

URGENT ACTION



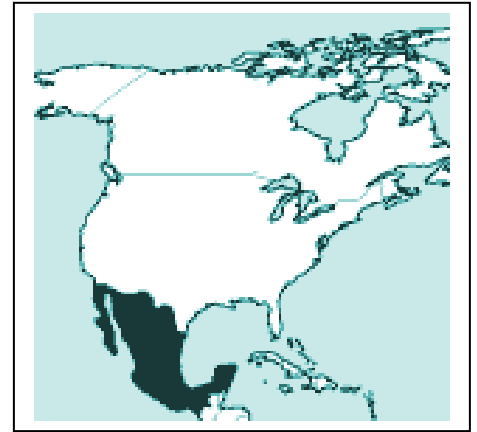
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27 October 2009

UA 287/09 – Torture/ill-treatment

MEXICO Roselio de la Cruz González (m)
José Manuel de la Torre Hernández (m)
José Manuel Hernández Martínez (m)

Two men, both members of a peasant farmers' organization in Chiapas state, southern Mexico, have been tortured in custody after being arrested without a warrant. A third man who is a member of the same organization is being held 2,000km away, where he is unable to see his lawyer and family. All three men are accused of illegal occupying land in 2005.



In the early hours of 24 October the homes in Venustiano Carranza municipality of several members of Organización Campesina Emiliano Zapata ("Emiliano Zapata" Peasant Organisation, OCEZ) were searched by state police. When the police entered the home of Roselio de la Cruz González, they hit and threatened one of his sons at gunpoint to reveal the whereabouts of his father. Roselio de la Cruz immediately gave himself up. His family saw him being hit in the stomach before being bundled in a police van. On the same night, police entered the nearby home of José Manuel de la Torre Hernández. They hit him and his three children who were trying to stop him being taken away. The police did not show warrants to arrest the men or search their homes. Other homes of OCEZ members in the area were searched, but no one else was arrested. According to a local human rights organization, hundreds of police officers and soldiers remained in the area for at least two days.

Roselio de la Cruz and José Manuel de la Torre are currently held in a state prison. Their lawyer said that during interrogation, they were blindfolded, bound and beaten. Roselio de la Cruz was also threatened with death, while officials put a plastic bag over the head of José Manuel de la Torre until he was almost suffocating, then he was forced to inhale water till he fainted. Both men were forced to sign papers which they were not allowed to read. Another member of OCEZ who lives in the area, José Manuel Hernández Martínez, was arrested on 30 September. Though he should be held by the Chiapas state authorities, on 16 October he was moved to a federal prison 2,000 km away. This is too far for his family and lawyer to visit him, and so he is effectively held incommunicado.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible:

- To guarantee that Roselio de la Cruz and José Manuel de la Torre will not be tortured or otherwise ill-treated;
- To immediately carry out an impartial investigation into their torture, with those responsible brought to justice;
- To ensure that the two men are either released immediately, or else charged promptly with a recognizably criminal offense and tried fairly according to international standards, with any evidence obtained through torture ruled inadmissible;

Amnesty International's mission is to undertake research and action focused on preventing and ending grave abuses of the rights to physical and mental integrity, freedom of conscience and expression, and freedom from discrimination, within the context of its work to promote all human rights.

- To ensure that José Manuel Hernández Martínez has access to his family and lawyer;
- To end illegal house searches and intimidation of OCEZ supporters and other inhabitants of Venustiano Carranza, and to investigate into the conduct of the police operation.

APPEALS TO:

Governor of Chiapas

Lic. Juan Sabines Guerrero
Gobernador del Estado de Chiapas
Palacio de Gobierno
Tuxtla Gutierrez, Chiapas
MEXICO

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Salutation: Dear Governor/Señor Gobernador

Chiapas Attorney General

Mtro. Raciél Lopez Salazar
Procuraduría General de Justicia
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MEXICO

Fax: 011 52 961 6165724
Salutation: Dear Attorney General/ Señor Procurador

Attorney General of the Republic

Lic. Arturo Chávez Chávez
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COPIES TO:

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“Fray Bartolomé” Human Rights center

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PLEASE SEND APPEALS IMMEDIATELY.

Check with the AIUSA Urgent Action office if sending appeals after 8 December 2009.