

PUBLIC

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Fear for safety/ Ill-treatment/ threats/arbitrary detention

14 May 2004

MEXICO

Froilan Pinzón Chávez (m), aged 8] members of the indigenous *mixteco*
Nancy Pinzón Chávez (f), aged 10] community
Carmela Chávez (f), their mother]

Amnesty International is seriously concerned for the safety of the family members named above, following reports that the two children, eight-year-old Froilan Pinzón Chávez and ten-year-old Nancy Pinzón Chávez, have been threatened, intimidated and beaten by municipal authorities and others in Metlatonoc, Guerrero State.

Froilan and Nancy Pinzón Chávez were at their uncle's house in the community of Tepehuaje, Guerrero State on 17 April, when eight municipal police agents, the municipal official (*Síndico Procurador Municipal*) and the Head of Municipal Public Security (*Director de Seguridad Pública*) reportedly entered the house and detained the two children. They were accused of stealing money from a man and were taken to the office of the *Síndico Procurador Municipal* in the municipality of Metlatonoc. The man from whom the money was stolen also participated in the police operation to detain the children.

The *Síndico Procurador Municipal* reportedly threatened to keep Froilan Pinzón Chávez in jail for eight days if he did not say where the allegedly stolen money was. The children were then illegally imprisoned in the municipal prison reportedly at the request of the man who claimed his money had been stolen. Nancy Pinzón Chávez was released after twenty hours. Froilan Pinzón Chávez however, was kept in prison for six days, during which time he was repeatedly taken to the office of the *Síndico Procurador Municipal* and interrogated him about the money.

The *Síndico Procurador Municipal* reportedly threatened to beat the eight-year-old child with a belt. On another occasion, he reportedly threatened the child by saying: "I'm going to sit you on a metal chair connected up to the electricity and you will get really burnt". ("*voy a conectar un cable de luz y lo voy a poner en una silla de fierro y te voy a sentar ahí y te vas a quemar todito*").

Following their release, the man who claimed to have been robbed, entered the children's house whilst their mother was away on 30 April. He reportedly demanded his money back, before beating Froilan and Nancy on the head and back with a stick. As a result of the beating, Froilan needed four stitches to his head. Carmela Chávez lodged an official complaint with the Public Ministry (*Ministerio Público*) against the *Síndico Procurador Municipal*, other municipal members and the man who reportedly beat her children. The Public Ministry's representative however, initially did not want to accept the complaint arguing there was no evidence that the children had been intimidated. He did eventually accept the complaint, but has yet reportedly not conducted an investigation into the allegations.

Since filing the legal complaint, Carmela Chávez and her children have reportedly been threatened by the man who allegedly beat Froilan and Nancy. He has reportedly visited their home and told Carmela Chávez to withdraw the complaint against him and the *Síndico Procurador Municipal* or things "would get worse" ("*iban ir a peor*").

BACKGROUND INFORMATION

Indigenous communities in southern Mexico are some of the most marginalized and discriminated against in Mexico. Abuses of power, arbitrary policing and judicial practices are common, leaving the most vulnerable exposed to human rights violations with virtually no chance of redress. The treatment of minors within Mexico judicial system remains a serious concern, with inadequate safeguards to guarantee fundamental rights enshrined in the UN Convention on the Rights of the Child. State authorities frequently fail to investigate or

tolerate abuses by municipal authorities encouraging a climate of impunity and abuse of power at local community level.

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

- expressing concern for the safety of eight-year-old Froilan and ten-year-old Nancy Pinzón Chávez, and their mother, Carmela Chávez, following the arbitrary imprisonment of the children and other acts of intimidation and violence against them;
- calling the on the authorities to guarantee their safety and to conduct an immediate, thorough and impartial investigation into the unlawful imprisonment of the two children and the alleged ill-treatment and intimidation of Froilan Pinzón Chávez, for the results to be made public and those responsible to be brought to justice;
- calling on the authorities to fully investigate the reported threats, ill-treatment and intimidations of the two children in their home on 30 April 2004, for the results to be made public and those responsible brought to justice;
- reminding the authorities their international obligations regarding treatment of minors under the UN Convention on the Rights of the Child.

APPEALS TO:

Governor of Guerrero

Lic. René Juárez Cisneros,
Gobernador del Estado de Guerrero
Palacio de Gobierno, segundo piso
Plaza Central, Primer Congreso de Anahuac
Colonia Centro, Chilpancingo 39000, Guerrero, Mexico

Telegrams: Gobernador, Guerrero, Mexico
Fax: + 52 747 47 23125
Salutation: Dear Governor/Señor Gobernador

Attorney General of Guerrero

Lic. Jesus Ramirez Guerrero, Procurador General de Justicia del Estado de Guerrero
Carretera Nacional México-Acapulco Km. 6+300
Tramo Chilpancingo- Petaquillos, Chilpancingo 39090, Guerrero- Mexico

Telegrams: Procurador General de Justicia del Estado, Guerrero, Mexico
Fax: + 52 747 47 22328
Salutation: Dear Attorney / Señor Procurador

President of Guerrero Human Rights Commission

Lic. Juan Alarcón Hernandez
Presidente de la Comisión de Defensa de los Derechos Humanos del Estado de Guerrero
Avda. Juárez, Esq. Galo Soberón y Parra, Col. Centro, 39000, Chilpancingo, Guerrero 39000, Mexico

Fax : + 52 747 47 12190 (if someone answers say :“tono de fax, por favor”)
Salutation: Dear Mr President / Señor Presidente

COPIES TO:

Centro de Derechos Humanos de la Montaña "Tlachinollan" AC.,

Calle Mina número 77,
Colonia Centro, Tlapa de Comonfort Código Postal 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 25 June 2004.