

URGENT ACTION

INDIGENOUS ACTIVIST FREED BUT STILL AT RISK

Human Rights Defender, Maximino García Catarino, has been released from prison in Ayutla de Los Libres, Guerrero state, Mexico. He is still at risk of reprisals.

On 20 March, **Maximino García Catarino**, a leading member of the Organization for the Future of the Mixteco People (Organización para el Futuro del Pueblo Mixteco, OFPM), was released by the order of the Guerrero State Superior Court and the charges against him were dropped. He had been arrested by state judicial police on 21 January in connection with the homicide of Juan Teodoro García.

Amnesty International considers that Maximino García Catarino was a prisoner of conscience and visited him in prison just before his release.

Just before Maximino García Catarino left the Ayutla prison, a friend told him on the phone that there were people that wanted to hurt him when he returned to his hometown. Amnesty International is deeply concerned and is urging authorities to ensure the safety of Maximino García Catarino, who is at imminent risk of retaliation by those who made false accusations against him. The State also has an obligation to ensure the protection of family members of Maximino García Catarino, and other members of the OFPM. Furthermore, the State must cancel the arrest warrants against five other members of OFPM, Álvaro Ramírez Consepción, Audencio Ramírez Consepción, Ambrocio García Catarino, Marcelino García Catarino, and Jorge García Catarino, that are part of the same criminal case.

Please write immediately in Spanish, English or your own language:

- Calling on the authorities to immediately provide protection measures to Maximino García Catarino, his family and other members of OFPM, according to their needs and own wishes;
- Calling on the authorities to cancel arrest warrants against the other five members of the OFPM in the same case and under the same evidence as they are based on the now discredited evidence provided by the prosecutor, and a new impartial investigation into the killing of Juan Teodoro should be undertaken. If they are detained, Amnesty International will consider them Prisoners of Conscience;
- Calling for an investigation of all the authorities implicated in the use of the criminal justice system to persecute and punish Maximino García Catarino for his legitimate human rights actions;
- Reminding the authorities of their obligation to respect human rights defenders and ensure that they are able to carry out their legitimate activities without fear of reprisal, and the urgent need of implementing a Mechanism of Protection for them.

PLEASE SEND APPEALS BEFORE 4 MAY 2012 TO:

Guerrero State Governor

Lic. Ángel Heladio Aguirre Rivero
Palacio de Gobierno, Edificio Centro
2do. Piso, Col. Ciudad de los Servicios
C.P. 39074 Chilpancingo
Guerrero, México
Fax: +52 747 471 9956
Email: contacto@guerrero.gob.mx
Salutation: Dear Governor

Minister of the Interior

Dr. Alejandro Poiré Romero
Bucareli 99, 1er. piso, Col. Juárez
México D.F., C.P.06600
México
Fax: +52 55 5093 3414 (keep trying)
Email: secretario@segob.gob.mx
Salutation: Dear Minister

And copies to:

Local NGO

Centro de Derechos Humanos de la
Montaña "Tlachinollan"
Email: tlachi.internacional2@gmail.com

Also send copies to diplomatic representatives accredited to your country.

Please check with your section office if sending appeals after the above date. This is the second update of UA 25/12. Further information:

<http://www.amnesty.org/en/library/info/AMR41/019/2012/en>

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ADDITIONAL INFORMATION

Maximino García Catarino was arrested by state judicial police while he was at home on 21 January. According to a local NGO, the police did not show an arrest warrant, and did not say why they were arresting him until later. He was questioned about other OFPM leaders and beaten when he refused to answer. Two days later, he was informed he had been arrested in connection with the homicide of Mr. Juan Teodoro García. According to Maximino García Catarino and his lawyers, the judge showed no interest in checking the facts of the case and there were numerous inconsistencies in the judicial process. The charges were evidently brought against him in retaliation the efforts of OFPM activists to claim their rights in their communities and because they have denounced human rights violations. This follows a pattern of similar retaliations.

Human rights defenders are frequently subjected to attacks and intimidation, including fabricated politically motivated criminal charges. Indigenous rights defenders have been particularly vulnerable to fabricated criminal charges where they oppose powerful local figures who dominate their communities, caciques, who sometimes collude with police and prosecutors to fabricate evidence and falsely accuse their opponents. Amnesty International has documented such cases in the municipality of Ayutla de los Libres in the past. In 2008 the organization adopted Raul Hernandez (Organización del Pueblo Indígena Me'phaa, OPIM) as a prisoner of conscience. He spent more than two years in prison on murder charges before finally being acquitted after an international campaign. In 2009, Raul Lucas and Manuel Ponce of OPIM's sister organization, OFPM, were abducted, tortured and killed by gunmen who are suspected of acting in collusion with local authorities. No one has been brought to justice for their killing.

Name: Maximino García Catarino, family members of Maximino García Catarino, Álvaro Ramírez Consepción, Audencio Ramírez Consepción, Ambrocio García Catarino, Marcelino García Catarino, and Jorge García Catarino, and other members of OFPM
Gender m/f: Maximino García Catarino is male, but his family and OFPM are both males and females

Further information on UA: 25/12 Index: AMR 41/021/2012 Issue Date: 23 March 2012