

PUBLIC

AI Index: AMR 41/056/2003

27 November 2003

Further Information on UA 61/03 (AMR 41/009/2003, 4 March 2003) and follow-ups (AMR 41/017/2003, 1 April 2003, and AMR 41/021/2003, 7 May 2003) - Fear for safety/death threats

MEXICO Samuel Alfonso Castellanos Piñón (m), lawyer
Beatriz Casas Arellanes (f), lawyer
Others working with the Oaxaca Regional office of *Acción de los Cristianos para la Abolición de la Tortura* (ACAT), Christian Action for the Abolition of Torture
Carlos Cruz Mozo (m)] Members of the *Organización Indígena de Inocencio López Michel* (m)] *Derechos Humanos de Oaxaca* (OIDHO),
Oaxaca Indigenous Human Rights Organization
Other members of the OIDHO
Members of the *Comité de Derechos del Pueblo* (CODEP), Committee of the Rights of the People
Members of the *Coordinadora Oaxaqueña Magonista Popular Antineoliberal*, (COMPA), Oaxacan Magonista Popular Anti-neoliberal Organization

There have been renewed threats against lawyers Samuel Alfonso Castellanos Pinón and Beatriz Casas Arellanas and all those who are working on behalf of those accused of killing 26 indigenous people in Agua Fría, Oaxaca State in May 2002. Amnesty International is concerned for the safety of all those involved in the case.

On 24 November, an anonymous letter was delivered to the Oaxaca regional office of the organization *Acción de los Cristianos para la Abolición de la Tortura* (ACAT), Christian Office for the Abolition of Torture, where Samuel Alfonso Castellanos Pinón and Beatriz Casas Arellanas work. Samuel Alfonso Castellanos Pinón discovered the letter when he arrived at the office at 8am. The letter threatened that those working on the case, including members of ACAT and of the *Organización Indígena de Derechos Humanos de Oaxaca* (OIDHO), Oaxaca Indigenous Human Rights Organization should stop their defence of those accused of the killings, or they would face death.

All those named above have been threatened in a number of previous incidents of intimidation of those involved in the case. One earlier death threat had stated that the lives of the defence team would be in danger if those accused of the murders were released. To date, as a result of the work of the lawyers and others campaigning for the release of the detainees, a number of people have been released without charge. Others have been released on remand and decisions by the court on releasing the remaining detainees on remand are still pending.

Despite repeated requests to the authorities to fully investigate the threats and ensure those at risk are adequately protected, the threats have continued and those responsible remain at large. In August, an Amnesty International delegation met with local authorities to press for a more effective response to the threats against human rights defenders in the state.

BACKGROUND INFORMATION

The killing of 26 indigenous people in Agua Fría, Oaxaca State caused national outrage. Under intense pressure in the days that followed, the state authorities reportedly arbitrarily detained and tortured at least 26 members of neighbouring communities in connection with the murders. In October 2002 Samuel Alfonso Castellanos and Beatriz Casas Arellanes formally became defence lawyers to the accused.

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

- expressing serious concern for the safety of lawyers Samuel Alfonso Castellanos Piñón and Beatriz Casas Arellanes, and all those working on behalf of the accused in the Agua Fría case, after renewed threats against them;
- calling for immediate measures to be taken to guarantee their safety, in accordance with their wishes;
- asking the authorities to outline the steps taken so far to guarantee their safety and investigate the threats;
- calling for an immediate, full and impartial investigation into the new threat issued against those named above on 24 November, with the results to be made public and for those responsible to be brought to justice;
- reminding the authorities that the UN Declaration on the Rights and Responsibilities of Individuals, Groups and Institutions to Promote and Protect Universally Recognised Human Rights and Fundamental Liberties recognizes the legitimacy of the activities of human rights defenders and their right to carry out their activities without any restrictions or fear of reprisals and urging state and federal authorities to publicly condemn the threats and recognise the work of those involved.

APPEALS TO:

Minister of the Interior

Lic. Santiago Creel

Secretario de Gobernación

Secretaría de Gobernación

Bucareli 99, PISO 21, PH, Delegación Cuauhtémoc

México D.F., C.P.06600, Mexico

Telegrams: **Secretario de Gobernacion, Mexico D.F., Mexico**

Fax: **+ 52 5 55 093 3415/ 093 3414**

E-mail: santiagocreel@compuserve.com

Salutation: **Señor Secretario / Dear Minister**

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 51 155 19**

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:

Christian Action for the Abolition of Torture (ACAT)

ACAT México, Huatusco 21. Colonia Roma Sur, CP. 10200. México, DF.
Email: acat@att.net.mx

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 9 January 2004.