

PUBLIC

AI Index: AMR 41/047/2005

19 December 2005

Further Information on UA 37/05 (AMR 41/004/2005, 16 February 2005) and follow-up (AMR 41/024/2005, 8 July 2005) - Fear for safety/Death threats

MEXICO Lydia Cacho Ribeiro (f), President of the *Centro Integral de Atención a las Mujeres* (CIAM), Women's Assistance Centre, and human rights defender

On 16 December Lydia Cacho Ribeiro was arrested by police at her home in the city of Cancun. She was taken 1,500 kilometres to the city of Puebla. She was detained for 30 hours, on charges of defamation, before being released on bail. Amnesty International believes that her detention constitutes judicial harassment, threatens her right to freedom of expression, and makes her more vulnerable to threats and intimidation related to her human rights work.

Lydia Cacho Ribeiro is a journalist and the president of the organization *Centro Integral de Atención a las Mujeres* (CIAM), Women's Assistance Centre. She has highlighted abuses suffered by women and children, and the impunity that those responsible often enjoy. Earlier in 2005 she published a book alleging the involvement of important businessmen in a child pornography ring. One of the businessmen she named, based in Puebla, filed a complaint of defamation against her and the *Procuraduría General de Justicia del Estado*, Public Prosecutor's Office opened a preliminary investigation. This resulted in a judge issuing a warrant for Lydia Cacho Ribeiro's arrest. After police had brought her to Puebla, a journey which took 10 hours by road, she was held in custody before being brought before a judge and released on bail of \$10,000. She is required to appear before a judge in Puebla every week while the judicial process continues. She could face up to four years in prison.

Defamation is a criminal offence in Mexico and is sometimes used to silence and intimidate journalists reporting on matters of public interest. In Puebla the offence is punishable by six months to four years in prison. The Inter American Commission on Human Rights has called for defamation to be a civil offence and not a criminal one. Mexico has not taken steps to adopt this recommendation.

Lydia Cacho Ribeiro has previously been threatened and intimidated as a result of her human rights activities. Following the UA and follow-up on Lydia Cacho Ribeiro, the authorities provided her with some police protection, enabling her to continue her work.

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

- expressing concern for the safety of Lydia Cacho Ribeiro, after she was detained and charges of defamation were brought against her;
- expressing concern that this may encourage others to threaten or attack her;
- calling on federal and state authorities to guarantee her safety in accordance with her wishes;
- expressing concern that the charge of defamation is sometimes used to silence those who speak out on sensitive issues, in violation of the right to freedom of expression;
- call for the implementation of the Inter American Commission on Human Rights recommendation to make defamation and liable civil offences not liable to imprisonment.

APPEALS TO:

Governor of Quintana Roo State

Lic. Joaquín Hendricks Díaz

Gobernador del Estado de Quintana Roo

Palacio de Gobierno, Av. 22 de Enero y Héroes, Chetumal 77009, Estado de Quintana Roo, MÉXICO
Fax: + 52 983 832 06 20 (if someone answers, say "tono de fax por favor")
Salutation: Dear Governor/ Señor Gobernador

Attorney General of Puebla
Maestra Blanca Laura Villeda Martínez
Procuradora General de Justicia del Estado de Puebla
Boulevard 5 de mayo y 31 Oriente, Colonia Ladrillera de Benitez,
Puebla, Puebla, CP 72539
Fax: + 52 222 240 8105
Salutation: Dear Attorney General/Estimada Procuradora

Director of Human Rights – Interior Ministry
Dr. Ricardo Sepúlveda
Secretaría de Gobernación
Reforma 99, PISO 21, PH
Colonia Tabacalera
C.P. 06030, México D.F. México
Fax: + 52 55 51 28 02 34 (if someone answers say: "tono de fax, por favor")
Salutation: Dear Sir/Estimado Doctor

COPIES TO:

CIAM - Human rights organization
Centro Integral de Atención a las Mujeres - CIAM Cancún A.C.
Calle 12 poniente · 66, SMZA 63 Cancún Quintana Roo 77500, 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 30 January 2006.