

Via FAX: 011 52 961 618 8050 ext. 21122 Lic. Juan José Sabines Guerrero Governor of Chiapas, Mexico	Via email: marianodiazchoa@sancristobal.gob.mx Mariano Diaz Ochoa Mayor of San Cristobal de las Casas, Chiapas, Mexico
Via FAX: 011 52 961 615 5724 Mtro. Raciél Lopez Salazar Attorney General of Chiapas	

July 16, 2009

Dear Sirs:

We are extremely concerned for the safety of sixteen-year-old student **José Emiliano Nandayapa Gómez** of San Cristobal de las Casas, Chiapas State. On June 27, as he was walking to his home, he was searched by municipal police officers as part of a routine check. Minutes later, another five municipal police officers forced him onto the back of a pickup truck. For an hour, three officers kicked, punched, and stepped on his back, head and legs. The police said, "what a lovely subversive haircut you have, here's your revolution, get the weapons and the drugs out." They told him "if you keep on the same path, you won't live to tell the tale." He lost consciousness when they kicked him in the face.

When he and his relatives tried to file a complaint, they were intimidated, attacked and chased by police.

On June 30, José Emiliano Nandayapa and his father were interviewed on local radio about the June 27 incident. After their interview, when they were walking through a park, they were chased by two municipal police officers and had to seek refuge in a local hospital. When they went to report the incident to the Public Prosecutor's office, the official there initially refused to register it. They are in danger of further retaliation if they pursue their complaint.

The harassment of José Emiliano Nandayapa seems to stem from his involvement in a local movement promoting the rights of young people. Both he and his father have participated in street theatre highlighting impunity and criticizing government policies. Their unwarranted harassment is further example of ill-treatment in different parts of the country committed by federal, state and especially municipal police. Those responsible are almost never held to account.

We therefore **strongly urge** that you

- guarantee the safety of José Emiliano Nandayapa and his family, in accordance with their wishes, in order that they can pursue their legal complaint without fear of reprisal;
- immediately carry out an impartial investigation into the torture and ill-treatment of José Emiliano Nandayapa by municipal police officers on June 27 in San Cristobal de las Casas and promptly bring the perpetrators to justice;
- carry out an effective and impartial investigation into all allegations of torture and other ill-treatment, hold accountable those responsible, and provide the victims with adequate reparations.

Sincerely,

Brian J. Stefan Szittai, Coordinator

cc: Centro de Derechos Humanos Fray Bartolome de las Casas ~ via email
 Arturo Sarukhan Casamitjana, Mexican Ambassador to the US ~ via fax: 202 728 1698
 Political Affairs Section, US Embassy in Mexico ~ via fax: 011-52-55-5080-2834
 Mary Stickle, Mexico Desk, US State Dept ~ via fax: 202.647.5752
 Paolo Carozza US member of the Inter-American Commission on Human Rights ~ fax: (202)458-3992
 US Senators Brown & Voinovich and US Representatives Bocchieri, Fudge, Kaptur, Kucinich, LaTourette, Latta, Ryan, Space, Sutton, Wilson ~ via email
 UA182/09Mexico

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