

PUBLIC

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03 June 2009

Further Information on 103/09 (AMR 41/021/2009, 21 April 2009) and follow-up (AMR 41/024/2009)
Torture/Threats/Legal Concern/Medical concern

MEXICO

Jerónimo Gómez Saragos,]	
Antonio Gómez Saragos,] Members of the Tzeltal Indigenous community	
Miguel Demeza Jiménez,]	
Sebastián Demeza Deara,]	
Pedro Demeza Deara]	
Jerónimo Moreno Deara,]	
Alfredo Gómez Moreno,]	
Miguel Vázquez Moreno]	
Eric Bautista Gómez,		member of grassroots farmers' organisation

On 8 May, 8 men of the Tzeltal indigenous community of San Sebastian Bachajón, Chiapas state, were committed for trial. Since then charges against one of the men, Miguel Vázquez Moreno, have been dropped. However the remaining 7 men may be tried on the basis of statements taken after they had been tortured and threatened. The local human rights organization representing the 7 men have filed an appeal against their committal for trial.

All 8 men have stated that they were beaten at the time of their arrest and tortured while in the “Quinta Pitiquito” informal detention centre and then forced to give preliminary statements to representatives of the State Attorney General’s Office implicating them in crimes of robbery. They did not have access to adequate legal representation, nor were they provided with an interpreter that speaks their indigenous language.

The 7 men who remain in prison claim that other inmates in “El Amate” prison, where they are now detained, are threatening them, with the acquiescence of prison officials. Three of the men, Jerónimo Gómez Saragos, Miguel Demeza Jiménez and Jerónimo Moreno Deara, have not received adequate medical attention for the injuries sustained when tortured and ill-treated whilst in pre-charge detention between 7 and 30 April.

The indigenous men were arrested in police operations in April. They are from the Tzeltal Indigenous community of San Sebastián Bachajón, Chilón municipality and are believed to be sympathisers of the National Zapatista Liberation Army (Ejército Zapatista de Liberación Nacional, EZLN). They were formally charged with violent robbery and organised crime (*robo con violencia y delincuencia organizada*) and moved to “El Amate” state prison in Tuxtla Gutiérrez on 1 May.

BACKGROUND INFORMATION

In the previous UA and FU on this case we also asked you to take action on the case of Eric Bautista Gómez, member of grassroots farmers’ organisation, MOCRI-CNPA-MN, who was arrested in Tuxtla Gutiérrez on 7 April and was held for three weeks in Quinta Pitiquito informal detention centre, where he was beaten and threatened. On 1 May he was charged with murder, fraud and criminal association (*homicidio, fraude y asociación delictuosa*), and was remanded to “El Amate” state prison in Tuxtla Gutiérrez, where he reported that he was ill-treated by prison officials and other inmates for refusing to confess to the charges.

Since our last update, Eric Bautista was moved to Copanaila prison, Chiapas state, on 7th May. Amnesty International will continue to monitor his situation however no further action is required on his case at present.

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

- calling for the authorities to ensure that the seven men are not subject to ill-treatment by prison officials or other prisoners acting with the complicity of prison authorities;
- calling on the authorities to provide appropriate medical treatment Jerónimo Gómez Saragos, Miguel Demeza Jimenez and Jerónimo Moreno Deara, for the physical injuries they sustained when tortured and ill-treated whilst in pre-charge detention between 7 and 30 April.
- requesting that the authorities order 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;
- urging 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:

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

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

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
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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 15 July.