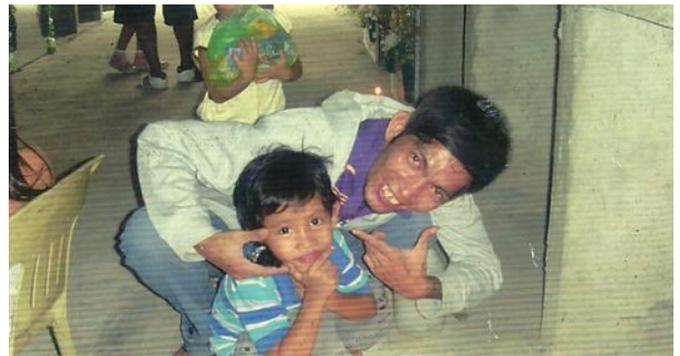




Demand justice for Darius and Miriam



Miriam Lopez © Agencia Reforma



Darius Evangelista

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GOT QUESTIONS?

If you've got any questions about the content of this mailing, including the suggested actions, please don't hesitate to get in touch by emailing student@amnesty.org.uk

IN BRIEF

This mailing focusses on two individuals who have been tortured, Darius Evangelista from the Philippines and Miriam Lopez from Mexico. No-one has been punished in either of these two cases and we are asking you demand justice by writing to the relevant authorities in each country. There is also an opportunity to write to Darius Evangelista's wife, Margie to offer her some support.

CASE 1: DARIUS EVANGELISTA, THE PHILIPPINES



On 5 March 2010 Darius Evangelista was arrested in Manila, the capital of the Philippines on suspicion of petty theft*. An organisation called the Philippine Commission on Human Rights investigated the case and reported that three fellow detainees said they saw him in the cell of a police station. They said he was taken to the office of the police chief and was later returned to their cell badly injured. His face looked like it had been struck with a blunt instrument and his swollen eyes were covered with tape. After that he was

taken out of the police station. The former detainees said that they heard one of the police officers say, “*Get rid of him.*” They never saw Darius again.

Darius has a wife, Margie, and three young children. Imagine Margie's shock when she was told that on 17 August 2010 a video of her husband being tortured was broadcast on national television (and then worldwide on CNN, Al Jazeera and Youtube). The video showed a naked man crying out in pain on the floor while a police officer beat and abused him. Other policemen looked on. Margie Evangelista is convinced that the man in the video is her husband saying, “*I know it was him. I recognised the tattoos on his body.*”

The Evangelista family have filed a complaint against nine policemen. The main suspect was dismissed by the National Police on January 2011. In November 2011, a Manila Court ordered the arrest of seven of the policemen suspected of torture in the case and they were charged with violating the Anti-Torture Act, a law that was introduced in the Philippines in 2009. Margie thinks that the mere dismissal of the main suspect is not justice and the other suspects also must be held accountable.

Margie will be fighting against the odds. Only 19 % of people are found guilty overall in such cases in the Philippines. Also, if Darius is indeed dead, and if he was killed by policemen, then this makes it an extrajudicial killing**. Only 1% of people accused of this in the Philippines are found guilty. No member of the Philippine police or military has ever been convicted of serious human rights abuses such as torture. Despite the Anti-Torture Act torture and ill-treatment of criminal suspects in the Philippines remains common.

*a minor criminal offence

**Extrajudicial executions are unlawful and deliberate killings carried out by order of a government or with its complicity. They take place outside the ordinary course of legal proceedings.

TAKE ACTION 1

Write a letter to the Director General of the Philippine National Police

Target Name: PDG Nicanor Bartolome

Address: PDG Nicanor Bartolome, PNP National Headquarters Camp General Crame, Quezon City, Metro Manila, Philippines 1100

Start your letter: *Dear Police Director General*

Here's a sample letter:

Dear Police Director General,

I write to you out of concern for Darius Evangelista, who has been missing since his arrest in March 2010 and request you take all steps within your power to ensure his family receives justice for his enforced disappearance.

On 5 March 2010, Darius Evangelista was arrested by police in Manila on suspicion of theft. According to the Commission on Human Rights of the Philippines which investigated the case, three fellow detainees saw him being brought into a police station in Tondo, Manila and detained. They said that he was taken to the office of the police chief in that police station and then brought back to their cell badly injured. He was then taken out of the police station and they never saw him again.

