

## ENTREVISTAS PBI MÉXICO

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Entrevistas is a publication of PBI Mexico that highlights situations that increase risks to the physical or psychological integrity of Mexican human rights defenders, or that damage the legitimacy of their work. The opinions expressed in this publication do not necessarily reflect the opinions of PBI Mexico.

### Indigenous Man killed at Military Checkpoint, Huamuxtitlán, Guerrero

On June 20th 2009 in Huamuxtitlán, municipality of Tlapa de Comonfort, Guerrero, Fausto Saavedra Valera was detained at a military checkpoint, accused of wearing official insignias because he was wearing military boots. Just after he was detained, the bus he was riding passed through the checkpoint; soldiers opened fire on the bus, causing the death of Bonfilio Rubio Villegas, a Nahua indigenous man.

The Civil Monitor has taken on the defense of Fausto Saavedra, and is working with the family of Bonfilio Rubio. On July 7<sup>th</sup>, lawyers from the Civil Monitor traveled to Huamuxtitlán to follow up on the case. PBI accompanied them and interviewed Rommel Chacan, lawyer from the Civil Monitor.

#### **PBI: What do you understand happened on June 20, 2009 in Huamuxtitlán?**

**Rommel:** The official version is that there was a military check point at the Santa Cruz crossing near Huamuxtitlán. Around 10:00-10:30 p.m, the military detained a bus from the Sur bus line that was on its way to Mexico City. All of the male passengers got off the bus, and soldiers inspected the men and the bus itself. When Fausto Saavedra Valera was about to get back on the bus, the soldiers noticed that he was wearing military style boots. They asked him to take them off, they confirmed that the boots were indeed military boots, and they detained him. The bus driver protested and insisted that the soldiers sign a document stating that they detained a passenger. Fausto Saavedra Valera stayed behind with the military as the bus took off. Suddenly Fausto heard gun shots. Later we found out that these gun shots were fired at the bus and they resulted in the death of one person: Bonfilio Rubio Villegas.

#### **PBI: How did you find out about this case? Why did you decide to take the case?**

**Rommel:** We found out about what happened from family members of Fausto Saavedra Valera, then later from the press. We decided to take on the case because it is a clear human rights violation that took place in the context of the fight against organized crime, a strategy implemented by Felipe Calderón. [In the Civil Monitor] we usually work on similar cases of human rights violations by the military in the Montaña.



Rommel Chacan and Matilde Perez from Monitor Civil with a PBI volunteer

**PBI: What is your analysis of the situation, and what are the next steps?**

**Rommel:** The Tlachinollan Human Rights Center and the Civil Monitor Civil have taken on the defense of Fausto Saavedra Valera, and will follow up on his legal situation. In the case of Bonfilio Rubio Villegas, a report was filed with the Public Ministry, but it was declined. The military justice code states that any crime committed by a soldier must be tried by the military jurisdiction. From a human rights perspective, we do not think this decision is appropriate since this case involves a civilian. The fight now is to keep the initial report within the civil jurisdiction so that it can be judged in the civil court system.

However, to this day there is not one single case in which the military [is being] judged before a civilian court. There is an appeal that is currently under review by the National Supreme Court about a similar case in which various soldiers were involved in the murder of a civilian.

**PBI: What do you think about the military's participation in public security activities in the region?**

**Rommel:** We are against the military carrying out public security tasks. The military is not capable of carrying out public security tasks, they are trained instead to represent the country in times of war. The military lacks appropriate training when it comes to public security tasks.

**PBI began accompanying the Civil Monitor of Police and Security Forces of the Montaña, Guerrero (Civil Monitor) in June 2009. Monitor Civil is a pioneer project that works to strengthen the relationship between the population and security forces through accountability and transparency. Additionally, the Civil Monitor documents abuses by public security forces.**

**The Civil Monitor project is coordinated by three organizations: The Tlachinollan Human Rights Center, Fundar and Insyde. The Monitor has two lawyers/monitors that work in the region of the Montaña in Guerrero who receive complaints both from the local population as well as from police forces. The lawyers from the Civil Monitor were victims of threats in June and July 2009 as a result of their human rights work; The Inter-American Court of Human Rights granted them provisional measures for their protection.**