



Centro de Derechos Humanos Fray Bartolomé de Las Casas, AC.

San Cristobal de Las Casas, Chiapas
October 16, 2020
Urgent Action No. 15 updated
Versión inglés

Guarantee the work in the defense of human rights of the lawyers and defenders of the Frayba.

- **One forced disappearance, two arbitrarily detained, and 13 injured as a result of the excessive and disproportionate use of public force in the repression of peaceful demonstrations in Chilon.**
- **Obstruction, intimidation, and threats to human rights defenders in Frayba.**

To date, the land shareholder Juan Hernández Morales (Juan), approximately 24 years old, went missing from the San Gabriel Center, San Jerónimo Bachajón Communal Lands, in Chilón, Chiapas, Mexico. Juan has been missing since 10:30 a.m. on October 15, 2020, when the violent police/military operation to evict him began at the Temó crossing on the Ocosingo-Palenque highway¹. He was participating in a peaceful demonstration when elements of the State, Municipal, and Sectoral Police and the National Guard began the repression. During the same events, they arbitrarily deprived José Luis Luis Gutiérrez Hernández (José Luis) and César Hernández Feliciano (César) of their liberty, in addition to injuring 13 persons².

José Luis and César were placed at the disposition of the agent of the Public Ministry of the Indigenous Justice Prosecutor's Office, Octavio Luis Martínez, in the municipality of Ocosingo, both of whom were accused of the crime of attacks on communication routes. (Investigation file: C.I: 031-031-1006-2020). The end of the 48 hours for the resolution of their legal situation is October 17, 2020, at 13:00 hours. However, on October 16, 2020, they were transferred to the State Center of Social Reinsertion for Sentenced Persons (CERSS) No. 10, in Ocosingo, and the Control Hearing was moved forward to 23:00 hours. During this hearing, the Secretary of Agreements of the Court, David Mancillas Murias, obstructed the documentation of human rights violations by denying information to the lawyers and defenders from Frayba and attempting to remove them from the courtroom by threatening to transfer the detainees to CERSS No. 14 El Amate, as well as intimidating them with the presence of police patrols.

We believe, based on the documentation produced by the Frayba Human Rights Center, that José Luis and César should be released because the actions they were carrying out were based on free demonstration

¹ Fray Bartolomé de Las Casas Human Rights Center. National Guard and Secretary of Public Security violate the rights of the Tseltal Mayan People of Chilón, in Chiapas. Urgent Action No. 15. October 15, 2020. Available at: <https://frayba.org.mx/guardia-nacional-y-secretaria-de-seguridad-publica-vulneran-derechos-del-pueblo-maya-tseltal-de-chilon-en-chiapas/>

² José Luis Gutiérrez Hernández, César Hernández Feliciano, Juan Hernández Morales, Gerardo Gutiérrez Méndez, Miguel Gutiérrez Méndez, Miguel Hernández Miranda, Manuel Espinoza Gómez, Manuel López López, Manuel Méndez Gutiérrez, Jacinto Moreno Gómez, Juan Solórzano Sánchez, Miguel Moreno Miranda, Miguel Demeza Jiménez.

CAMINAMOS CON LOS PUEBLOS.

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and protest. This was collective action based on the collective rights as Native Peoples in the defense of their territory, as cited in our Magna Carta, in ILO Convention 169, in the UN Declaration on the Rights of Indigenous Peoples, in the Declaration, American Declaration on the Rights of Indigenous Peoples, and in the San Andrés Accords.

In addition, the Secretary of Public Security arbitrarily confiscated a Tsuru vehicle owned by land shareholder Sebastián Gómez Méndez, a Nissan station wagon owned by land shareholder José Luis Gutiérrez Hernández, a Nissan station wagon owned by land shareholder Nicolás Gómez Gómez, a dynamo motorcycle owned by land shareholder Manuel Gutiérrez Hernández, a Honda motorcycle owned by land shareholder Narciso Gutiérrez Moreno, and a Huawei cell phone.

Therefore, this Human Rights Center calls on the Mexican State to:

- Quickly present Juan Hernández Morales alive to protect his life, integrity, and personal safety.
- Immediately release José Luis Gutiérrez Hernández and César Hernández Feliciano, who are arbitrarily being deprived of their liberty.
- To guarantee the life, liberty, security, and integrity of the men and women of the Tseltal Mayan People who exercise their right to free demonstration and protection of their territory.
- Investigate human rights violations, as well as crimes committed against the population of the Tseltal Mayan People of Chilón.
- Respect their rights to the defense of their territory and their self-determination as Native Peoples.
- Guarantee the work of the lawyers and defenders of Frayba in the defense of human rights.

We ask for national and international solidarity in signing the urgent action that you will find on the website www.frayba.org.mx and/or make appeals to the Mexican State:

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