

UA 173/07

Fear for safety/torture and ill-treatment.

MEXICO

Javier Islas Cruz (m)
Gabino Flores Cruz (m)
10 other indigenous peasant farmers

State police violently evicted a group of Nahua Indigenous peasant farmers on 14 June from a piece of land they had occupied, whose ownership is contested. They arrested 11 people and reportedly beating them, using torture and ill-treatment during their interrogation about the land occupation and their supposed links with guerrilla group. One of the farmers is missing. All those in custody are at risk of further ill-treatment or torture.

The group of peasant farmers had occupied the land, in the municipality of Ixhuatlán de Madero, Veracruz state, on 10 June. They were reportedly evicted without warning by dozens of police officers, who reportedly used excessive force, firing repeatedly in the air and beating detainees. The 11 men arrested were reportedly beaten severely, and their place of detention was not made public until 17 June, when the authorities published a list of detainees.

When the detainees made their first statement to representatives of the State Public Prosecutor's Office, they were not provided with an interpreter even though some of them have a very limited knowledge of Spanish. Some are illiterate, and could not read the statement when it had been taken down.

One of those detained, Javier Islas Cruz, who is active with a local human rights organisation, was reportedly tortured and questioned about his involvement in the occupation for a few days, and then dumped in a remote spot in neighbouring Puebla state, in the middle of the night. There is no official record that he was arrested. The leader of the peasant group, Gabino Flores Cruz, has not been seen since the eviction. There is a warrant for his arrest.

The 10 men still in custody are aged between 18 and 76. They have reportedly received some medical attention: one was shot during the eviction, and still has a bullet lodged in his leg. They have been charged with illegal occupation (*despojo*), insulting the authorities (*ultraje a la autoridad*), criminal damage (*daños*) and resisting arrest (*resistencia de particulares*). Though suspects accused of these offences are eligible for bail, the judge has reportedly delayed setting the amount of bail, so they are still in custody. The Veracruz State Human rights commission has visited the detainees and filed a complaint of torture.

BACKGROUND INFORMATION

Amnesty International has regularly documented police operations, against protesters and land occupations, which are carried out in violation of international standards on the use of force, and on evictions. The organisation also regularly receives complaints about arbitrary and incommunicado detention, ill-treatment and torture as well as denial of access to a lawyers or interpreters, in the case of Indigenous people. These violations in due process seriously undermine the right to fair trial and equal treatment before the law. Members of Indigenous communities are particularly vulnerable. Those responsible for such human rights violations are virtually never held to account.

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

- expressing concern at reports that police used excessive force in a 14 June operation in Ixhuatlán de Madero, and calling on the authorities to ensure that all those in custody are protected from torture and ill-treatment, and are given adequate access to their families, lawyers and any medical attention they may require;
- calling on the authorities to resolve their bail application promptly;
- calling on the authorities to guarantee that any judicial proceedings against those in detention meet international fair trial standards, and that they will have the right to equality before the law and prosecution evidence will be impartially scrutinised and cross-examined;
- calling on the authorities to carry out a thorough and impartial investigation into the allegations that police used excessive force, incommunicado detention, torture, ill-treatment, threats and violations of due process, for the findings to be made public and for those responsible to be brought to justice.

APPEALS TO:Interior Minister

Lic. Francisco Javier Ramírez Acuña
Secretario de Gobernación, Secretaría de Gobernación
Bucareli 99, 1er. piso, Col. Juárez, Del. Cuauhtémoc
México D.F., C.P.06600, MEXICO

Fax: +52 55 5093 3414**Salutation:** Señor Secretario/Dear Minister

Governor of Veracruz State

Lic. Fidel Herrera Beltrán, Gobernador del Estado de Veracruz, Palacio de Gobierno,
Leandro Valle esq. Enriquez, Xalapa, C.P. 91000, Estado de Veracruz, MEXICO

Fax: +52 228 841 8818

E-Mail: fidelherrera@veracruz-llave.gob.mx

Salutation: Dear Governor/Señor Gobernador

Public Prosecutor of Veracruz State

Mtro. Emeterio López Márquez
Procurador del Estado de Veracruz
Nicolás Bravo 34
Col. Centro, Xalapa, C.P. 91000
Estado de Veracruz, MÉXICO

Salutation: Dear Attorney/ Señor Procurador

COPIES TO:

Comisión para la Defensa de los Derechos Humanos en Veracruz
20 de Noviembre Oriente Núm. 49-2, Zona Centro, Xalapa, Ver. C.P. 91000, 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 15 August 2007.*****