

PUBLIC

AI Index: AMR 41/009/2002

12 February 2002

Further information on UA 214/01 (AMR 41/032/2001, 30 August 2001) and follow-up (AMR 41/047/2001, 13 November 2001) -Fear of Safety/possible ill-treatment

MEXICO Brigadier General José Francisco Gallardo Rodríguez (m)

Prisoner of conscience, Brigadier General José Francisco Gallardo Rodríguez, was released on 7 February after President Fox ordered that his sentence be reduced to time served. General Gallardo was jailed in 1993 for criticizing human rights violations by the Mexican armed forces and for proposing the creation of a human rights ombudsman to investigate such abuses.

Amnesty International welcomes this long overdue move to end the detention of General Gallardo which complies with one of the key recommendations of the Inter-American Commission on Human Rights (IACHR) on the case. However, General Gallardo's reduced sentence means that his convictions still stand and that those responsible for his judicial persecution remain unpunished.

The decision to release General Gallardo came days before the Mexican government was due to appear before the Inter-American Court on Human Rights to discuss the case and explain why they had not complied with the recommendations made by the IACHR.

Amnesty International adopted General Gallardo as a prisoner of conscience in 1994. In 1996 the IACHR issued recommendations to the Mexican authorities including calling for Gallardo's immediate release, for those responsible for his persecution to be investigated and punished and for him to receive compensation. The Mexican authorities refused to implement the recommendations. In 1998 a military court convicted him of embezzlement and fraud and sentenced him to 28 years in prison.

FURTHER RECOMMENDED ACTION: Many thanks to all those who sent appeals. Please send a final round of appeals to arrive as quickly as possible, in Spanish, English or your own language:

- welcoming the release of General Gallardo;
- calling on the authorities to implement the remaining recommendations of the Inter-American Commission on Human Rights (IACHR) on the case;
- calling on the authorities to undertake a thorough and prompt investigation into the misuse of the judicial system in General Gallardo's case and that those responsible for his judicial persecution be brought to justice;
- asking that General Gallardo be given appropriate compensation for the abuses he has suffered.

APPEALS TO:

President of the Republic

Lic. Vicente Fox Quesada
Presidente de los Estados Unidos Mexicanos
Residencia Oficial de "Los Pinos"
Col. San Miguel Chapultepec
México D.F., C.P. 11850
MÉXICO

Telegrams: President, Mexico D.F., Mexico

Fax: (+525 55) 515 1794 / 516 9537

Salutation: Señor Presidente / Dear Mr President

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: (+525 55) 703 2171 / 546 5350 / 546 7388
Salutation: Señor Secretario / Dear Minister

Attorney General of the Republic

General Rafael Marcial Macedo de la Concha
 Procurador General de la Republica
 Procuraduría General de la República
 Reforma Norte esq.Violeta 75
 Col. Guerrero
 Delegación Cuauhtémoc
 México D.F., C.P. 06300
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Telegrams: Procurador de la República, Mexico D.F., Mexico
Fax: (+525 55) 346 0983 / 346 2776
Salutation: Señor Procurador General / Dear Attorney General

Minister of Foreign Affairs

Dr. Jorge G. Castañeda
 Secretario de Relaciones Exteriores
 Secretaría de Relaciones Exteriores
 Av. Ricardo Flores Magón 1
 Col. Nonoalco Tlatelolco
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 México D.F., C.P. 06995
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Salutation: Señor Secretario / Dear Minister

COPIES TO:

Human Rights Organization

Comisión Mexicana de Defensa y
 Promoción de los Derechos Humanos
 Tehuantepec 155, Col. Roma Sur
 06760 Mexico 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 26 March 2002.