

PUBLIC

AI Index: AMR 41/018/2005

UA 153/05

Fear for safety/Torture/Death threats

07 June 2005

MEXICO

**Feliciano Julián Gómez Ortiz (m),  
Members of his family**

---

Feliciano Julián Gómez Ortiz was detained without charge and reportedly tortured by four officers from the state judicial police (*Policía Ministerial*) in the municipality of Tlaxiaco, State of Oaxaca. He was later released and threatened with death if he spoke out about being tortured. Amnesty International is concerned for his safety and that of his family.

On 2 June at approximately 10:30 am, a white vehicle with four men inside parked near the garage where Feliciano Julián Gómez Ortiz works in Tlaxiaco. Three of the men reportedly left the car and two approached Feliciano Julián Gómez. The men reportedly told him: "Son of a bitch, you know where the merchandise that we are looking for is" (*hijo de la chingada, tú sabes en donde está la mercancía que andamos buscando*). He was then allegedly punched in the mouth and nose and told: "we are going to beat you up arsehole" (*pendejo, te vamos a romper la madre*). He was put inside the car and driven to the headquarters of the State Judicial Police in the Municipality of Tlaxiaco (*Comandancia de la Policía Ministerial de Tlaxiaco*). His wife reportedly witnessed the incident.

At the police station Feliciano Julián Gómez Ortiz was handcuffed and blindfolded. He was threatened with death if he did not reveal the location of the merchandise that the policemen were looking for. A nylon bag was reportedly placed over his face for about a minute in order to induce suffocation. This was repeated on two more occasions despite the fact that he did not know what they were looking for.

Feliciano Julián Gómez Ortiz's wife, Esperanza Sánchez López, was also brought to the police station and interrogated, whilst their son waited outside. The police reportedly soon realised that Feliciano Gómez was not the person they were looking for. They then released him but threatened: "We have you well identified and if you tell what we did to you we are going to kill you, so you better shut your mouth because next time we are going to put you in the river and we are going to give you electrical shocks" (*Te tenemos bien identificado y si dices lo que te hicimos, te vamos a matar, así que más vale que te calles la boca porque la próxima vez te vamos a meter en el río y te vamos a meter toques eléctricos*).

On 3 June, Feliciano Julián Gómez Ortiz submitted a complaint to the Public Prosecutor's Office in Tlaxiaco (*Agente del Ministerio Público de Tlaxiaco, Oaxaca*). However, officials reportedly sought to delay the ratification of the complaint, potentially undermining the investigation. Another complaint was submitted to the State Human Rights Commission.

#### **BACKGROUND INFORMATION**

Torture and ill-treatment are widespread in Mexico. Amnesty International has documented many cases where detainees face torture in order to confess crimes. Allegations of torture can only be investigated by the prosecutors' offices, even though the alleged torturers may be officials working at the prosecutors' offices, such as judicial police. Witnesses and complainants are thus open to intimidation, and the torturers almost always escape prosecution.

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

- expressing concern for the safety of Feliciano Julián Gómez Ortiz and his family, following his detention without charge and reported torture and death threat by four officers from the state judicial police (*Policía Ministerial*) in the municipality of Tlaxiaco, State of Oaxaca on 2 June 2005;
- calling for a prompt, full and impartial investigation into the torture of Feliciano Julián Gómez Ortiz, for the findings to be published and for those responsible to be brought to justice;
- calling for Feliciano Julián Gómez Ortiz and his family not to be intimidated or harassed as a result of his complaints of torture to the Public Prosecutor's Office in Tlaxiaco and the State Human Rights Commission;
- calling for fair and adequate compensation for Feliciano Julián Gómez Ortiz in accordance with the obligations of the State under international standards on human rights;
- reminding the authorities their obligations to prohibit torture and ill-treatment under the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and to follow the UN Standard Minimum Rules for the Treatment of Prisoners.

**APPEALS TO:**

Governor of Oaxaca

Ulises Ruiz Ortiz

Gobernador del Estado de Oaxaca

Carretera Oaxaca, Puerto Angel, Km. 9.5

Santa María Coyotopec, C. P. 71254, Oaxaca, Oaxaca, México,

**Fax: + 52 951 50 20 530 (if someone answers the phone ask for "tono de fax, por favor")**

**Salutation: Señor Gobernador / Dear Governor**

Attorney General of Oaxaca

Lic. Patricia Villanueva Abraján

Procuradora del Estado de Oaxaca

Avenida Luis Echeverría s/n, La Experimental

San Antonio de la Cal, C. P. 71236, Oaxaca,

Oaxaca, México

**Fax: +52 951 511 5519**

**Salutation: Estimada Procuradora/ Dear Attorney General**

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

**Fax: + 52 55 5128 0234 (if someone answers the phone ask for "tono de fax, por favor")**

**Salutation: Estimado Maestro/Dear Sir**

Human Rights Commission of Oaxaca

Lic. Jaime Pérez Jiménez

Presidente de la Comisión Estatal

Calle de los Derechos Humanos No. 210

Colonia América, C. P. 68050.

Oaxaca, Oaxaca,

México

**Fax: +52 951 503 0220 (if someone answers the phone ask for "tono de fax, por favor")**

**Salutation: Estimado Señor Presidente/Dear President**

**COPIES TO:**

Centro de Derechos Humanos y Asesoría a Pueblos Indígenas A.C.

Leon #15, Barrio San Diego, Tlaxiaco,

C.P. 69800, Oaxaca, México

Human rights organization in Oaxaca

Red Oaxaqueña de Derechos Humanos

Calle Crespo 524 Int. 4-E, Centro, C. P. 68000, Oaxaca, Oaxaca 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 19 July 2005.