

PUBLIC

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UA 109/08 Fear for safety

MEXICO Ireneo Mujica Zarate (m), 37

Ireneo Mujica Zarate, a photographer and a migrants' rights activist, was followed and intimidated. Amnesty International believes that he is at risk of reprisals for his work documenting the beating and possible rape of irregular migrants – migrants without legal permission to remain in the country.

On 14 April, as he left a migrants' refuge in Arriaga, Chiapas state, Ireneo Mujica noticed that he and a male migrant walking with him, were being followed. As they walked toward the railway lines, they were approached by two men on a motorbike on one side of them, and three men in a pickup truck on the other. The men in the pickup truck signalled to those on the motorbike, and shouted "Not now" (*Ya no*), then drove away. The life of Ireneo Mujica may be at risk as he is a key witness for the investigations into the ill treatment of a group of migrants who were detained at the end of March.

On 31 March, officials from the National Migration Institute (*Instituto Nacional de Migración*, INAMI) and from the Mexican navy carried out a joint operation in the municipality of Niltepec, in Oaxaca state, southern Mexico, in order to detain irregular migrants who were attempting to travel north on a freight train.

Ireneo Mujica, who had alerted the INAMI of his project to document the journey through Mexico of Central and South American migrants attempting to reach the USA, had been travelling on the train for an hour with a group of migrants when the operation started. According to Ireneo Mujica, about 50 members of INAMI and the navy stopped the train and started beating the migrants with batons. When the navy officers noticed that he was photographing the operation, they confiscated his camera - though he managed to keep and hide the memory card – and arrested him. One of the officers accused Ireneo Mujica of being a people trafficker, and he was transported to the nearest migrants' detention centre in the town of Tapanatepec. He was released without charge later that night.

The photographs on his memory card were published later in national media and via migrants' rights organizations. The images showed beatings and other torture and ill-treatment suffered by the migrants, including possible evidence of rape against two migrant women. The Navy, the INAMI and the National Human Rights Commission have all opened investigations into the incident and interviewed Ireneo Mujica as a witness.

BACKGROUND INFORMATION

In recent years, migrants' rights organizations have been voicing concerns about abuses suffered by migrants, mostly Central and South Americans attempting to reach the United States, at the hands of Mexican officials. The reports of human rights violations have included beatings, extortion and mass repatriations. The UN Special Rapporteur on the Rights of Migrants visited Mexico's northern and southern borders in March and has expressed concerns about the treatment of migrants by Mexican federal, state and municipal actors in southern Mexican states.

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

- calling for a full, prompt and impartial investigation into the intimidation of Ireneo Mujica on 14 April in Arriaga, Chiapas state;

- calling for a full, prompt and impartial investigation into the operation carried out by INAMI and the navy on 31 March, including the detention of Ireneo Mujica, the allegations of beatings and possible rape of migrants;
- calling on the authorities to take appropriate protection measures to guarantee Ireneo Mujica's safety so he can carry out his legitimate activities;
- 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:

Minister of Armed Forces (Naval)

Almir. Mariano Francisco Saynez Mendoza
Secretario de Marina, Secretaría de Marina
Eje 2 Ote. Tramo Heroica Escuela Naval Militar, 861
Col. Los Cipreses, Del. Coyoacán
México D.F., C.P. 04830, MÉXICO
Fax: (+52 55) 5624 6365
Salutation: Señor Secretario / Dear Minister

Commissioner of the National Migration Institute

Lic. Cecilia Romero Castillo
Comisionada del Instituto Nacional de Migración
Instituto Nacional de Migración
Calle Homero 1832, Col. Los Morales, Del. Miguel Hidalgo
México D.F., C.P. 11510
Fax: +52 55 5557 9865 (if someone answers please say "me da tono de fax, por favor")
Salutation: Señor Presidente / Dear President

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, Delegación Cuauhtémoc, México D.F., C.P. 06500, MÉXICO
Fax: +52 55 5346 0908 (if someone answers please say "me da tono de fax, por favor")
Salutation: Señor Procurador General / Dear Attorney General

President of the National Commission of Human Rights

Dr. José Luis Soberanes Fernández
Presidente de la Comisión Nacional de los Derechos Humanos (CNDH)
Comisión Nacional de los Derechos Humanos, Edificio "Héctor Fix Zamudio", 6° piso
Blvd. Adolfo López Mateos n° 1922, Col. Tlacopac San Ángel, Del. Álvaro Obregón
México D.F., C.P. 01040, MÉXICO
Fax: +52 55 5681 7199
Salutation: Señor Presidente / Dear President

COPIES TO:

Migrants rights organization

Sin Fronteras, Puebla #153, Col. Roma, México D.F., 06700 México

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 6 June 2008.