In August 2010, a video was broadcast on television of a naked man, believed to be Darius Evangelista, crying out in pain on the floor, while a police officer beat him and repeatedly yanked a string tied to his genitals. Other uniformed policemen watched. The Evangelista family has filed a criminal complaint for torture against the nine policemen who participated in or were complicit to the torture. The primary suspect was dismissed by the National Police in January 2011. The family insists that this dismissal from service does not constitute justice. The police officers involved must be held accountable for their actions.

I call on you to:

- Ensure the arrest, independent investigation and effective prosecution of police perpetrators involved in the torture, enforced disappearance and possible extrajudicial execution of Darius Evangelista.
- Ensure that human rights violations perpetrated by police officers are brought to trial and resolved in a civilian court.
- Establish and implement a system of direct communication between the National Police Commission and the Department of Justice. Investigations into human rights violations by the police should be directly submitted to the Department of Justice for effective prosecution.

I look forward to hearing from you on this serious matter.

Yours sincerely,

TAKE ACTION 2

Send a message to Margie Evangelista

If you would like to do a follow up action, please send a solidarity message to the Evangelista family. March 5th is the anniversary of Darius's detention and his birthday is 12 April, so this will be a difficult period for the family. Show your support by sending the family a solidarity message.

Send your letters or cards to:

Margie Evangelista, c/o Center for International Law, Unit 1904 Antel Corporate Center, 121 Valero Street, Salcedo Village, Makati City, Philippines

Example message (but preferably write your own!): *Be strong. There are people across the world who are thinking of you and trying to make sure the police officers who tortured your husband are punished. I have also written to the Chief of Philippine National Police calling for justice for your husband.*

CASE 2: MIRIAM LOPEZ – MEXICO

In February 2011 moments after dropping off her children at school, Miriam Lopez was grabbed by two men wearing balaclavas. She was tied up, blindfolded and driven to a military barracks in the city of Tijuana.

She was raped by soldiers who tortured her until she signed a false statement saying she had been involved in drug offences. She was sent to prison to await trial but was released seven months later without charge.

Although Miriam has identified some of the people who carried out the acts, no-one has been brought justice for the torture and violence she suffered.

Miriam's case featured in our recent Write for Rights campaign. In response to letters she has received recently she said:

"It's incredible that there is so much support from different countries and cultures, and that people who don't even know me feel solidarity with me and support my struggle. I truly thank you all and hope that I can soon give good news regarding the case."

Even if you have already taken action for her please write another letter so we can keep up the pressure.

TAKE ACTION: Write to the Attorney General

Write to the Federal Attorney General Jesus Murillo Karam. In your letter:

- Say how concerned you are about the torture suffered by Miriam Lopez at the hands of soldiers in February 2011.
- Ask him to urgently carry out a full and fair investigation, make the results public and bring those responsible to justice.

Send your letters to:

Jesus Murillo Karam
Federal Attorney General
Procuraduria General de la Republica
Paseo de la Reforma 211-213
Col. Cuauhternoc, C. P. 06500
Mexico City
Mexico

Start your letter: *Dear Attorney General*

TAKE ACTION 2: Send a message to Miriam

Miriam's situation remains complicated and now it is more important than ever to support her with her own struggle. Her birthday is in early February and this is a good opportunity to send her messages of solidarity.

Send your letters or cards as soon as you can to:

Miriam López
Comisión Mexicana de Defensa y Promoción de los
Derechos Humanos
Tehuantepec 142
Col. Roma Sur, C.P. 06760
Mexico City
Mexico

FIND OUT MORE

Mexico

Amnesty International annual report entry for Mexico:
<http://amnesty.org/en/region/mexico/report-2013>

Philippines

Amnesty International annual report entry for the Philippines:
<http://amnesty.org/en/region/philippines/report-2013>

NEW GLOBAL CAMPAIGN TO STOP TORTURE

In May 2014 we will be launching a new global campaign to Stop Torture. Mexico and the Philippines will be two of the countries featured in this campaign.

This year marks the 30th anniversary of the UN Convention against Torture (CAT). In 1984 Amnesty International campaigned successfully for this historic international ban on torture. Thirty years on, governments continue to carry out this barbaric and de-humanizing practice and they continue to deny it. We will insist that governments live up to their promises and respect international law. Now more than ever we must unite and demand an end to torture once and for all.

Look out for updates, materials and further calls to action from May onwards.