

UA 209/07 Fear for safetyMEXICO Fortunato Prisciliano Sierra (m)
Inés Fernandez Ortega (f), his wife

Fortunato Prisciliano, a member of the Tlapaneca (Me'Phaa) Indigenous group, was attacked by two men on 30 June. Since then, he has been threatened several times by a relative of the two men. Amnesty International believes that Fortunato Prisciliano and his wife, Inés Fernandez Ortega, are in grave danger.

According to her testimony, on 22 March 2002, Inés Fernandez Ortega was raped by three soldiers. They came into her home to interrogate her about some meat that was drying outside the house, which the soldiers said had been stolen. Later, Inés Fernandez and Fortunato Prisciliano reported the rape to the local authorities and an investigation was initially opened in the local Public Prosecutor's Office (*Ministerio Público*) in Ayutla de los Libres, Guerrero State. However, it was not long before the military authorities claimed jurisdiction of the case and in 2003 the military prosecutor recommended closing the investigation. The same year, soldiers from the Mexican army reportedly intimidated the couple and harassed other residents of Ayutla. In October 2006, the Inter-American Commission of Human Rights, based in Washington DC, USA, said it would investigate the case. (For more information see UA 33/03, AMR 41/004/2003, 3 February 2003, and AI report, *Mexico: Indigenous Women and Military Injustice*. AMR 41/033/2004, November 2004.)

On 30 June 2007, Fortunato Prisciliano, a civilian volunteer with the local police, was beaten by two men whom he knew, in front of the Municipal Police Station (*Comisaría Municipal*), a place where he often meets with other civilian police volunteers. As Fortunato Prisciliano lay on the ground, one of the men showed him a gun he had concealed under his clothes, telling him: "If you try to do something, here is your food [sic] ..what you are doing with your wife Inés against the *guachos* [soldiers] is a lie, we already know that you are even going to the United States, but it is not going to help at all because what you are saying is a lie..!" (*Si intentas decir algo aquí te traigo tu comida ...lo que estas denunciando con tu esposa Inés en contra de los guachos es mentira, y ya sabemos que hasta Estados Unidos vas a ir, pero no te va a servir de nada porque es mentira lo que estas diciendo*).

Fortunato Prisciliano later reported the attack to the municipal police chief, who ordered the attacker to come to the *Comisaría Municipal*. The attacker apologized for the incident and explained that he was drunk. However, following this, the harassment and threats against Fortunato Prisciliano have continued. On 27 July, when Fortunato Prisciliano was walking home, he was approached by the uncle of the man who had previously beaten and threatened him. The uncle said: "stop your action against the *guachos*, we know that you want to go to the US to denounce them, and if you do not stop it, something bad could happen to you ..!" (*deja de chingar a los guachos, sabemos que quieres ir hasta a Estados Unidos a denunciarlo, y si no paras algo feo te puede pasar*).

On 1 August 2007, the attacker's uncle again threatened Fortunato Prisciliano, saying: "Son of a bitch, stop saying that your wife was raped by *guachos*, I already told you that we are going to beat you up, you already know what [my nephew] did to you" (*hijo de tu chingada ya deja de decir que a tu esposa la violaron los guachos ya te dije que te vamos a partir tu madre, ya ves como te hizo de por si [mi sobrino] ..*).

Two days later, after a meeting at the *Comisaría Municipal* related to Fortunato Prisciliano's work with the police in his community, the attacker's uncle told him: "I already told you to stop any action against *guachos* or something really bad is going to happen to you; what [my nephew] did to you was not enough; you continue to do it ..!" (*ya te dije deja de chingar con eso o te va a pasar algo feo, no bastó con lo que te hizo [mi sobrino] y sigues chingando con los guachos*).

On 8 August Fortunato Prisciliano filed a complaint against the three men who have beaten and harassed him before the Public Prosecutor in Ayutla municipality, Guerrero state. Amnesty International is not aware of any protection measures for Fortunato Prisciliano and his wife Inés Fernández ordered by the Mexican authorities.

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

- expressing concern for the safety of Fortunato Prisciliano and his wife Inés Fernández;
- calling on the authorities to ensure that Fortunato Prisciliano and his wife Inés Fernández receive protection measures to guarantee their safety in accordance with their wishes;
- calling for a full, prompt and impartial investigation into the threats and attack on Fortunato Prisciliano.

APPEALS TO:

Governor of Guerrero
Lic. Zeferino Torreblanca Galindo

Gobernador del Estado de Guerrero
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Salutation: Señor Gobernador / Dear Governor

Attorney General of Guerrero

Lic. Eduardo Murueta Urrutia

Procurador del Estado de Guerrero

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Salutation: Dear Attorney / Señor Procurador

President of the Human Rights Commission of Guerrero

Lic. Juan Alarcón Hernández

Presidente de la Comisión de Defensa de los Derechos Humanos del Estado de Guerrero (Coddehum)

Avda. Juárez, Esq. Galo Soberón y Parra

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Salutation: Dear President/ Señor Presidente

COPIES TO:

Human rights organisation: Centro de Derechos Humanos de la Montaña "Tlachinollan" AC., Calle Mina, no. 77, Col. Centro, Tlapa de Comonfort, C.P. 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 September 2007.
