

**JOSÉ ADRIÁN,
MEXICO**

POWER AND RESPONSIBILITY

**WRITE
FOR
RIGHTS**

AMNESTY
INTERNATIONAL



**LEARNING ABOUT
OUR HUMAN RIGHTS
ACTIVITIES**

HUMAN RIGHTS INTRODUCTION

ABOUT AMNESTY INTERNATIONAL

Amnesty International is a global movement of more than 7 million people who take injustice personally. We are campaigning for a world where human rights are enjoyed by all.

We investigate and expose the facts, whenever and wherever abuses happen. We lobby governments as well as other powerful groups such as companies, making sure they keep their promises and respect international law. By telling the powerful stories of the people we work with, we mobilize millions of supporters around the world to campaign for change and to stand in the defence of activists on the frontline. We support people to claim their rights through education and training.

Our work protects and empowers people – from abolishing the death penalty to advancing sexual and reproductive rights, and from combating discrimination to defending refugees' and migrants' rights. We help to bring torturers to justice. Change oppressive laws... And free people who have been jailed just for voicing their opinion. We speak out for anyone and everyone whose freedom or dignity are under threat.



Amnesty International members protesting at the Turkish embassy in Paris, July 2017.
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Letter writing for W4R in Algeria.

WRITE FOR RIGHTS

Amnesty International's "Write for Rights" campaign takes place annually around 10 December, which is Human Rights Day (commemorating the day when the Universal Declaration of Human Rights was adopted in 1948). Write for Rights aims to bring about change to the lives of people or communities that have suffered or are at risk of human rights violations. Among the many actions that take place as part of Write for Rights, Amnesty raises individual cases with decision-makers who can change the situation, gives visibility to those cases by organizing protests and public actions, and brings international attention through media and internet exposure.

A major part of the Write for Rights campaign consists of a letter-writing marathon and involves millions of people around the globe. As a result of the international call to action, public officials are bombarded with letters. Victims of torture, prisoners of conscience, and people facing the death penalty

or other human rights violations receive messages of solidarity from thousands of people in far-off corners of the globe. Those suffering the violations know that their cases are being brought to public attention. They know that they are not forgotten.

The results of similar campaigns in previous years have been striking. Individuals affected by the violations report the difference that these letters make, they express their gratitude to those who have written, and they often describe the strength they derive from knowing that so many people are concerned about their case.

Often there is a noticeable change by officials towards these individuals: charges are dropped, treatment becomes less harsh, and laws or regulations addressing the problem are introduced.

HUMAN RIGHTS INTRODUCTION

SUCCESS STORIES FROM THE 2018 CAMPAIGN

ARRESTS IN BRAZIL

In March 2019, two ex-police officers were arrested for killing Marielle Franco, the charismatic local politician and defender of the poorest in Brazil. It was a small step towards justice. People worldwide wrote over half a million messages demanding: "Who killed Marielle Franco?"

"It helps me to get up in the morning... knowing that there is this big global network of affection."

Monica Benicio, Marielle's partner



© Elisângela Leite

DISABILITY RIGHTS WIN IN KYRGYZSTAN

Gulzar Duishenova had been championing disability rights in her country for years. In March 2019, her persistence paid off when Kyrgyzstan finally signed up to the Disability Rights Convention. Supporters wrote nearly a quarter of a million messages backing Gulzar.

"I am grateful for all the support and solidarity from so many of Amnesty International's activists who care about our rights despite being from a different country."



© Svetlana Zelenskaya/Amnesty International

VITAL HEALTH CARE RECEIVED IN IRAN

Jailed for handing out leaflets criticizing the death penalty, Atena Daemi has endured physical attacks while in prison. She needed specialist medical care urgently, and thanks to the more than 700,000 actions taken by people worldwide, Iran finally gave her the treatment she needed.

"I am wholeheartedly grateful to all people around the world who have showered me with compassion and kindness and spared no effort in supporting me."



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HUMAN RIGHTS INTRODUCTION

ABOUT HUMAN RIGHTS

Human rights are the basic freedoms and protections that belong to every single one of us. They are based on principles of dignity, equality and mutual respect – regardless of age, nationality, gender, race, beliefs and personal orientations.

Your rights are about being treated fairly and treating others fairly, and having the ability to make choices about your own life. These basic human rights are universal – they belong to all of us; everybody in the world. They are inalienable – they cannot be taken away from us. And they are indivisible and interdependent – they are all of equal importance and are interrelated.

