

PUBLIC

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UA 326/05 Possible "disappearance"/ Fear for Safety

MEXICO **Diego Bahena Armenta (m), community activist**
Rosalba Zúñiga Armenta (f), his wife
Uber Hernandez Zúñiga (m), his nephew
And other members of their family

Community activist Diego Bahena Armenta has not been seen since he was reportedly abducted in November. He may have "disappeared". His wife Rosalba Zúñiga Armenta, who reported his "disappearance" to the authorities, his nephew Uber Hernandez Zúñiga, who witnessed the apparent abduction, and other members of his family, are also in danger.

According to reports, on 8 November Diego Bahena Armenta and his nephew Uber Hernandez Zúñiga (who is a minor) were cleaning the highways near their home in the municipality of Zihuatanejo, Guerrero State, when a van drove up. At least five men, all with their faces covered, were inside. Three men got out of the vehicle and reportedly blindfolded Diego Bahena with strong tape (*cinta canela*) and forced him into the vehicle. Uber Hernandez Zúñiga was reportedly blindfolded and pushed onto the verge of the road, while the van drove away. Diego Bahena Armenta has not been seen since.

On 5 September Diego Bahena Armenta had been among 10 men detained by soldiers of the Infantry Battalion of the Mexican Army based in the municipality of Petatlan (*militares del Batallón de Infantería en Petatlan*) and taken to the office of the federal Prosecutor's Office (*Ministerio Público*) in Zihuatanejo. Two days later he was taken to the prison in the city of Acapulco and charged with possession of prohibited weapons (*portación de armas de fuego de uso exclusivo del ejército*). On 13 September he and eight of the other detainees were all released because of an alleged lack of evidence against them. The only remaining detainee from the group has reportedly claimed that he was tortured in custody by army personnel.

Diego Bahena Armenta's wife, Rosalba Zúñiga Armenta, filed complaints before the Guerrero State Human Rights Commission (*Comisión de Derechos Humanos del Estado de Guerrero*) and the Guerrero State Prosecutor's Office (*Ministerio Público*), concerning the "arbitrary detention" and "forced disappearance" of her husband. She has claimed that the Head of the State Ministerial Police (*Coordinador de Zona de la Policía Ministerial*) has visited her house four times since she filed the complaint, but instead of discussing the investigation into the complaint, he has intimidated her by asking her about her husband's whereabouts. In addition, Uber Hernandez Zúñiga has reportedly left the area, as he fears that he may be in danger after witnessing the abduction.

Diego Bahena is a community activist and has belonged to local political organizations in the state such as the *Organización de Campesinos de la Sierra del Sur (OCSS)*, Peasants' Organization of the Sierra del Sur.

According to media reports, a local armed opposition group (*Ejército Revolucionario del Pueblo Insurgente, ERPI, Revolutionary Army of the Insurgency*) has claimed that following his abduction, Diego Bahena Armenta was taken by the federal police organized crime unit (*Investigación Especializada en Delincuencia Organizada, SIEDO*) so that he could identify alleged political activists. Diego Bahena Armenta's wife has denied that he is linked to the ERPI.

BACKGROUND INFORMATION

The apparent "disappearance" of Diego Bahena Armenta takes place in the context of political violence in Guerrero State. Many parts of the state are heavily militarized, ostensibly to combat armed opposition groups as well as drug trafficking. Over the years there have been persistent reports of the military being

responsible for human rights violations. This, together with the presence of the armed opposition groups themselves, has contributed to the grave human rights situation in the state.

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

- expressing concern for the safety of Diego Bahena Armenta who was reportedly illegally detained on 8 November and whose whereabouts are now unknown;
- calling for his whereabouts to be revealed immediately if he is being detained by the authorities;
- urging that if he is in detention, he is brought promptly before a judge and charged with a recognizably criminal offence, or else immediately released;
- urging the authorities to open a prompt, impartial and thorough investigation into his possible "disappearance" with the findings made public and those responsible brought to justice;
- calling on the authorities to guarantee the safety the family of Diego Bahena Armenta as well as other community and political activists in the region.

APPEALS TO:

State Governor

Lic. Zeferino Torreblanca Galindo

Gobernador del Estado de Guerrero.

Horacio Nelson número 15 Fraccionamiento Costa Azul,C.P. 39850, Acapulco, Guerrero, México

Fax: + 52 747 47 14788 (if someone answers, say "Tono de fax por favor")

Salutation: Dear Governor /Señor Gobernador

Attorney General of Guerrero:

Lic. Eduardo Murueta Urrutia

Procurador General de Justicia del Estado de Guerrero

Carretera Nacional México-Acapulco Km. 6+300, Tramo Chilpancingo- Petaquillos, Chilpancingo 39090, Guerrero, México

Fax: + 52 747 47 22328

Salutation: Dear Attorney General/Señor Procurador

Minister of National Defence

Gral. Gerardo Clemente Ricardo Vega García

Secretaría de la Defensa Nacional

Bulevar M. Ávila Camacho esq. Industria Militar S/N, Col. Lomas de Sotelo

Delegación Miguel Hidalgo, México D.F., C.P. 11640, MEXICO

Fax: +52 55 55578963

Salutation: Señor Secretario / Dear Minister

COPIES TO:

President of the Human Rights Commission of the State of Guerrero (Coddehum)

Lic. Juan Alarcón Hernández

Avda. Juárez, Esq. Galo Soberón y Parra, Col. Centro, 39000, Chilpancingo, Guerrero 39000, México

Fax : + 52 747 47 121 90/10251 (if someone answers, say "Tono de fax por favor")

Human Rights organization

Colectivo contra la tortura y la impunidad, Pitágoras 1210-16, Col. Del Valle, 03100 México DF, 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 2 February 2006.