

UA 58/02 Fear for safety / possible "disappearance" 22 February 2002
Fear of Torture or ill-treatment

MEXICO

Virgina Márquez (f)
Jose Roberto Vasquez Márquez (m) - son of Virgina Márquez
Manuel Fernando Vasquez Márquez (m) - son of Virgina Márquez
Francisco Alberto Vasquez Márquez (m) - son of Virgina Márquez
Nayeli Covarrubias Ortiz (f) - wife of Francisco Alberto Vasquez Márquez
Nahomi Itzel Vasquez Covarrubias (f) aged 6 months - their daughter

The six family members named above have not been seen since 14 January, when they were allegedly detained by military personnel during a counter narcotics operation by the army in Colonia Infonavit Buena Vista, Matamoros, in the State of Tamaulipas. They are at risk of torture or ill-treatment.

According to reports, on 14 January, a military convoy consisting of approximately 200 soldiers arrived at the house of Virgina Marquez. The soldiers reportedly entered the house and detained Virgina Marquez, her three sons Jose Roberto, Manuel Fernando and Francisco Alberto Vasquez Márquez. They also detained Francisco Alberto's wife, Nayeli Covarrubias Ortiz and their six month old daughter Nahomi Itzel Vazquez.

Together with some family members, Nayeli Covarrubias Ortiz's father went to the Eighth Military Sector, *Octava Zona Militar in Reynosa*, Tamaulipas State, and spoke to a General inquiring about his daughter and granddaughter. The General informed them that Nayeli Covarrubias and Nahomi Itzel were well and under military protection in Mexico City. The General said he would give the family the address where they were being held once the family had the money to travel to Mexico City. However when the family returned for the address, the General refused to give them the details, saying that he had to consult his superiors. Nayeli Covarrubias Ortiz's father asked the General as to the whereabouts of all the detainees and the general answered that they were all well but could not tell him where they were. Nayeli Covarrubias Ortiz's father filed a complaint about the "disappearances" with the Tamaulipas State Attorney General, *Procuraduría General de Justicia del Estado de Tamaulipas* on 16 January.

On 18 January, the Covarrubias family once again went to the Military Zone and spoke to another general who refused to tell them the whereabouts of Nayeli Covarrubias Ortiz and Nahomi Itzel Vazquez Covarrubias.

BACKGROUND INFORMATION

In the last four years, the number of reported "disappearances" in Mexico have progressively diminished, although several hundred past "disappearances" have never been satisfactorily resolved (see *Mexico: "Disappearances" - a black hole in the protection of human rights*, AMR 41/05/98, May 1998; and *Mexico: Under the shadow of impunity*, AMR 41/02/99, March 1999).

On 1 December 2000 a new government led by President Vicente Fox Quesada of the National Action Party, *Partido de Acción Nacional* took office in Mexico, ousting the Institutional Revolutionary Party, *Partido Revolucionario Institucional* after more than 70 years in power. In his inaugural speech, President Fox told Congress that "Mexico will no longer be held up as a bad example in matters of human rights. We will protect human rights as never before, respecting them as never before and seeking a culture that repudiates any violation and punishes the guilty." "*México no será ya más una referencia de descrédito en materia de derechos humanos, vamos a protegerlos como nunca, a respetarlos como nunca y considerar una cultura que repudie cualquier violación y sancione a los culpables.*"

In light of the important changes that the army must undertake to take on this new attitude towards human rights, in February 2002, at a ceremony commemorating the Mexican Air Force, President Fox called on the army to continue their work but "with special attention to respect for human rights." "y con especial atención al respeto pleno de los derechos humanos."

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

- expressing concern for the safety of Virginia Marquez, her three sons Jose Roberto, Manuel Fernando and Francisco Alberto Vasquez Márquez, Nayeli Covarrubias Ortiz and Nahomi Itzel Vazquez Covarrubias, who were reportedly detained by soldiers on 14 January 2002 and whose whereabouts remain unknown;
- urging that if they are in custody, they are promptly brought before a judge and charged with a recognised criminal offence, or else immediately released;
- urging the authorities to open a prompt, impartial and thorough investigation into their "disappearance" with the findings made public and those responsible brought to justice;
- expressing grave concern at the detention of a six month old baby and the failure of the authorities to inform the Covarrubias family about her whereabouts which would enable them to have temporary custody of the child.

APPEALS TO:

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
 MEXICO

Telegrams: Procurador General, México D.F., Mexico

**Fax: (+525 55) 346 0983 (If someone answers say "Por favor tono de fax")
 / (+525 55) 346 2776**

Salutation: Señor Procurador General / Dear Attorney General

Governor of Tamaulipas

Lic. Tomás Yárrington Ruvalcaba
 Gobernador del Estado de Tamaulipas
 Palacio de Gobierno
 Av. Juárez y 5 de Mayo
 Ciudad Victoria 87009
 MÉXICO

Telegrams: Gobernador del Estado de Tamaulipas, Tamaulipas, Mexico

Fax: (+52 834 31) 887 01

Salutation: Señor Gobernador/Dear Governor

State Attorney

Lic. Francisco Tomás Cayuela Villareal
 Procurador General de Justicia del Estado de Tamaulipas
 Palacio de Justicia
 Boulevard Fraccedi Balboa s/n
 Col. Centro
 Ciudad Victoria 87000
 Tamaulipas
 MÉXICO

**Telegrams: Procurador General de Justicia del Estado de Tamaulipas,
 Tamaulipas, Mexico**

Fax: (+52 834 318 71 84) (If someone answers say "Por favor tono de fax")

Salutation: Dear Attorney/ Señor Procurador

Head of Eighth Military Sector

General Javier del Real Magallanes
Octava Zona Militar Reynosa
Carretera Reynosa
Guion Matamoros, Kilometro 85
Colonia Almaguer
Reynosa, Tamaulipas
MÉXICO

Telegrams: General Javier del Real Magallanes, Reynosa, Tamaulipas, Mexico
Fax: + 52 899 926 7092 (If someone answers say "Por favor tono de fax")
Salutation: Dear General / Señor General

COPIES TO:

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los Derechos Humanos A.C. (CEFPROD HAC)**
Zaragoza N .650 1er piso Desp. 4
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Tamaulipas
MEXICO
Fax: + 52 899 9 222 441

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 4 April 2002.