Since the atrocities committed during World War II, international human rights instruments, beginning with the Universal Declaration of Human Rights, have provided a solid framework for national, regional and international legislation designed to improve lives around the world. Human rights can be seen as laws for governments. They create obligations for governments or state officials to respect, protect and fulfil the rights of those within their jurisdiction and also abroad.

Human rights are not luxuries that can be met only when practicalities allow.



W4R activists in Togo.



THE UNIVERSAL DECLARATION OF HUMAN RIGHTS (UDHR)

The UDHR was drawn up by the newly formed United Nations in the years immediately following World War II. Since 1948, it has formed the backbone of the international human rights system. Every country in the world has agreed that they are bound by the general principles expressed within the 30 articles of this document.

The UDHR itself is, as its name suggests, a declaration. It is a declaration of intent by every government around the world that they will abide by certain standards in the treatment of individual human beings. Human rights have become part of international law: since the adoption of the UDHR, numerous other binding laws and agreements have been drawn up on the basis of its principles. It is these laws and agreements which provide the basis for organizations like Amnesty International to call on governments to refrain from the type of behaviour or treatment that the people highlighted in our Write for Rights cases have experienced.

HUMAN RIGHTS INTRODUCTION

UNIVERSAL DECLARATION OF HUMAN RIGHTS



CIVIL RIGHTS AND LIBERTIES

Right to life, freedom from torture and slavery, right to non-discrimination.

Article 1 Freedom and equality in dignity and rights

Article 2 Non-discrimination

Article 3 Right to life, liberty and security of person

Article 4 Freedom from slavery

Article 5 Freedom from torture



LEGAL RIGHTS

Right to be presumed innocent, right to a fair trial, right to be free from arbitrary arrest or detention.

Article 6 All are protected by the law

Article 7 All are equal before the law

Article 8 A remedy when rights have been violated

Article 9 No unjust detention, imprisonment or exile

Article 10 Right to a fair trial

Article 11 Innocent until proven guilty

Article 14 Right to go to another country and ask for protection



SOCIAL RIGHTS

Right to education, to found and maintain a family, to recreation, to health care.

Article 12 Privacy and the right to home and family life

Article 13 Freedom to live and travel freely within state borders

Article 16 Right to marry and start a family

Article 24 Right to rest and leisure

Article 26 Right to education, including free primary education



ECONOMIC RIGHTS

Right to property, to work, to housing, to a pension, to an adequate standard of living.

Article 15 Right to a nationality

Article 17 Right to own property and possessions

Article 22 Right to social security

Article 23 Right to work for a fair wage and to join a trade union

Article 25 Right to a standard of living adequate for your health and well-being



POLITICAL RIGHTS

Right to participate in the government of the country, right to vote, right to peaceful assembly, freedoms of expression, belief and religion

Article 18 Freedom of belief (including religious belief)

Article 19 Freedom of expression and the right to spread information

Article 20 Freedom to join associations and meet with others in a peaceful way

Article 21 Right to take part in the government of your country



CULTURAL RIGHTS, SOLIDARITY RIGHTS

Right to participate in the cultural life of the community.

Article 27 Right to share in your community's cultural life

Article 28 Right to an international order where all these rights can be fully realized

Article 29 Responsibility to respect the rights of others

Article 30 No taking away any of these rights!

ACTIVITY

POWER AND RESPONSIBILITY

KEY CONCEPTS

- Policing
- Impunity
- Arbitrary detention
- Reparations
- Torture

ABOUT THIS ACTIVITY

Participants will learn about arbitrary detention, torture and other ill treatment, in Mexico.

They will find out what the police are allowed to do under human rights law. They will explore what to do when police officers are corrupt and abuse their powers.

LEARNING OUTCOMES

- Participants will understand the role of the police in protecting human rights
- Participants will identify examples of torture and other ill-treatment and how they relate to specific human rights
- Participants will be able to describe Amnesty International's Write for Rights campaign and take action in support of José Adrián.

PREPARATION AND RESOURCES

- Optional: Print outs of page 5 of this leaflet, enough to share one between two participants

TIME NEEDED:

45 minutes

AGE: 12+

INTRODUCTION: THE ROLE OF THE POLICE

1. **Ask the group to think about the role that the police should play in a society.**
 - Why do we have a police force, and what is it supposed to do?
2. **Draw out some responses. If not mentioned by participants, remind them that in most countries, the police have the following key roles:**
 - Making sure people obey the law (enforcing the law)
 - Protecting people and property and keeping public order
 - Investigating crimes and making arrests

If time allows, refer to the information on 'The use of force and human rights' (page 9)

 10 MINUTES

INTRODUCING JOSÉ ADRIÁN

15 MINUTES

3. Read out the short passage below. Tell participants that the events described really happened:

4. Ask participants for their reaction.

- What do you think happened? Why did it happen?
- What should the police do to make sure that the crime against José Adrián is effectively investigated and that anyone suspected to be responsible is brought to justice?

