

PUBLIC

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To: Health professionals  
From: Medical Office / Americas Program  
Date: 2 June 2000

**MEDICAL LETTER WRITING ACTION**  
**Lack of medical care**  
**Rodolfo Montiel Flores and Teodoro Cabrera García**  
**Mexico**

**Key words:** lack of medical care / torture / ill-health / prisoners of conscience

**Summary**

Amnesty International is concerned for the health and safety of prisoners of conscience Rodolfo Montiel Flores and Teodoro Cabrera García, two Mexican environmentalists currently held at the *Centro de Readaptación Social de Iguala*, Iguala Prison, Guerrero state, Mexico. Both men were reportedly tortured at the time of their arrest and currently suffer health problems. They have also experienced loss of weight and have reportedly been refused medical care on several occasions. Both prisoners need proper medical treatment, which prison medical services reportedly cannot provide.

**Recommended action**

- introducing yourself as a concerned health professional of Amnesty International's health professional's network;
- expressing concern at the case of Teodoro Cabrera García and Rodolfo Montiel Flores, two environmentalists detained on 2 May 1999 and reportedly tortured;
- expressing concern at the continuing medical problems suffered by both men, and the apparently insufficient medical care provided to them;
- seeking assurances that they are given access to adequate medical care as provided for by international human rights standards such as the UN Standard Minimum Rules for the Treatment of Prisoners;
- seeking information about their current health and asking what examinations and diagnosis of their health has been made;
- expressing concern at the alleged torture of Teodoro Cabrera García and Rodolfo Montiel Flores, and asking what investigations have been carried out.
- seeking assurances that their physical integrity will be guaranteed;
- requesting their immediate and unconditional release.

If you receive no response from recipients within two months of dispatch of your letter, please send a follow up letter seeking a response. Please send copies of any replies you do receive to the medical team at the International Secretariat. Please check with the medical team if you are sending appeals after 5 August 2000.

**Addresses**

Please send your appeals to the following addresses:

*Governor of Iguala Prison*  
Lic. Carlos Coronel Avitia  
Director del CERESO de Iguala  
Centro de Re-adaptación Social de Iguala  
Carretera Iguala - Tuxpan, CP 40101  
Iguala, Estado de Guerrero, Mexico  
Fax: 52 733 29996 (If voice, ask "me puede dar tono de fax, por favor")

*Director General of Prevention and Social Re-adaption Services of Guerrero State*  
Lic. José Luis Trujillo Sotelo  
Director General de Prevención y Re-adaptación Social del Estado de Guerrero  
Palacio de Gobierno, Sótano dos,  
Zona Centro, CP 39000  
Chilpancingo, Estado de Guerrero, Mexico  
Fax: 52 747 24919

*National Commission of Human Rights*  
Dr. José Luis Soberanes Fernández  
Comisión Nacional de Derechos Humanos (CNDH)  
Periférico Sur 3469  
Col. San Jerónimo Lídice, 10200 México D.F. MEXICO  
Faxes: + 52 5 681 7199  
E-mails: cndh@laneta.apc.org

(Please note in your appeals to the CNDH that in a meeting on 17 May 2000 with members of the two environmentalists' defence team, Dr. Soberanes agreed to send a CNDH medical team to conduct a new examination of the two men. At the time of writing this commitment had not been fulfilled)

- Please note that while the above authorities should be targeted for the majority of appeals, we would be grateful if you could ensure that the two authorities below also receive a number of appeals

*Attorney General of the Republic*  
Lic. Jorge Madrazo,  
Procurador General de la República  
Av Reforma, esq. Violeta,  
Col Guerrero, Mexico DF, CP 06300, MEXICO  
Faxes: + 52 5 346 0906

*Governor of Guerrero State*  
Lic. René Juárez Cisneros  
Gobernador del Estado de Guerrero  
Palacio de Gobierno, Plaza Central, Chilpancingo 39000  
Estado de Guerrero, MEXICO  
Telegrams: Gobernador Estado, Guerrero, México  
Faxes: + 52 747 10304 (if voice, ask "me puede dar tono de fax, por favor")

**Copies to:**

*Human Rights organization* (non-governmental organization)  
Centro de Derechos Humanos "Miguel Agustín Pro Juárez" A.C.  
Serapio Rendon 57-B  
Col. San Rafael  
06470 México D.F. MEXICO

and to diplomatic representatives of Mexico accredited to your country.  
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**MEDICAL CONCERN**  
**Lack of medical care**  
**Rodolfo Montiel Flores and Teodoro Cabrera García**  
**Mexico**

### **Background information**

Amnesty International is concerned for the health and safety of prisoners of conscience Rodolfo Montiel Flores and Teodoro Cabrera García, two Mexican environmentalists currently held at the *Centro de Readaptación Social de Iguala*, Iguala Prison, Guerrero state, Mexico. Both men were reportedly tortured at the time of their arrest and currently suffer health problems. They have also experienced loss of weight and have reportedly been refused medical care on several occasions. Both prisoners need proper medical treatment, which prison medical services reportedly cannot provide.

