

UA 29/02

Fear for**MEXICO**Miguel Angel Gómez (m)

Mariano Cruz Hernández (m)

Manuel Cruz Méndez (m)

Antonio Gómez Luna (m)

Andrés Gómez Luna (m)

**Francisco Cruz Pérez (m), human rights defender**

---

The five men named above were detained by armed civilians on 16 and 17 January, who handed them over to the Chiapas State Judicial Police (*Policia Judicial del Estado*, PJE). They have reportedly been tortured. When human rights defender Francisco Cruz Pérez went to see them in custody, armed civilians allegedly threatened him. Detainees are frequently tortured to force them to confess, and Amnesty International is concerned for the safety of all six men.

Miguel Angel Gómez and Mariano Cruz Hernández were reportedly detained by armed civilians in the municipality of Ocosingo on 16 January, and handed over to the police. Manuel Cruz Méndez, Antonio and Andrés Gómez Luna were looking for Miguel Angel Gómez the next day when they were also reportedly detained. The detainees were then transferred to the *Procuraduría General de Justicia del Estado* (PGJE), Office of the State Attorney General in Palenque, Chiapas.

On 19 January, Francisco Cruz Pérez went to the PGJE in Palenque to look into the case and try to see the detainees. He is a member of the human rights organisation *Red de Defensores Comunitarios por los Derechos Humanos* (RDCDH), Community Network Defenders for Human Rights. He managed to see the detainees for two minutes: Miguel Angel Gómez reportedly told him that he had been tortured. At this point a police officer asked Francisco Cruz to leave.

After Francisco Cruz's visit the authorities reportedly refused to tell the men's families where they were held. After petitions from the men's families and the RDCDH, the PGJE stated that the detainees were being held in the state capital, Tuxtla-Gutiérrez. Francisco Cruz Pérez gained access to them there on 28 January, when they reportedly told him that Miguel Angel Gómez, Mariano Cruz Hernández and Andrés Gómez Luna had been tortured to try to make them confess to criminal offences.

Members of the armed civilian group which reportedly detained the men have threatened to detain Francisco Cruz Pérez, and have questioned him about his interest in the case, raising concern for his safety.

**BACKGROUND INFORMATION**

The use of torture is widespread in Mexico. It commonly takes place during the hours following arrest, while detainees are under the jurisdiction of the judicial police and prosecutors. Over the last year there have been several cases where the authorities in Chiapas have reportedly tortured and ill-treated detainees.

Human rights defenders make a vital contribution to strengthening the rule of law, civil society and the development of institutions to protect human rights. However, in Mexico those who struggle to defend the rights of others have often been the first to come under attack, and to have their own rights violated and their safety threatened.

The authorities have often failed to take concerted action to uphold the rule of law in Chiapas. The impunity enjoyed by armed civilian groups and others responsible for human rights violations gives them free rein to continue, and increase the fear and tension in local communities.

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

- expressing concern for the safety of Miguel Angel Gómez, Mariano Cruz Hernández, Manuel Cruz Méndez, Antonio and Andrés Gómez Luna, and calling on the authorities to guarantee their safety;
- expressing concern for the safety of human rights defender Francisco Cruz Pérez and urging the authorities to guarantee his safety so that he may continue with his legitimate activities without fear of reprisals;
- asking the authorities to open a prompt, impartial and thorough investigation into the allegations of torture with the findings made public and those responsible brought to justice;
- urging that the detainees, if in custody, be promptly brought before a judge and charged with a recognisably criminal offence, or else immediately released and that they be detained in an officially recognized place of detention;
- urging that the authorities give the detainees access to medical and legal assistance.

**APPEALS TO:**

Minister of the Interior

Lic. Santiago Creel  
 Secretario de Gobernación  
 Secretaría de Gobernación  
 Bucareli 99, 1er. piso, Col. Juárez  
 Delegación Cuauhtémoc  
 México D.F., C.P.06600  
 MEXICO

**Telegrams: Secretario de Gobernacion, Mexico D.F., Mexico**

**Fax: (+52 55 5) 703 2171 / 546 5350 / 546 7388**

**Salutation: Señor Secretario / Dear Minister**

Governor of Chiapas

Lic. Pablo Salazar Mendiguchía  
 Gobernador del Estado de Chiapas  
 Palacio de Gobierno, Piso 1  
 Col. Centro, 29000  
 Tuxtla Gutiérrez  
 Estado de Chiapas  
 MEXICO

**Telegram: Gobernador, Chiapas, Mexico**

**Faxes: (+52 961 61) 25618 (and possibly 20917)**

**Salutation: Dear Governor / Señor Gobernador**

Attorney General Chiapas

Lic. Mariano Herrán Salvatti  
 Procurador General de la Justicia del Estado de Chiapas  
 Procuraduría General del Estado de Chiapas  
 Libramiento Norte s/n, Infonavit El Rosario,  
 Tuxtla Gutiérrez  
 Estado de Chiapas  
 MEXICO

**Telegram: Procurador, Chiapas, Mexico**

**Faxes: (+52 961 61) 65724**

**Salutation: Dear Attorney / Señor Procurador**

Human Rights Commission of Chiapas

Lic. Cuauhtemoc Lopez Sanchez

Presidente de la Comisión Estatal de

Derechos Humanos de Chiapas

Libramiento Sur Poniente N° 212

29060, Tuxtla Gutiérrez, Chiapas.

MÉXICO

**Faxes: +52 967 67 81 881 (hay que pedir tono)**

**Salutation: Dear President of the CEDH / Señor Presidente de la CEDH**

**COPIES TO:**

Human Rights Organisation

Red de Defensores Comunitarios por los Derechos Humanos

Elías Calles 11,

Colonia la Revolución

San Cristobal de las Casas,

Chiapas, México

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 12 March 2002.