

PUBLIC

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UA 314/08

Prisoners of conscience

MEXICO

Raúl Hernández (m)]
Manuel Cruz (m)] members of Me' phaa
Orlando Manzanarez (m)] Indigenous People's
Natalio Ortega (m)] Organization (OPIM)
Romualdo Santiago (m)]
Ten members of OPIM

On 17 April, five members of Me' phaa Indigenous People's Organization (OPIM) were detained and charged with the murder of Alejandro Feliciano García on 1 January 2008 in the village of El Camalote, Guerrero state. Amnesty International has adopted all five indigenous rights activists as prisoners of conscience and believes that the charges against them are politically motivated.

Raúl Hernández is accused of having shot at the victim, while Manuel Cruz, Orlando Manzanarez, Natalio Ortega and Romualdo Santiago are accused of instigating the crime because they allegedly participated in an OPIM meeting that took place the day after the murder.

On 20 October, a federal review (amparo) judge ruled that the evidence presented did not implicate four of the men: Manuel Cruz, Orlando Manzanarez, Natalio Ortega and Romualdo Santiago and ordered their release. However the four have not been freed as the Federal Attorney General's Office (PGR) has filed an appeal against the ruling - despite having no apparent role in the case nor providing further evidence. As a result, four innocent men remain in prison.

Raúl Hernández was denied an injunction by the federal judge on the grounds that two alleged witnesses had testified to his presence when the victim was shot. However eyewitness testimonies that Raúl Hernández was not present at the time of the murder have not been taken into consideration.

Arrest warrants for another ten OPIM members have also been issued in connection with the murder, but have not been acted on, raising the concern that the authorities simply detained the first five OPIM members they could locate.

BACKGROUND INFORMATION

The Me' phaa Indigenous People's Organization (Organización del Pueblo Indígena Me' phaa, OPIM) was founded in 2002 to defend and promote the rights of the Me' phaa (Tlapanecas) Indigenous People in Mexico.

OPIM members have campaigned for justice in a series of human rights violations, including the rape by militaries of Inés Fernández Ortega and Valentina Rosendo Cantú, and the sterilisation of 14 indigenous men in 1998.

OPIM members have been subjected to a concerted pattern of harassment and intimidation. They have been attacked and threatened on numerous occasions. Amnesty International has documented the attacks and threats that have been suffered by some of its members, including Inés Fernandez and Fortunato Prisciliano (UA 33/03, AMR 41/004/2003, 3 February 2003, and UA 209/07, AMR 41/050/2007, 14 August 2007)

and Otilia Eugenio Manuel (UA 07/05 AMR 41/001/2005, 12 January 2005). For more information see AI's Campaign Digest *Promoting Indigenous Rights in Mexico: Me'phaa Indigenous People's Organization* (AMR 41/040/2008, October 2008).

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

- calling for the immediate and unconditional release of the five members of the OPIM;
- calling for the cancellation of outstanding arrest warrants for ten other members of the OPIM accused of the same crime;
- urging the authorities to carry out a full and impartial investigation into the murder of Alejandro Feliciano García in order that those responsible for his death be brought to justice;
- reminding the authorities that the UN Declaration on the Rights and Responsibilities of Individuals, Groups and Institutions to Promote and Protect Universally Recognized Human Rights and Fundamental Liberties recognizes the legitimacy of the activities of human rights defenders and their right to carry out their activities without any restrictions or fear of reprisals.

APPEALS TO:

Attorney General of the Republic

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Procuraduría General de la República
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Salutation: Señor Procurador General / Dear Attorney General

Governor of Guerrero

Lic. Zeferino Torreblanca Galindo
Gobernador del Estado de Guerrero
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Salutation: Señor Gobernador / Dear Governor

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Salutation: Dear Attorney / Señor Procurador

President of the Human Rights Commission of Guerrero

Lic. Juan Alarcón Hernández
Presidente de la Comisión de Defensa de los Derechos Humanos del Estado de Guerrero (Coddehum)
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Salutation: Dear President/ Señor Presidente

COPIES TO:

Human rights organisation: Centro de Derechos Humanos de la Montaña "Tlachinollan" AC., Calle Mina, no. 77, Col. Centro, Tlapa de Comonfort, C.P. 41304, Guerrero, 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 26 December 2008.