

PUBLIC

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Further Information on 122/06 (AMR 41/024/2006, 5 May 2006) Fear for safety/medical concern/fair trial and new concerns: Arbitrary detention/Torture

MEXICO **Members of *Frente de Pueblos Unidos en Defensa de la Tierra* (FPDT), United Front for the Defence of the Land
And detained street flower sellers**

**New names: *Damián Camacho* (m)]human rights defenders
Pedro Alvarado Delgado (m)]
At least 23 women**

Amnesty International has received reports of serious human rights violations against people that were detained during the violent confrontations that took place in the town of San Salvador Atenco, municipality of Texcoco, State of Mexico on 4 May. According to reports, at least 23 women were sexually abused by state and federal police while in detention.

At least 23 women made complaints of torture and ill-treatment, including sexual abuse, to the human rights ombudsman, the National Human Rights Commission, alleging that they were forced by police to pull their clothes above their waist and that their intimate body parts were touched, and in some cases, penetrated by objects. Reportedly, some women were also forced to have oral sex. Federal and state authorities have dismissed the allegations and reportedly have refused to open investigations until the victims file complaints with the State Public Prosecutor's Office, *Procuraduria General de Justicia del Estado*, the same authority responsible for charging them and which has overlooked the evidence of ill-treatment from when they were arrested.

Other testimonies gathered by local human rights organizations demonstrate that police used excessive force against protesters and bystanders, regardless of whether they were involved in the protests or violence. Detainees have also reported ill-treatment, being held incommunicado, and being denied access to proper medical attention, family members and legal representatives during the initial period of detention.

Furthermore, according to video testimonies collected by a human rights organization, some police officers were ordered to "beat people up when there was no media around" (*pegarle a la gente cuando no hubiera medios de comunicación*). Despite this strong evidence of abuses by police forces, the authorities have asserted that they have "simply applied the law", and so far, have failed to show a serious commitment to investigate the alleged abuses impartially.

According to the State of Mexico authorities, the State Public Prosecutor's Office has reportedly charged 189 of 211 people detained during and after demonstrations. Of these, 144 have been granted bail on lesser criminal charges; the remaining 28 have been remanded into custody pending trial on charges of kidnapping (*secuestro equiparado*) and attack on the public highways (*ataque a las vías de comunicación*). Amongst those charged with lesser offences but apparently not yet released on bail are two human rights defenders, *Damián Camacho*, from the Independent Commission of Human Rights, *Comisión Independiente de Derechos Humanos de Morelos*, in Morelos State, and of *Pedro Alvarado Delgado*, member of the Ajusco Human Rights Committee, *Comité de Derechos Humanos Ajusco*. They were both detained on 4 May whilst reportedly acting as human rights observers during the police operation.

Five foreigners, three women and two men, who were also detained, were expelled from the country by immigration authorities. The three women also reported suffering sexual abuse and humiliation while in police custody. Defence lawyers of many other detainees are filing injunctions with the State Public Prosecutor's Office, alleging ill-treatment and violations of due process rights.

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

- expressing concern for the safety of the remaining 28 detainees and those who are also facing charges in connection with the protests and further clashes with the police that took place in San Salvador Atenco on 4 May;
- calling on the authorities to guarantee the safety of the remaining 28 detainees and those who are facing charges;
- calling on the authorities to guarantee that any judicial proceedings against those in detention meet international fair trial standards, and that they will have the right to equality before the law and prosecution evidence is impartially scrutinised and cross-examined.
- calling on the authorities to immediately open impartial and exhaustive criminal investigations into allegations of sexual abuse and other ill-treatment against women detained by state and federal police, and for the findings to be made public and to bring those responsible to justice;
 - calling on the authorities to also carry out a thorough and impartial investigation into the allegations of excessive use of force, arbitrary detention, ill-treatment and violations of due process to the detainees, and for the findings to be made public and to bring those responsible to justice;
- urging the authorities to carry out a full and transparent investigation into the conduct of the police operations and for all those responsible, including senior officials, for violations to be held to account.

APPEALS TO:

President of Mexico

Lic. Vicente Fox Quesada
Presidente de los Estados Unidos de México
Residencia Oficial de "Los Pinos", Col. San Miguel Chapultepec, México, D.F. Mexico
Fax: +52 5 55 2 77 23 76

Salutation: Dear President/Estimado Presidente

Governor of State of Mexico

Lic. Enrique Peña Nieto
Gobernador del Estado de México
Palacio de Gobierno, 1er piso, Lerdo 300, Poniente
Col. Centro, Toluca CP 50.000, Mexico
Fax: +52 722 276 7007

Salutation: Dear Governor/Estimado Gobernador

Head of the Federal Public Security

Lic. Eduardo Tomás Medina Mora
Secretario de Seguridad Pública (SSP)
Paseo de Reforma No. 364, Colonia Juárez, Delegación Cuauthemoc, DF. C.P. 06600, México
Fax: +52 55 52 41 8393

Salutation: Dear Head of the Federal Police/Estimado Secretario de Seguridad Pública

COPIES TO:

President of the National Human Rights Commission

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, MÉXICO
Fax: + 52 55 5681 7199

Salutation: Dear President of the Nacional Human Rights Commission/ Estimado Presidente de la Comisión Nacional de Derechos Humanos

Human rights organization

Centro de Derechos Humanos "Miguel Agustín Pro Juárez" A.C., (PRODH)
Serapio Rendon 57-B, Col. San Rafael, 06470, México D.F. 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 22 June 2006.