José Adrián, a 14-year-old indigenous Mayan boy who is hard of hearing, was walking home from school. A street fight had broken out earlier involving several youths and stones were thrown causing damage to a car. As José Adrián walked past, a man followed him, took him back to the car, pushed him against it and beat him. José Adrián was thrown into the car where his head was stepped on causing him a neck injury. Then he was taken to a place where he was strung up against a wall and beaten further.

5. Tell participants what really happened: that it was the police themselves who pushed José Adrián against the car and beat him and stepped on his head. They took José Adrián to a police station where they held him without telling him why, and tortured him – they hung him by his hands and beat him. Read out José Adrián's story on page 11, then ask again for participants' reaction:

- What should the police have done, and what should they not have done? (You could make a list with participants)
- Why do you think the police picked out José Adrián?
- What could help José Adrián to put this in the past and get his life back on track?

INTRODUCING HUMAN RIGHTS

20 MINUTES

6. Use the information on page 2 to introduce Amnesty International briefly and explain the Write for Rights campaign. Tell participants that José Adrián is one of the young people who feature in this campaign.

7. If participants are not familiar with the Universal Declaration of Human Rights, use the background information on pages 4 and 5. Then read out the list of human rights on the left-hand side of the table on page 10, and ask participants to identify which of them are relevant to José Adrián's case.

- You could ask participants to stand up if the right is relevant and remain seated if not. Ask one of those standing to explain briefly why they think that right is relevant. Alternatively, pair participants up and ask them to mark those rights which could be relevant.

8. Conclude by telling participants that Amnesty International is calling on people around the world to write two letters to help José Adrián and his family:

- A letter of support for José Adrián, so that he feels that people around the world back him in his push for justice
- A letter of protest to the Governor of Yucatán State, in Mexico

Optional:

You could use the short course available at academy.amnesty.org to introduce the Write for Rights campaign.

Give them a task for home or allocate time in a future activity when these letters could be written.

WRITE FOR RIGHTS INSTRUCTIONS

WRITE A LETTER – SAVE A LIFE

1. Encourage participants to write to José Adrián expressing their solidarity or any encouraging words to him. Ask them to think about what he might want to hear, what could give him the courage to continue his fight and the hope for a bright future.

Tell the participants that José Adrián is now 18 years old with hopes and dreams for his future. He and his family are looking for justice that will enable him to put his past behind him and move on with his life.

Amnistía Internacional México

Dr. José María Vertiz 1196
Letran Valle
03650 Ciudad de México
CDMX, Mexico

2. Encourage them to write to the Governor at the following address:

Lic. Mauricio Vila Dosal

Governor of Yucatán State, Palacio de Gobierno Calle
61 x 60 y 62 , Col. Centro, C.P. 97000
Mérida, Yucatán, México

Participants can use the template letters at www.amnesty.org/writeforrights, or you can give them the following guidelines to write a more personal letter:

TELL THE GOVERNOR SOMETHING TO MAKE THIS A PERSONAL LETTER:

- ▶ Tell him something about yourself
- ▶ Tell him what shocks you about the case
- ▶ Demand that he ensures that José Adrián's case is addressed promptly and that the government formally recognizes and remedy the harm caused, by ensuring access to justice and effective remedies, including adequate compensation and guarantee of non-repetition for José Adrián and his family, so that José Adrián can get his life back and put the past behind him.



BACKGROUND INFORMATION

THE USE OF FORCE AND HUMAN RIGHTS

Police officers are allowed to do things that normal citizens cannot – for example, use force to arrest someone, detain someone in a prison cell, carry weapons. The police are given these additional powers so that they can carry out their responsibility to protect citizens and keep public order.

However, with power comes responsibility: the police are permitted to use force against others, but they must always do so in accordance with the law and human rights.

- The use of force must be necessary: it must be the lowest level of force needed to achieve a legitimate objective
- The force must be proportionate to the risk or the danger (for example, you cannot shoot someone for jaywalking).
- Where use of force by the police has resulted in injury or death, a prompt, thorough, independent and impartial investigation must be carried out.
- Police officers must be held accountable if they misuse their powers and they must face due process of law.
- Law enforcement agencies must create an operational framework with clear instructions for what to do in situations that officers may face during their work, including decisions about whether the use of force is appropriate.

