

URGENT ACTION

CAMPAIGNERS ARRESTED ON FALSE CHARGES

Leaders of an organization protesting against high domestic electricity costs in Candelaria, Campeche state (*Movimiento Resistencia Civil contra las Altas Tarifas de la Energía Eléctrica de Candelaria*) have been charged with kidnapping a public official.

At five am on 10 July, Federal Investigative police, (Policía Ministerial Federal) raided the homes of **Sara López González, Joaquín Aguilar Méndez, Guadalupe Borja, Elmer Castellanos and Guadalupe Vizcaíno** in Candelaria. The five were not informed of the reasons for their arrest or presented with warrants for their arrest. The five were held in cells at the Federal Attorney General's Office in the state capital, Campeche. They were not allowed to inform their families or their lawyers for six hours of their whereabouts and were subsequently transferred to the state prison where they remain. Sara López González has not received adequate medical treatment for the conjunctivitis and fever she is suffering.

A federal judge issued an arrest warrant for 31 members of the community after federal prosecutors filed charges on 26 June 2009. The five arrested are charged with kidnapping a federal official and "obstructing the provision of a public service" and a further 28 Candelaria community members also face possible arrest. As kidnapping is a serious criminal offence the five detainees were denied bail and on 16 July were committed for trial by the presiding judge. The five claim that the kidnapping charge has been fabricated in reprisal for their activism and relates to an incident in September 2008 when a power outage in their community led to an official of the Federal Electricity Company voluntarily accompanying them to their community to check that electricity workers were reconnecting the power. Two months after this, the Federal Electricity Company filed a complaint with the Public Prosecutor's Office that the official had been kidnapped during the visit. As a result of the complaint members of the MRCATEEC met with the Federal Electricity Company to resolve the case. In a meeting in January 2009, the official who had allegedly been kidnapped reportedly admitted that he had accompanied the protestors voluntarily, but was told by a senior company manager to keep quiet.

PLEASE WRITE IMMEDIATELY in Spanish or your own language:

- Call for the safety of the Sara López González, Joaquín Aguilar Méndez, Guadalupe Borja, Elmer Castellanos and Guadalupe Vizcaíno to be guaranteed and to provide them with any medical attention they may require;
- Calling on the Federal Attorney General's Office for the charges to be immediately reviewed in order to ensure that their right to liberty has not been unfairly violated by an unfounded criminal complaint, and for the five to be immediately released if there are insufficient grounds for them to face serious criminal offences;
- Call for an end to the misuse of the criminal justice system to bring unfounded or disproportionate criminal charges against social activists or human rights defenders engaged in legitimate and peaceful protests.

PLEASE SEND APPEALS BEFORE 27 AUGUST 2009 TO:

Attorney General of the Republic
Lic. Eduardo Medina-Mora Icaza
Procuraduría General de la República
Av. Paseo de la Reforma nº 211-213, Piso 16, Col. Cuauhtémoc, México D.F., C.P. 06500, MEXICO
Fax: +52 55 5346 0908
Salutation: Dear Attorney General/Señor Procurador

Governor of Campeche
Jorge Carlos Hurtado Valdez
Gobernador del Estado de Campeche
Palacio de Gobierno,
Calle 8 entre 61 y Circuito Baluartes SN
San Fco. de Campeche 24009
Estado de Campeche, MEXICO
Fax: +52 98 1811 4004
Salutation: Dear Governor/ Señor Gobernador

And copies to:
Minister of Interior
Lic. Fernando Francisco Gómez-Mont Urueta
Secretaría de Gobernación, Bucareli 99, 1er. piso, Col. Juárez, Del. Cuauhtémoc, México D.F., C.P. 06600, MEXICO
Fax: +52 55 5093 3414
E-mail: secretario@segob.gob.mx
Salutation: Señor Secretario/Dear Minister

Also send copies to diplomatic representatives accredited to your country. Please check with your section office if sending appeals after the above date.

**AMNESTY
INTERNATIONAL**



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ADDITIONAL INFORMATION

The protest movement has demanded that the criminal complaint be dropped. On 3 July 2009, the protest movement stated publicly that its supporters would block construction work by electricity workers if the complaint was not dropped.

Amnesty International believes the charges are politically motivated and that the five have been arbitrarily detained and may be subject to an unfair trial as a reprisal for leading peaceful protests.

On several occasions Amnesty International has documented how legitimate protests have resulted in unfounded or disproportionate criminal charges in Mexico. In such cases, the use of serious criminal charges, such as kidnapping, are sometimes the basis of criminal complaints made by public officials who have in fact voluntarily participated in negotiations or other peaceful initiatives with protest movements. These events are sometimes subsequently falsely represented in criminal complaints as incidents of kidnapping. The resulting criminal investigations, charges, arrests and trials often lack basic fair trial elements, such as access to lawyers and adequate opportunity to challenge the complainant's version of events. As a result these criminal proceedings have sometimes constituted harassment of human rights defenders and social activists, placing them at risk of arbitrary detention, ill-treatment and unfair trial.

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