

**PUBLIC**

**AI Index: AMR 41/001/2004**

**UA 07/04**

**Fear for safety/intimidation**

**07 January 2004**

**MEXICO**

**Arturo Solis and other members of human rights organization Centro de Estudios Fronterizos y de Promocion de los Derechos Humanos (CEFPRODHAC)**

**Relatives of murder victim José Antonio Cervantes Espeleta**

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Members of the human rights organization CEFPRODHAC have been threatened after highlighting police involvement in a murder. There is also concern for the family and friends of the victim, who have pressured the police to investigate the case.

On 4 January CEFPRODHAC president Arturo Solis appeared in regional newspapers calling on the authorities to fully investigate police involvement in the abduction and murder of José Antonio Cervantes Espeleta. The following day an anonymous caller rang the CEFPRODHAC offices in Reynosa and said: "Shut your mouths, now" (*ya cállense el hocico*). Police officers investigating the case in the victim's home state of Nuevo Leon have told the media that they too have received threats.

José Antonio Cervantes Espeleta went missing in the city of Reynosa, Tamaulipas state, on 13 December 2003. According to his family and CEFPRODHAC, the initial police investigation was inconsistent and inadequate, repeatedly assuring the family and the media that Cervantes Espeleta had chosen to absent himself and was alive and well, despite strong evidence to the contrary. In the face of the apparent refusal to fully investigate the case, CEFPRODHAC made public allegations of police involvement in this and other kidnap cases, resulting in the director of state judicial police reportedly calling CEFPRODHAC and accusing them of slander. José Antonio Cervantes Espeleta's body was discovered on 26 December 2003.

On 4 January 2004 Tamaulipas State Public Prosecutor announced that four people had been detained in connection with the case, including active and former members of the state judicial and preventive police. The key suspect, an active state judicial police officer, is reportedly on the run. However, in the light of the flawed investigation and reported attempts to downplay the crime and possible involvement of officials, CEFPRODHAC continue to call for a full investigation to bring to justice all those responsible for the abduction and murder.

In 2003 CEFPRODHAC reported 145 cases of kidnappings and abductions in the north of Tamaulipas State. The organization has campaigned for a full investigation of these crimes, particularly into the evidence of involvement of police officers and official protection of those responsible.

#### **BACKGROUND INFORMATION**

Human rights defenders throughout Mexico face threats and harassment in response to their legitimate activities of protecting and promoting human rights. Those attempting to document and expose the involvement of state agents in human rights violations and failure of the state to effectively investigate abuses are particularly exposed to intimidation at state level, where reports indicate that judicial police continue to carry out many human rights violations and impunity is most evident. CEFPRODHAC have in the past been subject to threats, harassment and slander litigation by public officials in response to their human rights work.

Abductions and kidnappings are common in several Mexican states. In various states, through the efforts of human rights organizations supporting the families of the victims, the involvement of local police in these crimes has been exposed.

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

- expressing concern for the safety of members of CEFPRODHAC, relatives of José Antonio Cervantes Espeleta and others who have been involved in pushing for an effective investigation;
- urging that those at risk receive protection in accordance with their wishes;
- calling for an immediate investigation into the telephone threat against CEFPRODHAC and other allegations of intimidation and threats against those involved in the case;
- calling for a prompt, impartial and thorough investigation into the abduction and murder of José Antonio Cervantes Espeleta, particularly of the involvement of any public official, and for those responsible to be brought to justice;
- reminding the authorities that the UN Declaration on the Rights and Responsibilities of Individuals, Groups and Institutions to Promote and Protect Universally Recognised Human Rights and Fundamental Liberties recognizes the legitimacy of the activities of human rights defenders and their right to carry out their activities without any restrictions or fear of reprisals.

**APPEALS TO:**

Governor of Tamaulipas

Lic. Tomás Yárrington Ruvalcaba  
Gobernador del Estado de Tamaulipas  
Palacio de Gobierno  
Av. Juárez y 5 de Mayo  
Ciudad Victoria 87009  
Tamaulipas  
MÉXICO

**Telegram:** Governor of Tamaulipas, Tamaulipas, Mexico

**Fax:** +52 834 31 887 01

**Salutation:** Dear Governor/Señor Gobernador

Lic. Francisco Tomá Cayuela Villareal  
Procurador General de Justicia del Estado de Tamaulipas  
Palacio de Justicia  
Boulevard Fraccedi Balboa s/n  
Col. Centro  
Ciudad Victoria 87000  
Tamaulipas  
MÉXICO

**Telegram:** Attorney General of Tamaulipas, Tamaulipas, Mexico

**Fax:** +52 834 318 71 84

**Salutation:** Dear Attorney General/Señor Procurador

Director of Human Rights - Interior Ministry  
Maestro Ricardo Sepúlveda  
Secretaría de Gobernación  
Reforma 99, PISO 21, PH  
Colonia Tabacalera  
C.P. 06030  
Mexico D.F. México

**Telegram:** Director of Human Rights - Interior Ministry, Colonia Tabacalera, Mexico

**Fax:** +52 51 28 02 34/ 02 24

**OR +52 55 51 28 02 34/ 02 24**

**Salutation:** Estimado Maestro/Dear Sir

**COPIES 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 18 February 2004.