

PUBLIC

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UA 336/08 Possible enforced disappearance/Fear for safety

MEXICO Javier Torres Cruz (m), aged 28

Peasant farmer Javier Torres Cruz may have been subjected to enforced disappearance on 3 December. The authorities have denied knowledge of his whereabouts and there are concerns for his safety following earlier attempts to detain him which may be connected to his role as a witness in a high profile murder case.

According to an unconfirmed witness report, Javier Torres was detained after being stopped at military roadblock. His sister last heard from him when he telephoned her to enquire about his children on 3 December. The conversation however ended when the phone was cut off abruptly.

Javier Torres Cruz is from the tiny community of La Morena, Petatlán municipality, Guerrero state, and a member of a grassroots organization, Organización Ecologista de la Sierra de Coyuca y Petatlán (Environmental Organization of the Coyuca and Petatlan Mountains). At 5 am on 13 November, a group of about 100 soldiers went to La Morena in order to find Javier Torres and two of his brothers. The three brothers were not there at the time, but according to relatives, soldiers searched four houses. They also threatened, slapped and pointed their guns at women and children. That same evening, a group of about 30 armed men in plain clothes also came to the community in order to find Javier Torres and his brothers. They too, could not locate them.

In September 2007, Javier Torres and his uncle had testified against a local political boss (*cacique*) following his alleged involvement in the killing of human rights defender, Digna Ochoa y Plácido, in Mexico City in 2001. A local human rights organization believes that Javier Torres' possible disappearance may be connected to his role as a witness in this case.

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

- expressing concern for the safety of Javier Torres Cruz, who may have been detained by members of the military on 3 December 2008 near La Morena community, Petatlán municipality, Guerrero state;
- urging the authorities to make every effort to locate Javier Torres Cruz and to promptly establish his fate and whereabouts;
- calling on the authorities to conduct an independent and impartial investigation into the disappearance of Javier Torres Cruz and bring those responsible to justice;
- calling for a full enquiry into reports that he was detained by members of the military at a road block;
- if Javier Torres Cruz is in custody, call on the authorities immediately acknowledge his detention, ensure that he is given access to his family, medical assistance and legal advice, and is charged with a recognisable criminal offence or released.

APPEALS TO:

Minister of National Defence

Gral. Guillermo Galván Galván

Secretaría de la Defensa Nacional

Bld. Manuel Ávila Camacho s/n, esq. Av. Industria Militar

Col. Lomas de Sotelo, Del. Miguel Hidalgo

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Salutation: Señor Secretario / Dear Minister

Attorney General of the Republic

Lic. Eduardo Medina-Mora Icaza

Procurador General de la República

Procuraduría General de la República, Av. Paseo de la Reforma n° 211-213, Piso 16

Col. Cuauhtémoc, Del. Cuauhtémoc, México D.F., C.P. 06500, MEXICO

Fax: +52 55 5346 0908

Salutation: Señor Procurador General/Dear Attorney General

Governor of Guerrero

Lic. Zeferino Torreblanca Galindo

Gobernador del Estado de Guerrero

Palacio de Gobierno, Edificio Centro, piso 2, Ciudad de los Servicios

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Salutation: Señor Gobernador / Dear Governor

Attorney General of Guerrero

Lic. Eduardo Murueta Urrutia

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Salutation: Dear Attorney / Señor Procurador

COPIES TO:

Human rights organization: Colectivo Contra la Tortura y la Impunidad, Calle Pitágoras 1210-16, Col. Del Valle 03100 México DF, México. Email: Colectivo@contralatortura.org

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 21 January 2009.