

UA 86/01

Fear of t

MEXICO Jesús Angel CANO SANCHEZ)
 (Tamaulipas state) Marco Antonio MORENO)
 Eduardo Tolentino ZACARIAS) detainees
 Daniel PEREZ SANCHEZ (17))
 Juan de Dios "N")
 A further 15 unidentified detainees
 Margil GUERRA, journalist
 Ciro RODRIGUEZ, journalist
 Mauro CRUZ, human rights defender

Mexican soldiers have detained 20 people, including one minor, during anti-drug raids on two communities in Tamaulipas state, near to the border with the US.

Some 300 Mexican soldiers entered the village of Guardado de Abajo, in Camargo municipality, and the district (*colonia*) of Fonahpo, in Miguel Aleman municipality, near the border with the US state of Texas. Drugs smuggled from Mexico into the USA are reported to pass through this area.

The soldiers entered Guardado de Abajo and Fonhapo on 31 March. They reportedly entered homes without showing search warrants and stole electronic goods and jewelry. A number of those directing the military operation were apparently not wearing uniform. Of the 20 people detained by the military during the operation, one was under 18.

For four days the authorities apparently did not acknowledge the detentions and the detainees' relatives did not know their whereabouts. On 5 April relatives and human rights defenders learned that the 20 had been transferred several hundred kilometres to Mexico City, where they were first held at a military installation, and then transferred to civilian prisons in neighbouring Mexico state (*Estado de México*). The detainees have reportedly not had contact with independent doctors, defence lawyers or family members since they were detained.

In Mexico, detainees are frequently deliberately ill-treated or tortured with the purpose of obtaining evidence which is subsequently used by the prosecution to secure a conviction. Amnesty International is therefore concerned for the safety of the 20 detainees.

Margil Guerra and Ciro Rodríguez, two journalists attached to *Televisa*, a Mexican television company, attempted to reach the two communities on 31 March. They were reportedly harassed, as was Mauro Cruz, who also attempted to observe the raids for the local human rights NGO CEFPROD HAC (*Centro de Estudios Fonterizos y Promoción de los Derechos Humanos*). CEFPROD HAC claimed the three were "intimidated and threatened by the soldiers who cocked their firearms" ("*fueron intimidados y amenazados por los soldados, cortando cartucho a sus armas*").

Following the military operation, CEFPROD HAC sent a communication to the official National Commission of Human Rights, CNDH, requesting its "urgent" intervention. However, the CNDH apparently wrote back stating it was only going to respond to complaints filed by the journalists.

BACKGROUND INFORMATION

Organised drug-trafficking is a federal crime in Mexico. Over past years the military have played a significant strategic and operational role in combatting drug-trafficking and other forms of organised crime. Operationally, this policing function is sometimes conducted by the military on their own. On other occasions it is carried out by the PGR, in combination with the Federal Judicial Police, PJF (*Policía Judicial Federal*, an arm of the PGR. On other occasions all three entities - the army, PGR and PJF - are involved in counter-narcotics operations.

Mexico's attempts to control organised drug-trafficking have been conducted against a background in which some members of the military, of the prosecution services, and of other authorities, have themselves been accused and investigated for being implicated in drug-trafficking and corruption.

Mexico's Attorney General and head of PGR is currently army general Rafael Macedo de la Concha. Since he took up his post he has named other military officers to key post in the PGR. The "militarization" of Mexico's PGR, under the former government of President Ernesto Zedillo, and now under the present government of President Vicente Fox, is widely regarded by critics as contributing to the problem of impunity surrounding organised crime, corruption and human rights violations in Mexico.

On 1 December President Fox told Congress in his inaugural speech that "Mexico will no longer be held up as a bad example in matters of human rights. We will protect human rights as never before, respecting them as never before and seeking a culture that repudiates any violation and punishes the guilty." ("*México no será ya más una referencia de descrédito en materia de derechos humanos, vamos a protegerlos como nunca, a respetarlos como nunca y considerar una cultura que repudie cualquier violación y sancione a los culpables.*") He also pledged to combat crime, root out official corruption, and put an end to impunity.

RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express/airmail letters in Spanish or your own language:

- expressing concern that 20 people detained in Guardado de Abajo and Fonhapo on 31 March were reportedly held incommunicado for up to four days;
- expressing concern for the safety of the 20 detainees and urging that they be promptly brought before a judge, and charged with a recognizable criminal offence or be released;
- expressing concern about reported acts of intimidation by the military against journalists Margil Guerra and Ciro Rodríguez and human rights defender Mauro Cruz on 31 March;
- urging that a prompt, full and independent investigation be conducted into the acts of intimidation suffered by Margil Guerra, Ciro Rodríguez and Mauro Cruz, that the findings be made public, and those found responsible be brought to civilian justice.

APPEALS TO:

Minister of National Defence

Gral. Gerardo Clemente Ricardo Vega García
 Secretario de la Defensa Nacional
 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

Telegrams: Secretario de la Defensa Nacional, Mexico D.F., Mexico

Fax: + 52 5 557 8963

Salutation: Señor Secretario / Dear Minister

Attorney General of the Republic
General Rafael Macedo de la Concha
Procurador General de la Republica
Procuraduría General de la República
Reforma Norte esq. Violeta 75
Col. Guerrero
Delegación Cuauhtémoc
México D.F., C.P. 06300
MEXICO

Fax: + 52 5 346 2776

Salutation: Senor Procurador General / Dear Attorney General

President of the National Commission of Human Rights
Dr. José Luis Soberanes Fernández
Presidente de la Comisión Nacional de Derechos Humanos (CNDH)
Periférico Sur 3469, 5o piso
Col. San Jerónimo Lídice
México D.F. 10200
MEXICO

Fax: + 52 5 668 0767

COPIES TO:

Centro de Estudios Fronterizos y Promoción de los Derechos Humanos A.C.
(CEFPROD HAC)
Zaragoza N .650 1er piso Desp. 4
Zona Centro
C.P. 88500, Cd. Reynosa, Tamaulipas
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 17 May 2001.