

Via fax: 011 52 961 616 5724 Mariano Herran Salvatti Fiscal General de Justicia del Estado de Chiapas/ Attorney General, State of Chiapas, MEXICO	Fax: 011 52 961 612 5618/612 9189 Pablo Salazar Mendiguchia Gobernador del Estado de Chiapas/ Governor of the State of Chiapas
Fax: 011 52 55 51 28 02 34 Dr. Ricardo Sepulveda Secretaria de Gobernación Director of Human Rights - Interior Ministry	

August 31, 2005

Dear Sirs:

We denounce the arrest, detention and torture of **Rosario Díaz Méndez**. He was arrested on 23 August in the municipality of Huitiupan, Chiapas State. He is being held without charge in an unofficial detention facility (casa de arraigo) where he is said to have been tortured.

According to his family, Rosario Diaz Mendez was arrested without a warrant by two municipal police officers driving a civilian vehicle. He was taken to the State Prosecutor's Office and held for six hours in Huitiupan. He was then taken to an informal detention facility called Quinta Pitiquito, which is a former hotel rented by the State Prosecutor's Office in the state capital, Tuxtla Gutierrez.

Authorities withheld information from Diaz's family about his whereabouts until August 25. When his son visited him at Quinta Pitiquito on August 26, Diaz told him that he was being tortured to force him to confess to an alleged kidnapping. He had been blindfolded and had his arms and feet tied. He was beaten and had a plastic bag placed over his head in order to induce suffocation. It is not known if he has been granted any independent medical or legal access.

The family has filed an injunction in an attempt to free him, and a local human rights organization is seeking access to him.

We strongly urge you to

- stop any torture, ill-treatment or coercion against Rosario Diaz Mendez;
- allow Rosario Diaz Mendez full access to a lawyer of his choice and give him an independent medical examination;
- either charge him with a recognizably criminal offense or release him;
- if he is to be charged, uphold due process and fair trial standards;
- investigate the legality of his detention and the allegations that he has been subject to torture, make the findings public, and bring those responsible to justice;
- stop using the *arraigo* (pre-charge informal detention);

Sincerely,

Brian J. Stefan Szittai
Coordinator

cc: Centro de Derechos Humanos Fray Bartolomé de las Casas ~ via fax: 011-52-967-678-3551
 Ambassador Carlos Alberto De Icaza Gonzalez ~ via fax: 202 728 1698
 Ambassador Antonio O. Garza, Jr ~ via fax: 011-52-55-5207-0091
 William Duncan, Mexico Desk, US State Dept ~ via fax: 202.647.5752
 US Senators DeWine & Voinovich ~ via email
 US Reps Brown, Kaptur, Kucinich, LaTourette, Ryan, Tubbs Jones ~ via email

UA 226_05 Mexico

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