

6-30-2004

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Judge Orders Release of Environmental Activists Jailed on False Charges

by LADB Staff

Category/Department: Mexico

Published: 2004-06-30

A federal judge has ordered the release of two Raramuri Indian environmental activists who had been imprisoned for more than a year on trumped-up charges of drug and weapons violations. The two men, Isidro Baldenegro and Hermenegildo Rivas, were arrested in March 2003, shortly after leading a successful campaign to temporarily halt logging near their community of Coloradas de la Virgen in the mountains of Chihuahua. Baldenegro accused state police of fabricating the charges, partly because of pressure from a local landowner who wants access to Raramuri land. The Raramuris are more commonly known as the Tarahumara.

Baldenegro said that police officers detained him and Rivas after planting weapons and marijuana with their possessions and then taking photographs to back up their charges. The arrests drew the attention of a wide range of Mexican and international human rights and environmental organizations, including the Centro de Derechos Humanos Miguel Agustín Pro Juárez (PRODH), Fuerza Ambiental, Amnesty International (AI), and Greenpeace.

The organizations charged that Chihuahua state police were following the same scheme as one used to arrest anti-logging activists Rodolfo Montiel and Teodoro Cabrera in Guerrero state in 2000 (see SourceMex, 2000-04-12, 2000-09-13 and 2001-11-14).

"How is it possible that once again those who fight to defend the environment are in prison, while the predators are allowed to act with complete impunity?" Greenpeace-Mexico director Alejandro Calvillo said in mid-May. Calvillo was referring to charges that powerful landowner Artemio Fontes may have had a hand in the false arrests.

Similar reactions came from AI. "We condemn the use of the judicial system as an instrument to harass and threaten the efforts and lives of human rights defenders, said Carlos Gomez, director of Amnesty International-Mexico. The outcry from nongovernmental organizations prompted the federal Procuraduría General de la República (PGR) to launch an investigation into the allegations of false arrest.

The PGR investigation concluded that four state police officers did indeed fabricate the charges. Following the PGR investigation, Chihuahua state prosecutors charged the four state police officers with abuse of authority, improper arrest, and robbery relating to the detentions and to another, separate case involving Indians.

Shortly after the PGR announced its findings, lawyers for Baldenegro and Rivas asked that the charges against their clients be dismissed. "This is very strong evidence of their innocence," said defense lawyer Fausto Salgado. "The officers involved in the arrest have been found to have

committed similar abuses elsewhere." Macedo concurred with Salgado's assessment and requested that charges be dropped against the two men.

In late June, a judge ordered the release of Baldenegro and Rivas. The release of the two men, however, is only a temporary victory for the Raramuri community of Coloradas de la Virgen. Baldenegro's father, Julio Baldenegro, was murdered in the 1980s for defending the Raramuris' land. A recent report published by the US-based organization Forest Guardians said powerful landowner Fontes continues to gain control of vast tracts of the Chihuahua sierras. The report says the Fontes family is allied with drug traffickers, who are leveling forests in Chihuahua at an "alarming rate."

Similar findings have been released by the PGR, which estimates that more than half the residents in some isolated areas of Chihuahua have been dragged into the drug trade, either growing the illicit crops or trafficking. (Sources: Notimex, 05/03/04; Inter Press Service, 05/18/04; Associated Press, 05/28/04; Spanish news service EFE, 05/03/04, 06/11/04; Reuters, 06/23/04; The Herald-Mexico City, 06/25/04)

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