



CASE SHEET

MARGARITA'S STORY



27 year old Margarita and her partner Miguel (names changed) left El Salvador in October 2008 in search of a better life in the United States. In El Salvador Margarita worked in a clothes factory and made five dollars a day which was not enough to feed her two young children and send them to school.

Like most Central American migrants, Margarita and Miguel planned to make the journey without documents on the top of a network of freight trains which would take them to Mexico's border with the United States.

On 5 November 2008 Margarita and Miguel were travelling on the top of a freight train in Chiapas state when it stopped unexpectedly and military vans drove up towards the train tracks. Margarita and Miguel jumped off the train and ran into the bushes but two armed soldiers caught up with them.

In June 2009, Margarita met with Amnesty International delegates and told them about her experience.

“You don't imagine that your dreams can end in a moment on this journey. The soldier pulled me by the hand and told me to walk further into the bushes while pointing his gun at me. He took me far away from the train tracks until we were completely alone. He told me to take my clothes off so that he could see if I was carrying drugs. He said that if I did what he said he would let me go.”

Margarita told Amnesty International that the soldier eventually let her go and that she was not raped. Sadly, the organization has received several reports showing that women migrants are frequently subject to rape, particularly by criminal gangs. Those responsible are virtually never held to account.

FATHER SOLALINDE



“The biggest challenge for me to overcome is the constant intimidation, harassment and disrespect from people who don't want me to carry out my work helping migrants. Many local authorities, criminal gangs, drug traffickers want to get rid of human rights defenders – they think we get in the way because they do not have strong values or an understanding of faith and human rights. Despite all their efforts to stop us from carrying out our work, we must continue.” (- Father Solalinde, October 2009).

In January 2007, 12 migrants – four children, three women and five men – were reportedly detained and taken off the train in Ciudad Ixtepec, Oaxaca state, by state police. Among the officers present was the local commander of the state judicial police. Other migrants who witnessed the incident informed Father Alejandro Solalinde Guerra, who runs the local migrants' shelter (Albergue “Hermanos en el Camino”).

Aware of a pattern of abductions involving police officers transferring migrants to criminal gangs, Father Solalinde went to the press. He informed two reporters on national newspapers, who accompanied him and a group of 40 migrants to inspect premises where they suspected migrants were held by a criminal gang. In one house the group found evidence that the migrants had been there very recently, including international money transfer slips, clothes and a mobile phone. However, when the municipal police arrived they did not safeguard the crime scene, but instead arrested Father Solalinde and 18 other Guatemalan migrants who were with him. Police officers fired several shots into the air and used excessive force to arrest Father Solalinde and the migrants with him, severely beating at least nine migrants. Father Solalinde was released without charge after four hours in prison. The migrants were not charged, but were immediately subject to repatriation proceedings by the INM.

In recent years, Father Alejandro Solalinde has publicly condemned Mexican officials' treatment of irregular migrants making himself increasingly vulnerable to attack and intimidation.

JANUARY 2010, CIUDAD IXTEPEC



On 23 January 2010, three Federal Police vehicles stopped a freight train carrying more than 100 irregular migrants. The train was travelling from Arriaga, Chiapas state, to Ciudad Ixtepec, Oaxaca state. According to several migrants, uniformed and armed police forced the migrants to get off the train and lie face down, and then stole their belongings. After going through the migrants' possessions, the police let the migrants go and told them that if they did not continue their journey on foot along the railway tracks, they would be killed.

Late that night, as the migrants walked along the railway tracks, several groups of migrants were attacked by criminal gangs who killed at least one migrant and raped one of the women.

Veronica and her uncle Ricardo (not their real names) were walking with a group of migrants when they were approached by two men carrying pistols and machetes. They forced the group to the ground injuring several migrants with their machetes and stole all the money they were carrying and forced them to remove much of their clothing. One of the men grabbed hold of Veronica and pulled all her clothes off. He told her not to struggle or he would kill her and then raped her by the side of the train tracks in front of the group of migrants. When he had finished, the other armed man raped her too. They threatened to kill the migrants if they filed a complaint against them.

Another group of migrants, including Josefina and her partner Alejandro (not their real names), were stopped by two armed men who robbed them of all their money and threw their rucksacks into the bushes on the side of the train tracks. The armed men then let the migrants go. A short time afterwards, Alejandro and the three other migrants decided to go back to the place where they had been attacked to retrieve their rucksacks. Josefina heard several shots being fired while she waited for her partner to return with their rucksack. She was later told by one of the migrants who had escaped that three migrants, including Alejandro, had been killed by the armed men.

The survivors managed to walk to Ciudad Ixtepec and received help from the migrants' shelter to file criminal complaints and obtain medical attention.

Three days later, several of the migrants returned to the scene of the crime with migrants' rights defenders and state officials, to try to identify members of the criminal gang who had attacked them. Two suspects were arrested. As they were leaving the area, they were stopped by Federal Police and members of the army who tried to claim jurisdiction over the case and take the suspects away. While the federal and state officials argued over jurisdiction and who should hold the suspects, a witness recognized two of the Federal Police officers who had stopped the train and robbed and threatened the migrants. Although Father Solalinde told federal and state officials of the positive identification, no

action was taken and he was threatened with arrest. A complaint was subsequently filed recording the identification of the Federal Police officers. However, at the time of writing, none of the victims had been questioned or asked to identify the police involved.