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Mexico: Amnesty International adopts five indigenous rights defenders as prisoners of conscience

Amnesty International is calling for the immediate and unconditional release of Raúl Hernández, Manuel Cruz, Orlando Manzanarez, Natalio Ortega and Romualdo Santiago, who have been in detention for more than six months in Ayutla, Guerrero state. After closely scrutinising their case, Amnesty International has concluded that all five are innocent of the murder charges and their detention and prosecution is politically motivated.

All of those detained are members of the Me' phaa Indigenous People's Organization (OPIM). Amnesty International believes that the case against them has been brought in reprisal for their legitimate activities promoting the rights of their community and exposing abuses by a local political boss (cacique) and authorities.

The five indigenous men were arrested on 17 April 2008 accused of the murder of Alejandro Feliciano García on 1 January 2008 in the village El Camalote, Guerrero state. On 20 October, a federal review (amparo) judge ruled that the evidence presented did not implicate Manuel Cruz, Orlando Manzanarez, Natalio Ortega and Romualdo Santiago and ordered their release. The four have not been released as the Federal Attorney General's Office (PGR) has filed an appeal against the ruling - despite having no apparent role in the case nor providing further evidence. As a result, four innocent men remain in prison. Amnesty International is calling for the PGR to end this unjustified obstruction to their release.

Raúl Hernández was denied an injunction by the federal judge on the grounds that two alleged witnesses had testified to his presence when the victim was shot. However, after closely examining the case, Amnesty International believes that the evidence against Raúl Hernández has been fabricated as the alleged witnesses failed to report the crime until several days after the crime and only once the local cacique had publicly accused members of the OPIM; the local cacique was known to have made threats and false allegations against the OPIM on previous occasions, the investigating prosecutor worked directly with the cacique who also acted as an official translator; and evidence that Raúl Hernández was not present at the time of the murder was ignored.

"This story illustrates a wider pattern of abuse against human rights activists in Guerrero," said Rupert Knox, Mexico researcher at Amnesty International. "Authorities have often misused the judicial system to punish those who promote respect for the rights of marginalized communities and dare to speak up about abuses. In such a context, a fair trial is virtually impossible."

Amnesty International is calling for the immediate release of the five men, the cancellation of outstanding arrest warrants for ten other members of the OPIM accused of the same crime and a full and impartial investigation into the murder of Alejandro Feliciano García in order that those really responsible for his death are brought to justice.

Background

The Me' phaa Indigenous People's Organization (Organización del Pueblo Indígena Me' phaa, OPIM) was founded in 2002 to defend and promote the rights of the Me' phaa (Tlapanecas) Indigenous People in Mexico. The southern state of Guerrero, which is home to some 116,000 Me' phaa Indigenous People, has one of the highest levels of marginalization and some of the lowest indicators of human development in the country.

OPIM members have been subjected to a concerted pattern of harassment and intimidation. They have been attacked and threatened on numerous occasions; many have been placed under surveillance; one of their leaders has been killed.

On 9 February 2008, Lorenzo Fernández Ortega, a leading member of OPIM and brother of Inés Fernández Ortega, was abducted. His body was found in Ayutla de los Libres the following day. There were signs that he had been tortured, but no autopsy was carried out and the investigation into his death has so far made no progress.

Read More: Promoting Indigenous Rights in Mexico: Me' phaa Indigenous People's Organization (AMR 41/040/2008); <http://www.amnesty.org/en/library/info/AMR41/040/2008/en>