

PUBLIC

AI Index: AMR 41/006/2008

25 February 2008

Further Information on UA 155/07 (AMR 41/027/2007, 18 June 2007)- Fear for safety/Death threats

MEXICO Jesús Manuel Grijalva Mejia (m)] human rights lawyers
 Mayen Arellanes Cano (f)]

New names: Gilberto Hernández Santiago (m), human rights lawyer
 Alma Gómez Soto (f), human rights defender

On 22 February, human rights lawyers Jesús Manuel Grijalva and Gilberto Hernández Santiago received a written death threat. Two days later, human rights defender Alma Gómez Soto was harassed in her home by two unidentified women. These events are apparently in reprisal for their human rights work in Oaxaca. Amnesty International believes their lives may be in danger.

At around 4.15pm on 22 February, Jesús Grijalva arrived at his office in the centre of Oaxaca City. When he opened the door he saw an anonymous note on the floor. It stated: "Gilberto Hernández Santiago, Jesús Grijalva Mejía passed, you are looking for your death, go on, you are now warned. One lives in Crespo the other lives in the ISSSTE [sic], before the end of the month you are going to die" ("*GIBERTO HERNANDEZ SANTIAGO , JESUS GRIJALVA MEJIA PASADOS, SE ESTAN BUSCANDO LA MUERTE, SIGANLE, ESTAN ADVERTIDOS. UNO VIVE EN CRESPO EL OTRO VIVE EN EL ISSSTE, ANTES DE ESTE MES SE MUEREN LOS DOS*").

On 24 February, at around 6.30pm, two unidentified women came to Alma Gómez's home and said, "Marx and Lenin live here, don't they?" ("*que si ahí viven Marx and Lenin?*"). It is believed that this was intended to identify her as a "left-wing" activist, who the authorities have accused of seeking to undermine the state during protests in 2006. When Alma Gómez tried to close the door, the women tried unsuccessfully to force the door open.

Both Jesús Manuel Grijalva and Gilberto Hernández Santiago work with the *Comité de Liberación 25 de Noviembre* (Committee for the Liberation of Detainees of 25 November) and Alma Gómez is an active member of this organization. Both human rights lawyers and the *Comité de Liberación 25 de Noviembre* are pursuing a judicial complaint against federal and state authorities for alleged genocide and crimes against humanity, in connection with the serious human rights violations committed in Oaxaca since 2006. The *Comité de Liberación 25 de Noviembre* was established in the aftermath of the clashes between protesters and police on 25 November 2006, which resulted in the detention of 149 people, many of whom were not involved in the protests or violence. The members of the *Comité* provide legal assistance to and campaign on behalf of victims of the human rights violations that have been committed during the Oaxaca political crisis. Amnesty International has documented previous cases of harassment of human rights defenders in Oaxaca (see UA 334/06, AMR 41/060/2006, 15 December 2006 and follow-ups and UA 323/06, AMR 41/056/2006, 29 November 2006).

After the harassment and death threats that Jesús Manuel Grijalva and Mayen Arellanes experienced in April and June 2007, the Inter-American Commission on Human Rights ruled that the Mexican authorities must protect (*medidas cautelares*) them and other members of the *Comité de Liberación 25 de Noviembre*, but the state authorities only provided mobile phones.

There have been no further reports of threats against human rights lawyer Mayen Arellanes.

BACKGROUND INFORMATION

In June 2006, widespread protests erupted in the state of Oaxaca, led by the *Asamblea Popular del Pueblo de Oaxaca* (APPO), the Popular Assembly of the People of Oaxaca, in an unsuccessful campaign to force the state governor to resign. Political violence and demonstrations continued throughout the year. At least 18 civilians were reportedly killed during the conflict; at least 370 were injured and 349 were arrested. There were widespread reports of use of excessive force, arbitrary detention, torture and fabrication of criminal charges against protesters. On 16 July 2007 there were further violent clashes between police and protestors that resulted in more than 40 people detained and scores injured. Federal, state and municipal authorities responsible for abuses have not been held to account. Only in one case have five police officers been charged with criminal offences. While the political violence has declined, tensions remain high. Human rights organization continue to campaign for justice in relation to human rights violations

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

- calling for a thorough and impartial investigation into the death threat received by Jesús Manuel Grijalva and Gilberto Hernández Santiago on 22 February and the harassment suffered for Alma Gómez on 24 February, and for those responsible to be brought to justice;
- urging the authorities to ensure that they and other members of the *Comité de Liberación 25 de Noviembre* receive effective protection, in accordance with their wishes, in line with the ruling of the Inter-American Commission;
- reminding the authorities that human rights defenders have a right to carry out their activities without any restrictions or fear of reprisals, as set out in the UN Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognised Human Rights and Fundamental Freedoms.

APPEALS TO:

Minister of the Interior

Lic. Juan Camilo Mouriño Terrazo

Secretaría de Gobernación

Bucareli 99, 1er. piso, Col. Juárez, Del. Cuauhtémoc, México D.F., C.P.06600, MEXICO

Fax: (+52 55) 5093 3414

E-mail: secretario@segob.gob.mx

Salutation: Señor Secretario / Dear Minister

Governor of Oaxaca

Lic. Ulises Ruiz Ortiz

Gobernador del Estado de Oaxaca

Carretera Oaxaca-Puerto Angel, Km. 9.5, Santa María Coyotepec, Oaxaca C.P. 71254, Oaxaca, MEXICO

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

E-mail: gobernador@oaxaca.gob.mx

Salutation: Señor Gobernador / Dear Governor

State Attorney General of Oaxaca

Lic. Evencio Nicolás Martínez Ramírez

Procurador General de Justicia del Estado de Oaxaca

Avenida Luis Echeverría s/n, Col. La Experimental, San Antonio de la Cal, Oaxaca C.P. 71236, Oaxaca, MEXICO

Fax: +52 951 511 5519

Salutation: Dear Prosecutor/Estimado Procurador

COPIES TO:

President of the National Human Rights Commission

Dr. José Luis Soberanes Fernández, Presidente de la Comisión Nacional de Derechos Humanos, Periférico Sur 3469, 5º piso, Col. San Jerónimo Lídice, México D.F. 10200, 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 7 April 2008.