

UA 300/07

Arbitrary arrest/ fear of ill treatment/legal concern

MEXICO	Manuel Olivares Hernández (m), director of the Regional Human Rights Centre "José María Morelos y Pavón" (<i>Centro Regional de Derechos Humanos "José María Morelos y Pavón"</i>) 15 members of Chilapa Citizens Committee (<i>Consejo Ciudadano de Chilapa</i>)
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Manuel Olivares Hernández, director of Guerrero state's "José María Morelos y Pavón" Regional Human Rights Centre, is being detained by police in the municipality of Chilapa, Guerrero State. He was arbitrarily arrested by police officers while he was documenting human rights violations during a street protest on 8 November. Manuel Olivares Hernández, and 15 protesters who were also detained, are at risk of torture or ill-treatment, and may face unfair judicial proceedings in reprisal for their protests.

According to local human rights organizations, on 7 November, approximately 50 members of the Chilapa Citizens' Committee (*Consejo Ciudadano de Chilapa*) staged a peaceful street protest in order to pressure municipal authorities to improve basic infrastructure and services, such as schools, roads, electricity and drinking water. The protesters blocked the road to the state capital for a several hours. On 8 November, as the Committee supporters gathered to stage another protest, 30 municipal police (*policía preventiva municipal*) wearing riot gear charged at the group in order to disperse them. The police reportedly used excessive force to break up the demonstration, beating protesters with batons and firing teargas at them. Human rights organizations report that a total of 16 people, including Manuel Olivares Hernández, were arrested and are currently held at the municipal police headquarters in Chilapa, charged with attacks on public roads, criminal association and rioting (*ataques a las vías de comunicación, asociación delictuosa y motín*).

Manuel Olivares Hernández has informed a lawyer that he was acting as a human rights observer during the protest, documenting the beatings and arrests of the members of the *Consejo Ciudadano de Chilapa*, when a senior municipal official reportedly told police officers to "arrest that bastard who is causing us trouble" (*detengan a ese cabrón que nos esta ocasionando problemas*). Manuel Olivares Hernández argued that he was carrying out legitimate activities in defence of human rights, and was not participating in the protest. However, the official reportedly told him, "I don't give a damn" (*me vale madre*).

Manuel Olivares Hernández is a leading human rights defender in the region and has denounced the authorities' failure to ensure marginalized local indigenous communities have access to basic services.

BACKGROUND INFORMATION

Indigenous people and peasant farmers living in deprived areas of Mexico, such as in Guerrero state, often lack access to basic services and minimum standards of living. Human rights defenders and other organizations which demand that the authorities address these deep social inequalities are often subject to threats, harassment and politically motivated criminal charges, particularly at the hands of municipal or state authorities.

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

- calling on the authorities to guarantee that Manuel Olivares Hernández and the 15 members of the Chilapa Citizens' Committee will not be tortured or ill-treated in detention;
- calling for Manuel Olivares Hernández, and others who have not used or advocated violence, to be released immediately;
- calling for a full, prompt and impartial investigation into the beating and arrests carried out on 8 November by the Chilapa Municipal Preventive Police;
- calling on the authorities to act according to their responsibilities under the UN Declaration on the Rights and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, which recognizes the legitimacy of the activities of human rights defenders and their right to carry out their activities without any restrictions or fear of reprisals;
- calling for the authorities to uphold the detainees' rights to due legal process and fair judicial proceedings, including the presumption of innocence, the right to effective defence and the impartial evaluation of defence and prosecution evidence.

APPEALS TO:

Governor of Guerrero state

Lic. Zeferino Torreblanca Galindo

Gobernador del Estado de Guerrero

Palacio de Gobierno, Edificio Centro, piso 2,

Ciudad de los Servicios, CP 39075, Chilpancingo, Guerrero, MÉXICO

Fax: +52 747 471 9801 (if someone answers say "me da tono de fax por favor")

Email: gobernador@guerrero.gob.mx

Salutation: Dear Governor/Señor Gobernador

Public Security Minister of Guerrero State

Gral. Juan H. Salinas Altés

Secretario de Seguridad Pública y Protección Civil

Palacio de Gobierno, Edificio Acapulco 1er piso, Col. Ciudad de los Servicios, C.P. 39075 Chilpancingo, Guerrero, México

Fax: +52 747 471 9737 (if someone answers, say "me da tono de fax por favor")

Email: sspypc@guerrero.gob.mx

Salutation: Dear Minister / Señor Ministro

Minister of the Interior

Lic. Francisco Javier Ramírez Acuña

Secretaría de Gobernación

Bucareli No. 99, Edificio Cobián, 1er. piso, Col. Juárez

Delegación Cuauhtémoc

México D.F., C.P.06600, MEXICO

Fax: +52 55 5093 3414

Email: secretario@segob.gob.mx

Salutation: Señor Secretario/Dear Minister

COPIES TO:

Human rights organization

Centro Regional de Derechos Humanos "José María Morelos y Pavón", A.C.

Prolongación 15 Norte 703, Barrio La Villa, Chilapa, Guerrero C. P. 41100

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 21 December 2007.
