

PUBLIC

AI Index: AMR 41/022/2003

UA 143/03

Fear for safety/ fair trial

21 May 2003

MEXICO

Carlos Manzo (m)
Luis Alberto Marin (m)
Francisco de la Rosa (m)
Other members of the CCU

] Members of the *Consejo*
] *Ciudadano Unihidalguense* (CCU),
] Citizens' Council of Union Hidalgo

Members of the indigenous Zapotec Community of Union Hidalgo

Carlos Manzo, Luis Alberto Marin and Francisco de la Rosa, members of the indigenous Zapotec community Union Hidalgo, in the municipality of Juchitán, Oaxaca state, have been detained by the authorities. Amnesty International fears that they may be facing politically motivated charges and may not receive a fair trial.

In January 2003 the indigenous community association, the *Consejo Ciudadano Unihidalguense* (CCU), Citizens' Council of Union Hidalgo requested that the Oaxaca State Congress audit the accounts of municipal authorities. This followed allegations of fraud against the municipal president and other local administrators belonging to Oaxaca state's governing party, the *Partido Revolucionario Institucional* (PRI), Institutional Revolutionary Party.

On 13 February, when members of the state legislature failed to carry out the agreed audit, the CCU led a community protest to the Town Hall in Union Hidalgo. According to witnesses, the demonstrators were fired on by members of municipal police and other armed men reportedly acting on the orders of the municipal president. A member of the indigenous community, Manuel Salinas Santiago, was killed and nine others were wounded. The CCU reported the incident to the *Procuraduria General de Justicia del Estado* (PGJE), Oaxaca State Prosecutor, but no judicial action was taken against those responsible. The municipal president lodged an official complaint against members of the CCU for criminal damage.

On 26 April, Ausencia Rodriguez Orozoco and Romel Giovanni Matus were temporarily detained by municipal police and reportedly beaten. On 13 May, members of the community protested against municipal works being carried out in the neighbourhood of Manuel Salinas Santiago. Municipal police protecting the construction workers reportedly threatened community members and shots were fired, resulting in various injuries.

On 14 May, police detained Carlos Manzo in Union Hidalgo. On 15 May, Luis Alberto Marín was detained and reportedly beaten during a protest at the arrest of Carlos Manzo. Francisco de la Rosa was also detained later the same day. According to reports, the charges against the three men related to the events of 13 February and consist of robbery, kidnap (*privacion de la libertad*) and attempted murder. All three men are members of the CCU and it is believed these charges may be a politically motivated attempt to silence the organization's criticism of the municipal authorities.

Amnesty International is concerned that the apparently biased intervention of the authorities on behalf of the municipal president may lead to further violence in the community of Union Hidalgo, resulting in serious human rights violations.

BACKGROUND INFORMATION

Rural community conflicts are common in Mexico, particularly in states with a large number of indigenous communities such as Chiapas and Oaxaca. Divisions in indigenous communities are often exploited by local political forces in order to ensure that *caciques*, local political henchmen, control communities through legal political structures or informal power structures. State authorities have occasionally used security and judicial mechanisms to ensure that these *caciques* continue to control their communities. Amnesty International has

documented the failure to implement the law impartially, which further fuels such community conflicts and results in serious human rights violations.

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

- expressing concern at the detention of *Consejo Ciudadano Unionhidalgense* (CCU) members Carlos Manzo, Luis Alberto Marín and Francisco de la Rosa, in Union Hidalgo, Oaxaca state;
- calling on the state to guarantee that they will be treated humanely in detention;
- calling on the authorities to guarantee that any judicial process the men are subject to meets international fair trial stands, and that they will have the right to equality before the law;
- expressing concern at the apparent failure of the state to take impartial steps to prevent the escalating community conflict in Union Hidalgo, to ensure that all criminal complaints are investigated according to the law, and take steps to ensure the safety of all community members;
- calling on the authorities to carry out an impartial investigation into events in Union Hidalgo, including the detention and reported beating of Ausencia Rodriguez Orozoco and Romel Giovanni Matus on 26 April, to identify those responsible and bring them to justice.

APPEALS TO:

Governor of Oaxaca

Lic. José Murat Casab
Gobernador del Estado de Oaxaca
Palacio de Gobierno, Bustamante s/n, Oaxaca
Oaxaca 68000 México

Telegram: Governor of Oaxaca, Oaxaca, México
Fax: + 52 951 51 637 37
Salutation: Señor Gobernador / Dear Governor

Attorney General of Oaxaca

Lic. Sergio H. Santibáñez
Procurador del Estado de Oaxaca
Avenida Luis Echeverría s/n, La Experimental
San Antonio de la Cal, Oaxaca
Oaxaca 71236 México

Telegram: Attorney General of Oaxaca, Oaxaca, México
Fax: + 52 951 51 56 786 (if someone answers say “me da tono de fax por favor”)
Salutation: Dear Sir/ Señor Procurador

Human Rights Commission of Oaxaca

Dr. Sergio Segreste Rios
Presidente de la Comisión de Derechos
Humanos del Estado de Oaxaca
Calle de los Derechos Humanos No. 210
Col. América
68050, Oaxaca, México

Telegram: Human Rights Commission of Oaxaca, Oaxaca, México
Fax: + 52 951 51 35 197 (if someone answers say “me da tono de fax por favor”)
Salutation: Dear Sir/ Estimado Señor

COPIES TO:

Non-governmental Human Rights Organization

Centro de Derecho Humanos “Miguel Agustín Pro Juárez” AC
E-mail: prodh@social.org

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 3 July 2003.