

via fax: 011 52 061 61 657 24
Lic. Mariano Herran Salvatti
Attorney General of Chiapas, Mexico

via fax: 011 52 961 618 6050 ext. 21122
Lic. Juan José Sabines Guerrero
Governor of Chiapas, Mexico

March 22, 2007

Dear Sirs:

We have increasing fears for the safety of **Diego Arcos Meneses** of the indigenous community of Viejo Velasco Suárez, Chiapas State, who was committed for trial on February 21 and now faces being held in detention for a year or more while his trial takes place. We fear that he may have been subjected to an unfair investigation and trial procedures because of his role as an indigenous community leader, catechist and health promoter.

We are even more concerned now than when we wrote to you on November 23, 2006 about our concerns for his life following attacks on the indigenous community of Viejo Velasco. He was arrested the day after a violent attack on members of the community by 200 armed individuals on November 13. The attack resulted in the death of four people and the disappearance of four others. Diego Arcos Meneses had visited the community to see whether any injured people had been left behind and to collect a few personal belongings on behalf of the terrified displaced people who had taken refuge in his community.

He was initially detained in order to be questioned as a witness to the attack. However, when he refused to sign his witness statement because he could not read Spanish and had not been provided with an interpreter, he was severely beaten and put in pre-charge detention for 90 days. During that period, the prosecution gathered biased testimonies from people who live in Nueva Palestina where many of the attackers came from. Diego Arcos Meneses was then charged with murder and with belonging to a criminal organization. His defense lawyers were given only three days to gather evidence in his favor before the case was presented to the judge on February 21, with the resulting ruling that he should be tried and held in detention until the end of the trial.

In light of these facts, **we again urge you to**

- conduct an independent and impartial review of the reliability and the credibility of the testimonies gathered by the local prosecutor into the events of November 13, 2006;
- release Diego Arcos Meneses while such a review takes place;
- give him a fair re-trial, should the review substantiate the evidence against him; otherwise release him;
- conduct a thorough and impartial investigation into the attack on Viejo Velasco Suarez on November 13, 2006 and bring those responsible to justice.

Sincerely,

Brian J. Stefan Szittai
Coordinator

Copies: Centro de Derechos Humanos Fray Bartolome de las Casas, A.C. ~ via US mail
Dr. José Luis Soberanes Fernández, President of the National Human Rights Commission ~ via fax
Arturo Sarukhan Casamitjana, Mexican Ambassador to the US ~ via fax: 1 202 728 1698
Antonio O. Garza, Jr., U.S. Ambassador to Mexico ~ fax: 011 52 55 5511 9980
William Duncan, Desk Officer for Mexico, US State Dept ~ fax: 202.647.9894
Paolo Carozza, US member of the Inter-American Commission on Human Rights ~ via fax
U.S. Senators Brown and Voinovich ~ via email
U.S. Representatives Kaptur, Kucinich, LaTourette, Ryan, Sutton, Tubbs Jones ~ via email

UA 307/06update Mexico

The following people hereby urge you to take action on this matter as indicated in this letter: