

Via fax: 011 52 55 5093 3414 Lic. Fernando Francisco Gomez-Mont Urueta Interior Minister of the Republic of Mexico	Via Fax: 011 52 961 616 5724 Mtro. Raciel Lopez Salazar Chiapas State Prosecutor
Via Fax: 011 52 961 618 8088 Lic. Juan José Sabines Guerrero Governor of the State of Chiapas	Via Fax: 011 52 55 5681 7199 Dr. José Luis Soberanes Fernandez President of the National Human Rights Commission

April 26, 2009

Dear Sirs:

We are extremely concerned for the safety of **11 men currently being held without charge at "Quinta Pitiquito"** in Chiapa de Corzo municipality, Chiapas state. "Quinta Pitiquito" is a vacant hotel used by the Office of the Chiapas State Prosecutor as a detention facility.

On April 7 five men were arrested after protesting in front of a prison in Tuxtla Gutierrez because their relatives, members of the MOCRI-CNPA-MN farmers' organization, were being held on false charges. The men were held incommunicado for two days and then taken to "Quinta Pitiquito.". While in detention, **Erick Bautista Gomez**, a leader of the protest and a member of MOCRI-CNPA-MN, was repeatedly punched in the stomach, slapped and had his hair pulled hard. They also threatened to harm his sister.

On April 14, six men from the Tzeltal indigenous community of San Sebastian Bachajon, Chilon municipality, were arrested while they were shopping in the town of Ocosingo and were taken to "Quinta Pitiquito." Representatives of a local human rights organization visited them and documented visible signs of beatings. The men have little knowledge of Spanish but were forced to sign statements they did not understand.

We know that several Mexican states use pre-charge detention (arraigo) to detain suspects while conducting an investigation. Suspects may be held for up to 80 days before the prosecutor is required to charge or release them. Human rights organizations have documented how this form of detention may result in torture or other ill-treatment because suspects are frequently denied access to lawyers of their choice, to family members or to medical attention. In 2002 the UN Working Group on Arbitrary Detention stated that it amounts to a form of arbitrary detention and creates an environment conducive to the use of coercion.

Therefore, we strongly urge you to:

- ensure that all 11 men currently held in Quinta Pitiquito, municipality of Chiapa de Corzo, Chiapas state, are not tortured, ill-treated or otherwise forced to give statements against their will;
- charge the men with a recognizable offense or release them;
- make sure that the men have adequate access to independent legal counsel of their choice;
- enable family members to visit their relatives in detention without fear of reprisal.

Sincerely,

Brian J. Stefan Szittai
 Coordinator

CC: Centro de Derechos Humanos "Fray Bartolome de las Casas" A. C. ~ via U.S. mail
 Arturo Sarukhan Casamitjana, Mexican Ambassador to the US ~ via fax: 202 728 1698
 Antonio O. Garza, Jr., US Ambassador to Mexico ~ via fax: 011-52-55-5207-0091
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 US Senators Brown & Voinovich ~ via email
 US Representatives Bocchieri, Fudge, Kaptur, Kucinich, LaTourette, Latta, Ryan, Sutton, Wilson, Space ~ via email

UA103/09/Mexico

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