

PUBLIC

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EXTRA 81/99

Fear for safety / Arbitrary detention

2 July 1999

MEXICO

Israel Ochoa Lara - human rights lawyer

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A warrant has reportedly been issued for the arrest of human rights lawyer Israel Ochoa Lara. Amnesty International is concerned that were he to be detained his safety could be in jeopardy. The organisation also believes the order to detain Israel Ochoa could be politically motivated, and in the event of his detention would consider him to be a possible prisoner of conscience.

Amnesty International believes that the issuing of the arrest warrant could be politically motivated, related to his work defending Zapotec Indians, from the Loxicha region in Oaxaca state, who are currently in detention charged with political offences. In the last few months he has secured the acquittal of 29 Zapotecos.

The authorities have accused Israel Ochoa Lara of contravening article 232 of Mexico's Federal Penal Code which prohibits lawyers from representing two clients with conflicting interests. According to reports received by Amnesty International Israel Ochoa was representing two defendants in one case. However prior to the initiation of the legal proceedings one of the defendants dismissed him, thus undermining the basis of any possible claims of conflict.

Israel Ochoa has been the target of human rights abuses before. In September 1996 he was detained without a judicial order and tortured.

#### **BACKGROUND INFORMATION**

Zapotec indigenous Indians from the Loxicha region of Oaxaca state have been targeted by the security forces for the past few years for their presumed involvement with the armed opposition group *Ejército Popular Revolucionario* (EPR) Revolutionary Popular Army. Since June 1996 at least 130 Zapotecos have been held, principally in the penitentiary of Santa María de Ixcotel, Oaxaca State (see UA 297/97, AMR 41/83/97, September 1997 and UA 265/97, AMR 41/74/97, 11 August 1997 and follow-up).

Families and local human rights activists who have campaigned for the release of those in detention have themselves been the target of further human rights violations.

The EPR first appeared on 28 June 1996, the anniversary of the Aguas Blancas massacre in which 17 peasants were killed by the security forces, in Guerrero State. Since then the security forces and paramilitary groups have persistently subjected peasants and their leaders, in both the states of Guerrero and Oaxaca, to intimidation, arrest, torture, "disappearance" and extrajudicial execution, accusing individuals, organizations and members of the indigenous community of belonging to the EPR. A climate of systematic human rights abuses and impunity prevails in the region.

#### **RECOMMENDED ACTION: Please send telegrams/faxes/express/airmail letters in Spanish or your own language:**

- noting that an order for the arrest of Israel Ochoa Lara has been issued by a federal judge of the state of Oaxaca;
- expressing concern that the order to detain Israel Ochoa Lara could be politically motivated;
- stating that in the event of his detention Amnesty International would consider Israel Ochoa Lara to be a prisoner of conscience;
- urging the authorities to at all times and in all circumstances fully respect the fundamental rights of Israel Ochoa Lara, including that he not be tortured or ill-treated.

#### **APPEALS TO:**

Governor of Oaxaca

Lic. José Murat Casab  
Gobernador del Estado de Oaxaca  
Palacio de Gobierno, 68000 Oaxaca de Juárez, Oaxaca  
**Faxes:** + 951 5 50 77 / 6 37 37  
**e-mails:** gobernador@oaxaca.gob.mx  
**Salutation:** Sr Gobernador / Dear Governor

State Attorney General  
Lic. Jorge Eduardo Franco Jiménez  
Procurador General de Justicia del Estado de Oaxaca  
Avenida Luis Echeverría  
La Experimental  
San Antonio de la Cal  
Oaxaca 71236, Estado de Oaxaca  
MEXICO  
**Telegrams:** Procurador del Estado, Oaxaca, México  
**Faxes:** + 52 951 1 55 19  
**Salutation:** Sr. Procurador / Dear Attorney

**COPIES TO:**

Commission of Human Rights for Oaxaca State  
Dr. Evencio Nicolás Martínez  
Presidente de la Comisión de Derechos Humanos  
del Estado de Oaxaca  
**Tel/Fax:** + 52 951 52 252 (if voice, please say "me puede dar tono de fax por favor")

National Network of Civilian Human Rights Organisations  
Red Nacional de Organismos Civiles de Derechos Humanos  
Serapio Rendón No. 57-B, planta baja  
Col. San Rafael,  
06470, México D.F., 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 30 July 1999.