

PUBLIC

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19 April 2007

UA 92/07 Fear for safety/death threats/legal concern

MEXICO **David Venegas (m), aged 24**
Isaac Torres Carmona (m), human rights lawyer
Other political activists and human rights lawyers in Oaxaca state

Political activist David Venegas was arbitrarily detained by state police in central Oaxaca City on 13 April, and reportedly tortured. He has been charged with serious criminal offences, on the basis of evidence which appears to have been fabricated. He may be at risk of further ill-treatment and unfair judicial proceedings. Human rights lawyer Isaac Torres Carmona was with him when he was arrested, and the police reportedly threatened him.

David Venegas is an activist with the Popular Assembly of the People of Oaxaca, *Asamblea Popular del Pueblo de Oaxaca* (APPO), which has led protests calling for the resignation of the state governor.

David Venegas was in central Oaxaca at 1pm with Isaac Torres Carmona, of the Mexican League for the Defence of Human Rights (*Liga Mexicana para la Defensa de los Derechos Humanos*), when eight state police officers in uniform leapt from a vehicle without number plates, shouting *No te mueves, cabrón* ("Don't move, bastard"). At gunpoint they forced David Venegas to the ground and kicked him. The police reportedly threatened Isaac Torres Carmona and told him not to get involved if he didn't want to be taken too. They showed no arrest warrant and gave no reason for detaining David Venegas. At 3am that night, the authorities finally released information on where he was being held and allowed David Venegas to speak to his family. He told them that he had been taken to premises of the Oaxaca State Public Prosecutor's Office, where he had been beaten and threatened in an apparent attempt to force him to confess to possession of cocaine and heroin. Photos taken by the authorities and later published in the press show him standing with a bag of white powder and a copy of the APPO publication *Barrikada*, held up in front of his bruised face. He was then taken to the Federal Attorney General's Office, where he was charged with the federal crime of possession of cocaine and heroin.

Amnesty International is concerned that political activists and human rights defenders carrying out legitimate human rights promotion work in Oaxaca who were not responsible for criminal offences may face politically motivated arbitrary detention, ill-treatment and fabricated criminal charges, as they have done many times since a teachers' strike triggered a political crisis in the state in May 2006.

BACKGROUND INFORMATION

Teachers went on strike in Oaxaca state demanding better pay in May 2006, and occupied the main square of Oaxaca City. State police attempted to force them out on 14 June, using excessive force. In response the APPO was set up, an umbrella organization of social and political groups demanding the resignation of the state governor. In a climate of increasing violence, armed police in plain clothes arbitrarily detained many protesters and reportedly fabricated criminal charges against them. Several APPO supporters were shot and killed between in August and September, leading protesters to set up barricades so as to keep the police out of key areas of the city. In October, the federal police entered the city, carrying out mass arrests, leading to widespread complaints of ill-treatment. The last major confrontation took place on 25 November, causing serious damage to public buildings and causing more than 140 people to be detained. At least 40 are still in custody in connection with disturbances in Oaxaca, while many others are on bail awaiting trial.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in Spanish or your own language:

- expressing concern for the safety of David Venegas, Isaac Torres Carmona and other political activists and human rights defenders who may be subject to arbitrary detention, ill-treatment or torture and politically motivated criminal charges;
- calling for an immediate, thorough, impartial and independent investigation into the arbitrary detention and reports of torture of David Venegas and for those officials responsible for human rights violations to be brought to justice;
- calling for an impartial and independent evaluation of the evidence against David Venegas, and for the charges against him to be dropped if found to be flawed.

APPEALS TO:

Minister of the Interior

Lic. Francisco Javier Ramírez Acuña
Secretario de Gobernación, Secretaría de Gobernación
Bucareli 99, 1er. piso, Col. Juárez, Del. Cuauhtémoc, México D.F., C.P.06600, MEXICO

Fax: +52 55 5093 3414

Salutation: Señor Secretario/Dear Minister

General Prosecutor of the Republic

Lic. Eduardo Medina-Mora Icaza
Procurador General de la Republica
Procuraduría General de la República, Paseo de la Reforma nº 211-213, Piso 16
Col. Cuauhtémoc, Del. Cuauhtémoc, México D.F., C.P. 06500, MEXICO

Fax: +52 55 53 46 09 08 (if a voice answers, ask "tono de fax, por favor")

E-mail: ofproc@pgr.gob.mx

Salutation: Señor Procurador General/Dear Attorney General

Governor of Oaxaca

Lic. Ulises Ruiz Ortiz
Gobernador del Estado de Oaxaca
Carretera Oaxaca-Puerto Angel, Km. 9.5, Santa María Coyotepec, Oaxaca, Oaxaca C. P. 71254, MEXICO

Fax: +52 951 502 0530 (if a voice answers, ask "tono de fax, por favor")

E-mail: gobernador@oaxaca.gob.mx

Salutation: Señor Gobernador / Dear Governor

Attorney General of Oaxaca

Lic. Evencio Nicolás Martínez Ramírez
Procurador del Estado de Oaxaca
Avenida Luis Echeverría s/n, Col. La Experimental, San Antonio de la Cal, Oaxaca, Oaxaca 71236, MEXICO

Fax: +52 951 511 5519

Salutation: Dear Attorney/Estimado Procurador

COPIES TO:

President of the National Human Rights Commission

Dr. José Luis Soberanes Fernández
Presidente de la Comisión Nacional de Derechos Humanos (CNDH)
Periférico Sur 3469, 5º piso, Col. San Jerónimo Lídice, México D.F. 10200, MEXICO

Liga Mexicana por la Defensa de los Derechos Humanos

Calle Murguía 600, Col. Centro, Oaxaca, México, C.P. 68000 MEXICO

and to diplomatic representatives of Mexico accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 31 May 2007.