

URGENT ACTION

MEXICAN INDIGENOUS LEADERS RELEASED

Indigenous Yaqui leaders Mario Luna and Fernando Jiménez have been released after a judge decided that evidence against them was lacking. They spent a year in preventive detention. Amnesty International actively campaigned with them since their arrest.

Mario Luna Romero and **Fernando Jiménez Gutiérrez** are two leaders of the Indigenous Yaqui community in Sonora state, northern Mexico. They were arrested in September 2014, accused of car theft and temporary kidnapping against a community member with links to the state government. Mario Luna and Fernando Jiménez's lawyers challenged the arrests from the outset, arguing that the evidence was misrepresented and fabricated and that neither of them were present at the time of the alleged events, which took place in mid-2013.

The Yaqui community and a number of NGOs, including Amnesty International, have maintained that Mario Luna and Fernando Jiménez's prosecution could have been politically motivated. This is due to the two men's involvement in the Yaqui community's campaign to claim their right to consultation and free, prior and informed consent in relation to the construction of an aqueduct which has reduced the community's available water.

Mario Luna told Amnesty International in a recent meeting: "I wanted to thank you for all of your effort, from each of your homes. You have done so much for the Tribe. I never felt alone. I always felt the support of so many people. You can frequently get depressed being locked up in jail, but every week I had someone visiting or writing to me. You kept me in good spirits."

A new governor took office in Sonora state weeks before the authorities decided to drop the charges against the two men. However, other Yaqui leaders continue to have arrest warrants against them which were issued during the previous administration.

The aqueduct which affects the Yaqui community has been in full use for a few years. In 2013 the National Supreme Court recognized the failure of federal and state authorities to meet their obligations to the Yaqui community and required remedial actions, particularly regarding a new environmental impact assessment and a consultation process. The ruling is yet to be implemented. Earlier this year a governmental anthropology institute concluded that the aqueduct seriously affected the survival of the Yaqui people and therefore the authorities should consider suspending the aqueduct in order to comply with the Supreme Court decision.

Amnesty International continues to monitor the situation of the Yaqui community. We will inform our activists if further action is required. Thanks to all those who have sent appeals.

This is the second update of UA 230/14. Further information: www.amnesty.org/en/documents/amr41/036/2014/en/

Name: Mario Luna Romero and Fernando Jiménez Gutiérrez

Gender m/f: m

Further information on UA: 230/14 Index: AMR 41/2720/2015 Issue Date: 30 October 2015

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