

PUBLIC

AI Index: AMR 41/017/2003

01 April 2003

Further Information on UA 61/03 (AMR 41/009/2003, 4 March 2003) - Fear for safety/Death threat

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

Further death threats have been issued against human rights activists and lawyers working on behalf of those accused of the killing of 26 indigenous people in Agua Fria in May 2002. Amnesty International remains seriously concerned for their safety.

On 31 March 2003, an anonymous death threat against Samuel Alfonso Castellanos Piñón and others acting on behalf of those accused of the Agua Fria killings was delivered to the regional office of *Acción de los Cristianos para la Abolición de la Tortura (ACAT)*, Christian Action for the Abolition of Torture, in Oaxaca City.

The death threat is said to be particularly aggressive in tone, and suggests that whoever delivered the letter knew the daily routines of the people working on the case. It warns that unless Samuel Alfonso Castellanos Piñón stops acting as defence lawyer on behalf of those accused of the Agua Fria murders, then he would be killed. The threat also refers to other people involved in the case.

This latest death threat follows another made along similar lines on 1 March 2003 against members of ACAT and the *Organización Indígena de Derechos Humanos de Oaxaca (OIDHO)*, Oaxaca Indigenous Human Rights Organization.

Investigations into the Agua Fria killings are reported to be approaching a critical stage. It is believed that these latest threats are intended to obstruct the work of the defence team.

BACKGROUND INFORMATION

In May 2002, the killing of 26 indigenous people in Agua Fria, Oaxaca State caused a national outrage. Under intense pressure in the days that followed, the state authorities detained without charge at least 26 individuals from neighbouring communities. In July 2002, ACAT members presented a visiting Amnesty International delegation with testimonies from those in detention in which they alleged that their confessions had been extracted under torture.

In October 2002, Samuel Alfonso Castellanos and Beatriz Casas Arellanes formally became defence lawyers to the accused. The lawyers challenged the detention and denounced the torture of the accused. As a result, 16 people have since been released on bail, while ten others remain on remand. On 24 February 2003, the remaining ten detainees were granted an appeal by the courts, after which Samuel Alfonso Castellanos made a number of statements to the press highlighting the irregularities and abuses in the proceedings and called for their release.

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

- expressing concern for the safety of Samuel Alfonso Castellanos Piñón, Beatriz Casas Arellanes, Carlos Cruz Mozo, Inocencio López Michel and other members of ACAT and OIDHO;
- calling for immediate measures to be taken to guarantee their safety in accordance with their wishes;
- calling for an immediate, full and impartial investigation into the threats and intimidation against all of those named above on 1 March and 31 March 2003;
- 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.

APPEALS TO:

Director of Human Rights - Interior Ministry
Maestro Ricardo Sepúlveda
Secretaría de Gobernación
Reforma 99, PISO 21, PH
Colonia Tabacalera
C.P. 06030
Mexico D.F. México

Telegram: Director of Human Rights ,
Interior Ministry, Mexico D.F.,
Mexico
Fax +52 (please try with or without
a 55 here and then dial) 51 28
02 34/ 02 24

Email: rsepulveda@segob.gob.mx
Salutation: Estimado Maestro/Dear Sir

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,
Mexico
Fax: +52 951 51 637 37
Salutation: Señor Gobernador / Dear
Governor

Attorney General of Oaxaca

Lic. Sergio H. Santibañez
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, Mexico
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

Telegrams: Human Rights Commission of
Oaxaca, Oaxaca, Mexico
Fax: +52 951 51 35 197 (if someone
answers say "me da tono de
fax por favor")

E-mail: cedohax@infosel.net.m

Salutation: Dear Sir/ Estimado Señor

COPIES TO:

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 13 May 2003.