence to indigenous communities for decades. Following an agreement in 2005, the Federal and State government committed to regularize the land rights of 28 communities, including that of Viejo Velasco Suarez. However, since April 2006, the local government has started a process of forced evictions and relocations, allegedly with the support of pro-government militia groups and individuals from communities, such as Nueva Palestina. Local human rights organisations, such as *Centro de Derechos Humanos Fray Bartolomé de las Casas*, have been documenting the threats and harassment in Chiapas and alerting the Federal and State authorities when incidents such as the attack in Viejo Velasco might happen.

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

- urging the authorities to charge Diego Arcos Meneses with a recognisably criminal offence or to release him immediately and to investigate his reported beating and arbitrary arrest on 14 November;
- calling on the authorities to ensure the safety of the displaced inhabitants of Viejo Velasco Suarez, following the attack of 13 November by a group of armed individuals, some of whom wore security forces clothing;
- calling on the authorities to take emergency measures to establish the whereabouts of those who seem to be missing, and to ensure the safe release of those reportedly held hostage in Nueva Palestina;

- calling on the authorities to identify without delay those who were killed and to ensure a full, prompt and impartial forensic examination and secure protection of all evidence;
- calling for a full, prompt and impartial investigation into the violent confrontation of 13 November, in particular reports of official involvement, with the results to be made public and those responsible brought to justice.

APPEALS TO:

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

Email: mherran@fge.chiapas.gob.mx

Salutation: Estimado Sr. Fiscal/Dear Attorney General

Governor of Chiapas

Pablo Salazar Mendiguchía

Gobernador del Estado de Chiapas

Palacio de Gobierno del Estado de Chiapas

Av. Central y Primera Oriente

Colonia Centro, C.P. 29009

Tuxtla Gutiérrez, Chiapas, México

Fax: + 52 961 612 5618/612 9189

Salutation: Dear Governor/Señor Gobernador

Federal Attorney General

Lic. Daniel Cabeza de Vaca

Procurador General de la República, Procuraduría General de la República

Reforma Cuauhtémoc esq. Violeta 75, Col. Guerrero, Delegación Cuauhtémoc

México D.F., C.P. 06 500, MEXICO

Fax: + 525 55 346 0908 (if a voice reply say: "me da tono de fax por favor")

Salutation: Dear Attorney General

Minister of Public Security, Chiapas State

Lic. Horacio Schroeder Bejarano

Secretaría de Seguridad Pública

Libramiento Sur Oriente Km. 9

C.P. 29070 Tuxtla Gutiérrez, Chiapas

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Fax: + 525 55 961 61 7-70-20 ext. 16045

Salutation: Dear Minister / Señor Secretario

COPIES TO:

Human rights organization

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

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 28 December 2006.