UA 219/13 13 August 2013 **URGENT ACTION** AMR 41/048/2013

# **MARINES ABDUCT ADULT AND TWO CHILDREN**

**Name: Jose de Jesus Martinez Chigo (m), Diana Laura Hernandez Acosta (f), Raul David Alvarez Gutierrez (m)**

# MEXICO

Three people, two of them children, were detained by Mexican marines in the northern city of Nuevo Laredo in late July and have not been seen since. The military authorities have denied arresting them. They may have been subjected to enforced disappearance.

Jose de Jesus Martinez Chigo and 17-year-old Diana Laura Hernandez Acosta were driving home in the early hours of 29 July in Nuevo Laredo, northern Mexico, when marines stopped them at a checkpoint. According to a relative of Jose Martinez who was nearby and saw their arrest, marines forced them and another driver into a military vehicle and drove them to a provisional military compound at a local sports stadium. The relative drove after them and saw them go in. He told the family what had happened. Both victims' families went to the base the same day, but were told that no civilians were detained there. Relatives have filed a complaint at the local branch of the Federal Attorney General's Office (Procuraduria General de la Republica) supported by several eyewitness statements confirming the marines' involvement.

In a separate incident, 17-year-old Raul David Alvarez Gutierrez was stopped by marines at a checkpoint in the south of the city on 30 July at about 11.30am. Eyewitnesses including a family friend, have told his relatives that marines asked him to come out of his car and, after a brief conversation they took him to a military lorry. Raul Alvarez has not been seen since. The eyewitnesses have been unwilling to testify for fear of reprisals. Relatives tried to file a complaint with the Federal Attorney General's Office, but they were refused on the grounds that they could not provide witnesses.

The military authorities have so far failed to respond to requests from relatives and a local human rights organization for information concerning the detention and whereabouts of the three people.

**Please write immediately in Spanish or your own language:**

\* Expressing concern that Jose de Jesus Martinez, Diana Laura Hernandez Acosta and David Alvarez Gutierrez appear to have been subjected to enforced disappearance by Mexican marines since 29 and 30 July, and calling on the authorities to reveal where they are and ensure their safety;

\* Calling on the civilian authorities to carry out a prompt, full and impartial investigation into their apparent abduction by members of the Mexican Navy, publish its findings and bring those responsible to justice;

\* Calling on them to ensure that the three people's families and eyewitnesses receive protection in line with their wishes, and ensure that all agencies cooperate with civilian investigations and measures to locate the victims.

**PLEASE SEND APPEALS BEFORE 26 SEPTEMBER 2013 TO: (Time difference = GMT - 6 hrs / BST - 7 hrs)**

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| **Federal Attorney General**Jesus Murillo KaramProcuraduria General de la RepublicaPaseo de la reforma 211-213Col. Cuauhtemoc, C.P. 06500Mexico City, Mexico **Fax:** 0052 55 5346 0908**Email:** ofproc@pgr.gob.mx**Salutation:** *Dear Attorney General / Estimado Senor Procurador* | **Secretary for the Navy**Almirante Vidal Soberon SanzSecretaria de MarinaEje 2 Oriente, Tramo Heroica Escuela Naval Militar Num. 861Col. Los Cipreses, Delagacion CoyoacanMexico D.F., CP. 04830Mexico **Email:** srio@semar.gob.mx**Salutation:** *Dear Secretary /Estimado Senor Secretario* | And copies to:**NGO**Comite de Derechos Humanos de Nuevo LaredoCalle Enriqueta Castaneda #8836Col. La JoyaNuevo Laredo C.P. 88125Tamaulipas, Mexico |

**PLEASE SEND COPIES OF YOUR APPEAL TO**

His Excellency Mr Eduardo Medina-Mora, Embassy of Mexico, 16 St George Street, Hanover Square, London, W1S 1FD **Fax:** 020 7495 4035 **Email:** Embgbretana@sre.gob.mx ; mexuk@sre.gob.mx **Website:** www.sre.gob.mx/reinounido
**BACKGROUND INFORMATION:**

The number of people who have gone missing in Mexico - whether abducted by criminal gangs or subjected to enforced disappearance by public officials - has grown substantially since December 2006 when the then federal authorities launched a large-scale policing operation, involving the deployment of the military, to combat organized crime. In February 2013, the current government, led by President Enrique Pena Nieto, published a list of more than 26,000 people who had been reported missing since 2006. The government has failed to provide any further information on the whereabouts of these people.

Amnesty International has documented at least 152 people who have gone missing since 2007. In at least 85 of these cases there is sufficient evidence of the involvement of public officials to make them enforced disappearances under international law. These include the enforced disappearance of six men in Nuevo Laredo by members of the Mexican navy in 2011. Despite the National Human Rights Commission recognising these enforced disappearances and recommending a full investigation, their whereabouts remain unknown and military officials have never been held to account (http://www.amnesty.org/es/library/info/AMR41/044/2011/es).

The government of President Pena Nieto has partly recognised the gravity of the situation, but not the scale of involvement of public officials in enforced disappearances and the consistent failure to conduct proper investigations. Many state governments are still in complete denial.

In only two cases of enforced disappearance have those responsible been brought to justice since 2006. In all other cases the perpetrators remain at large, which puts further people at risk and leaves the fate and whereabouts of thousands of victims unknown.

In May 2013 the Federal Attorney General established the Specialized Search Unit for Disappeared People (Unidad Especializada de Busqueda de Personas Desaparecidas) and initially staffed it with 12 prosecutors. It is possible that hundreds of cases have already been allocated to this unit but it is unclear whether it has been equipped with the necessary resources to carry out its tasks. The Federal Attorney General and the 32 State Attorney Generals have adopted common procedures for handling cases of people who have gone missing or been subjected to enforced disappearance, but these have not been made public, widely applied or assessed.

These are as yet small-scale and isolated measures which do not adequately address the systemic failure of federal and state authorities to respect the rights of victims to truth, justice and reparation. They are also insufficient to clarify the direct or indirect involvement of public officials in enforced disappearances.

Amnesty International's latest report on this issue, Confronting a nightmare. Disappearances in Mexico, was published on 4 June 2013 (http://www.amnesty.org/en/news/mexico-relatives-disappeared-deserve-more-promises-2013-06-04)

A web action for this campaign is available here: http://www.alzatuvoz.org/hastaencontrarles/ (in Spanish only).

**PLEASE CHECK WITH THE INDIVIDUALS AT RISK PROGRAMME AT AIUK BEFORE SENDING APPEALS AFTER 26 SEPTEMBER 2013**

Individuals at Risk Programme, Amnesty International UK, 17-25 New Inn Yard, London EC2A 3EA, 0207 033 1572, iar@amnesty.org.uk.