Amnesty International believes Rodolfo Montiel and Teodoro Cabrera are currently in detention solely because of their peaceful activism to protect the forests in Guerrero's mountains and the organization is calling for their immediate and unconditional release.

Rodolfo Montiel and Teodoro Cabrera are founding members of the *Organización de Campesinos Ecológicos de la Sierra de Petatlán y Coyuca de Catalán*, Peasant Environmentalist Organization of the Mountains of Petatlán and Coyuca de Catalán. The organization was established in 1998 in order to stop logging operations in the region which they claim are threatening the environment and the livelihood of local peasant communities.

Local economic interests which promoted and benefited from the logging operations apparently saw the emergence of this environmentalist group as a threat and began accusing members of the group of belonging to armed opposition organizations. Subsequently, members of the 40<sup>th</sup> Infantry Battalion of the Mexican Army, ostensibly assigned to counter-insurgency and anti-narcotics operations in the region, reportedly began a campaign of harassment and threats against the environmentalist group. For example, in July 1998, members of the battalion questioned and threatened Rodolfo Montiel, and warned that his family would face reprisals if he reported the incident.

On 2 May 1999 Rodolfo Montiel and Teodoro Cabrera were arbitrarily detained by members of the Battalion in the community of Pizotla, in the municipality of Ajuchitlán, Guerrero state. While in the incommunicado custody of the military, the two men were reportedly tortured in order to force them to sign self-incriminating statements. According to the two men, they were tortured with electric shocks to their testicles and beatings to the head, abdomen and back. They were subsequently charged with drugs- and firearms-related crimes. Since then they have been held in detention in a civilian prison in Iguala while on trial before a federal judge in the 5<sup>th</sup> District Court of Iguala (*Juzgado Quinto de Distrito de Iguala*), Guerrero state. Although the court was initially expected to reach a verdict on the case at the end of April 2000, at the time of writing the court's decision is still pending.

Despite the fact that the men officially reported the allegations of torture to both the governmental *Comisión Nacional de Derechos Humanos* (CNDH), National Commission for Human Rights, and the *Procuraduría General de Justicia* (PGR), Office of the Attorney General, the authorities failed to ensure the victims received adequate medical treatment or that an effective investigation into the allegations of torture was carried out. Although the PGR initiated preliminary stages of an investigation into the allegations, the case was declared to be outside the jurisdiction of the civilian courts as those accused of torturing the two environmentalists were military personnel. The case was then passed to the military courts. Amnesty International believes that by referring the investigation to the military courts, the allegations cannot be investigated independently.

### **Current health of prisoners**

### *Reported symptoms and signs*

- Teodoro Cabrera García reportedly had pain in his testicles, bled when passing urine and had a fever. At the time of arrest on 2 May 1999 he also sustained a wound in the neck for which he reportedly was denied medical care. He has lost weight and is blind in his right eye due to a cataract. On 8 March 2000 the prison director requested a transfer for Teodoro Cabrera to the hospital for exploratory surgery.
- Rodolfo Montiel Flores has also reportedly suffered from a testicular infection as well as intense pains in the left side of his abdomen. He has reportedly been denied painkillers. He has lost weight and has aged visibly in the last year, according to those who know him.

### *Medical examinations - contradictory results*

Since their arrest, Rodolfo Montiel Flores and Teodoro Cabrera García have been examined at Iguala prison by medical personnel from the CNDH and the local hospital "Jorge Soberón Acevedo", as well as by an independent doctor. However the findings of these examinations have been contradictory. CNDH doctors reportedly found no evidence that the two men were suffering continuing health problems, despite the fact that both men made repeated complaints of their symptoms before and after the CNDH medical assessment. The independent medical examination carried out in November 1999 confirmed that both men were suffering health problems which required attention and further tests (which the local hospital is not equipped to deal with), and which had been allowed to worsen due to lack of medical attention. The doctor stated that the health problems could be the result of beatings.

### **Human rights violations in Guerrero state**

The arrest and torture of Rodolfo Montiel Flores and Teodoro Cabrera García came at a time of increased military activity in the southwestern state of Guerrero - a region which continues to witness persistent political violence and human rights violations. Over the years Amnesty International has documented numerous allegations of human rights violations in the state, including extrajudicial executions, torture, rape and arbitrary arrests, by the military against members of the indigenous community as part of counter-insurgency operations against armed opposition groups.

In a 1998 report on the human rights situation in Mexico, the Inter-American Commission on Human Rights concluded that "the emergence of new dissident armed groups of various types has led not only to a resumption of measures of control by the security forces but also to the indiscriminate repression of social organizations and leaders".

In addition, Amnesty International has long documented the use of torture to extract confessions, including confessions that the detainee is involved in insurgency operations. Torture-extracted confessions, while illegal under the terms of Mexico's Federal Law to Prevent and Punish Torture, continue to be accepted as admissible evidence in a court of law.