

PUBLIC

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UA 192/07 Fear for Safety

MEXICO Bertha Felix Díaz (f), aged 30, ex-police officer

Nahua indigenous woman Bertha Felix Díaz has reportedly been harassed and threatened after she filed a complaint alleging sexual abuse and abuse of power against one of her superiors, a senior official the Alpoyecá municipal offices, Guerrero State, for allegedly forcing her to have sex with him.

On 18 July Alpoyecá municipal council's legal adviser went to Bertha Felix's home, together with a judicial police officer assigned to the investigation into her case and three other police officers. The legal adviser allegedly asked Bertha Felix how much money she wanted to drop charges against the accused. When Bertha Felix insisted that she only wanted justice and that any matter regarding the complaint had to be discussed directly with her lawyer, the legal adviser told her, "If you do not want to negotiate, you'd better watch what happens" (*si no quieres negociar, será mejor que te atengas a las consecuencias*).

On 15 May, the municipal official, assisted by other police officers, reportedly coerced her to go to a hotel and have sex with him in the local town of Tlapa de Comonfort. When she protested, he said, "Do you want to keep your job or not? Having sex with me is how you are going to keep this job" (*quieres conservar tu trabajo o no? teniendo relaciones sexuales conmigo es como vas a conservar tu trabajo*) and told her to keep silent about what happened or she would be fired. Fearful of losing her job, on which she depended to look after her mother, she went along with her boss, who reportedly sexually abused her on several other occasions.

On 4 July Bertha Felix was fired by her boss, reportedly after he had humiliated her over her difficulty in reading Spanish. The following day she approached a local human rights organization, *Centro de Derechos Humanos de la Montaña "Tlachinollan"*, for advice about what had happened to her. The organization filed a complaint of sexual abuse and abuse of power against the senior official, with the State Public Prosecutor's Office and the State Human Rights Commission. On 11 July the State Human Rights Commission ordered the president of the Municipal Council of Alpoyecá to take all necessary steps to protect Bertha Felix, and also her family members and witnesses, and to "...give instructions to the [accused], so that he abstains from any act of intimidation or harassment against Bertha Felix..." (*... gire sus apreciables instrucciones al [acusado], con el fin de que se abstenga de realizar actos de intimidación y hostigamiento o de cualquier otra naturaleza en agravio de la quejosa Bertha FELIX DIAZ...*).

Despite the State Human Rights Commission's recommendation, Bertha Felix has reportedly been harassed to force her to accept money for dropping the legal complaint. She has also received phone calls from ex-colleagues pressuring her to give information about the legal action and her movements.

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

- expressing concern for the safety of Bertha Felix, who has been threatened and harassed since she filed a complaint of sexual abuse and abuse of power against a senior municipal official;
- calling on the authorities to ensure that she is immediately given protection, in accordance with her own wishes and as recommended by the State Human Rights Commission on 11 July;
- calling for a full, prompt and impartial investigation into the incidents of alleged sexual abuse committed against Bertha Felix;
- calling for a full, prompt and impartial investigation into the threats and harassment Bertha Felix has suffered since she filed a complaint of sexual abuse.

APPEALS TO:

Governor of Guerrero

Lic. Zeferino Torreblanca Galindo
Gobernador del Estado de Guerrero
Palacio de Gobierno, Edificio Centro, piso 2, Ciudad de los Servicios
CP 39075, Chilpancingo, Guerrero
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Salutation: Señor Gobernador / Dear Governor

Attorney General of Guerrero

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Procurador del Estado de Guerrero
Carretera Nacional México-Acapulco Km. 6+300
Tramo Chilpancingo-Petaquillos
Chilpancingo 39090, Guerrero
MÉXICO

Fax: +52 747 47 22328

Email: cprocurador@pgjgro.gob.mx

Salutation: Dear Attorney / Señor Procurador

President of the Human Rights Commission of Guerrero

Lic. Juan Alarcón Hernández
Presidente de la Comisión de Defensa de los Derechos Humanos del Estado de Guerrero (Coddehum)
Avda. Juárez, Esq. Galo Soberón y Parra
Col. Centro, 39000, Chilpancingo, Guerrero
MEXICO

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Fax: +52 747 471 21 90

Salutation: Dear President/ Señor Presidente

COPIES TO:

Human rights group

Centro de Derechos Humanos de la Montaña "Tlachinollan" AC., Calle Mina, no. 77, Col. Centro, Tlapa de Comonfort, C.P. 41304, Guerrero, 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 11 September 2007.