

PUBLIC

AI Index: AMR 41/059/2006

12 December 2006

Further Information on UA 322/06 (AMR 41/055/2006, 28 November 2006) – Fear of torture or ill-treatment/incommunicado detention

MEXICO

At least 149 people in detention

The authorities have brought serious criminal charges, reportedly including "terrorism", against 138 detainees held in a federal prison in Nayarit state. They were arrested during the 25 November demonstrations in Oaxaca. In many cases, those arrested were reportedly not involved in the protests or violence, but still face serious charges. Many detainees have reported being tortured or otherwise ill-treated as well as being denied adequate access to lawyers, family and medical attention. More than 200 people, three of whom are under 18, are reportedly in custody in Oaxaca state prisons and federal prisons as a result of the political conflict in Oaxaca.

The authorities had moved 141 detainees (34 of them women) 1200km to the San José del Rincon federal medium security prison in the state of Nayarit on 27 November. Many of the detainees had reportedly been badly beaten during and after their arrest, leaving many injured. However, they have reportedly received only very basic medical treatment.

The federal prison's remoteness from Oaxaca, and the excessive bureaucratic obstacles that prison authorities place on those seeking to visit detainees, including their families and lawyers, violates their right to access their families and effective legal defence. Families have complained of being refused entry and intimidated by prison officials. The detainees' lawyers were only able to see their case files after they were formally charged on 4 December.

Many of the detainees were reportedly not involved in the protests or violence, but were rounded up in mass arrests. Three soccer players were detained with a crowd of passers-by, and released on 27 November.

Amnesty International has received reports that there are at least 60 other people in detention in a high security federal prison and the Oaxacan prisons of Etna, Mihuatlan and Tlacolula, including three minors being held in a juvenile detention centre. Federal and state police reportedly continue to carry out arrests of some teachers on the basis of warrants issued related to alleged illegal acts carried out during the strike. Similarly leaders and supporters of the Popular Assembly of the People of Oaxaca (Asamblea Popular del Pueblo de Oaxaca, APPO) have been detained on the basis of arrest warrants issued by state court judges.

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

- calling on the authorities to ensure all those detained since the 25 November protests in Oaxaca are allowed immediate access to their families, adequate medical attention and legal counsel of their choice;
- expressing concern at reports that detainees have been tortured or otherwise ill-treated, and calling on the authorities to carry out immediate and impartial investigations into these allegations;
- expressing concern at reports that many of the detainees are facing charges that have no basis, and calling on the authorities to ensure that each of them is tried promptly and fairly according to international standards;
- calling for the investigation of all cases in which authorities are alleged to have fabricated evidence against detainees in order to secure their prosecution.

APPEALS TO:

President

Lic. Felipe Calderón Hinojosa
Presidente de los Estados Unidos Mexicanos
Residencia Oficial de "Los Pinos", Casa Miguel Alemán
Col. San Miguel Chapultepec
México D.F., C.P. 11850, MÉXICO
Fax: + 52 55 52772376
Salutation: Señor Presidente/Dear President Calderón

Minister of Public Security

Lic. Genaro García Luna
Secretario de Seguridad Pública, Secretaría de Seguridad Pública
Paseo de la Reforma No.364, piso 16
Colonia Juárez, Delegación Cuauhtémoc,
México DF. C.P. 06600, México
Fax: + 52 55 5241 8393
Salutation: Dear Minister/Estimado Secretario

Minister of the Interior

Lic. Francisco Ramírez Acuña
Secretario de Gobernación, Secretaría de Gobernación
Bucareli 99, 1er. piso, Col. Juárez, Delegación Cuauhtémoc,
México D.F., C.P.06600, MEXICO
Fax: + 52 55 5093 3414
Salutation: Dear Minister/Estimado Secretario

Governor of Oaxaca

Ulises Ruiz Ortiz
Gobernador del Estado de Oaxaca, Carretera Oaxaca - Puerto Angel, Km. 9.5
Santa María Coyotopec, C. P. 71254, Oaxaca, Oaxaca, MEXICO
Fax: + 52 951 511 6879 (if someone answers, say "me da tono de fax, por favor")
Salutation: Señor Gobernador/Dear Governor

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, MÉXICO
Fax: + 52 55 5681 7199
Salutation: Dear President / Estimado Presidente

COPIES TO:

President of the Oaxaca State Human Rights Commission

Dr. Jaime Pérez Jiménez
Presidente de la Comisión Estatal
Calle de los Derechos Humanos no. 210, Colonia América, C.P. 68050, Oaxaca, Oaxaca, México.
Fax: + 52 951 503 0220

Human rights organization in Oaxaca

Red Oaxaqueña de Derechos Humanos
Calle Crespo 524 Interior 4-E, Col. Centro, Oaxaca, Oaxaca, CP. 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 22 January 2007.