ARBITRARY ARREST AND DETENTION

Everyone has a right to liberty. The arrest and detention of anyone without legal basis or due process of law is arbitrary.

There are specific rights designed to protect people being held in detention from abuses. Everyone has the right:

- to be informed immediately of the reasons for their arrest and detention
- to a lawyer from the moment of arrest
- to inform their family of their situation
- to know which authority is holding them and to have their detention registered immediately
- to challenge the lawfulness of their detention in court.

In Mexico, arbitrary detention is an everyday occurrence and is very often the starting point for persistent serious human rights violations such as torture and other ill-treatment, enforced disappearances and extrajudicial executions.



ACTIVITY:

RELEVANT RIGHTS

NAME OF HUMAN RIGHT	IS IT RELEVANT TO JOSÉ ADRIÁN'S CASE?
Right to life	May be relevant
Right to education	<i>Relevant:</i> José Adrián had to move from his home as he was being harassed regarding what happened to him. He dropped out of school ended up at least one year behind on his studies and can't catch up with his peers anymore.
Access to justice and affective remedies	<i>Relevant:</i> José Adrián has been denied access to justice and effective remedies. The authorities did nothing with the formal complaints for over two years. They refused to investigate the case until very recently. At the time of his arrest, José Adrián was underage, not provided with a lawyer, his parents were not informed and he was tortured.
Right to human dignity and security of person	<i>Relevant</i> for José Adrián and his family, who were harassed and have felt intimidated in their community, both by police and family members of police officers involved.
Right to liberty	<i>Relevant:</i> José Adrián was arbitrarily arrested and detained
Right to freedom of expression	May be relevant.
Right to work	<i>Relevant:</i> also extended to his family members who provided for José Adrián. As they felt unsafe and were harassed, they had to move towns and his parents had to give up their previous jobs to find others.
Right to be presumed innocent until proven guilty	<i>Relevant:</i> There was no reason or warrant for his arrest. If the police really had anything against José Adrián, he should have been brought to trial, which never happened. Instead, his parents were told to pay a fine even though there was no evidence.
Right to be free from slavery	Not relevant.
Right to health	<i>Relevant:</i> José Adrián was injured during the arrest and in detention. The authorities did not provide the medical attention required to detect his hearing disability and that could have made him more vulnerable at the time of the arrest.
Right to private and family life	<i>Relevant:</i> José Adrián and the rest of the family have experienced difficulties in their private lives as a result of the police's actions, the harassment that followed and the family being in the public eye, not having their privacy respected.
Right to be free from discrimination	<i>Relevant:</i> young men of certain socioeconomic backgrounds, like José Adrián, are at higher risk of arbitrary detention based on discrimination. The lack of access to justice and reparation by the authorities is likely affected by this, as well as by his ethnicity, as he is indigenous.



JOSÉ ADRIÁN

MEXICO

José Adrián was on his way home from school when police jumped him and threw him against their car. One officer stomped on his neck. Then aged just 14, Adrián lived in an impoverished community in Mexico. A hearing disability may have prevented him from communicating well with police during his ordeal.

Adrián had stumbled onto the aftermath of a clash between a group of youths that ended up damaging a police car. The police arrested just Adrián, with no explanation, and didn't call his parents. During his arrest, police followed a familiar pattern in Mexico, targeting the poor and discriminated against – in this case, a young Indigenous boy.

Officers shoved Adrián into their car and drove him to the police station where they strung him up by handcuffs. "They left me for almost, like, half an hour there," he says. "They hit me on my chest. Then they slapped me across the face."

To get their son released, Adrián's family had to pay a fine and the cost of damage to the patrol car – money they couldn't afford. Adrián dropped out of school because of what happened.

After years of seeking justice, in early 2019 Adrián was given a hearing aid.

Adrián wants to leave this behind and start planning for the future, but the police who assaulted him remain unpunished and the family is still waiting for the government to make amends. "I want there to be justice," says Adrián's mum. We agree.

"What I want is that they make police better. I don't want what happened to me to happen to other kids" says Adrián.

Demand justice for Adrián.



Amnesty International is a global movement of more than 7 million people who campaign for a world where human rights are enjoyed by all.

Our vision is for every person to enjoy all the rights enshrined in the Universal Declaration of Human Rights and other international human rights standards.

We are independent of any government, political ideology, economic interest or religion and are funded mainly by our membership and public donations.

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