

PUBLIC

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24 August 2006

UA 227/06 Fear for safety/use of excessive force/ fear of torture/ ill-treatment/ health concern

MEXICO **Members of the teachers' union *Sindicato Nacional de Trabajadores de la Educación* (SNTE), Oaxaca sector (magisterial)**  
**Members of the *Asamblea Popular del Pueblo de Oaxaca*, APPO (Popular Assembly of the People of Oaxaca)**

**Ramiro Aragón Pérez (m), biologist**  
**Germán Mendoza Nube (m), teacher**

**Killed: Lorenzo San Pablo Cervantes (m), civil servant and APPO supporter**

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Security forces have reportedly used excessive and disproportionate force against protestors in the state of Oaxaca. According to local sources, Lorenzo San Pablo Cervantes was shot and killed by security forces on 22 August. A number of others have been injured. Activists Ramiro Aragón Pérez and Germán Mendoza Nube are being detained and are at risk of torture or ill-treatment.

The violence in Oaxaca has further escalated since 21 and 22 August, when security forces and other unidentified armed individuals intervened to break up protests and pickets in Oaxaca City by supporters of the political group, the *Asamblea Popular del Pueblo de Oaxaca*, APPO (Popular Assembly of the People of Oaxaca), and striking teachers' union *Sindicato Nacional de Trabajadores de la Educación* (SNTE), Oaxaca sector (magisterial).

In the early hours of 21 August, a group of unidentified armed individuals, some of whom are allegedly members of the security forces, attacked a group of APPO supporters who were reportedly guarding the transmitter of local TV and radio station, *Canal 9*, which was taken over by protestors on 1 August. The unidentified individuals reportedly shot at APPO supporters, seriously injuring teacher Sergio Vale Jiménez in the leg. He is currently in hospital.

An operation to bring the protests under control was subsequently ordered by the state authorities. Many witnesses report seeing groups of police accompanied by unidentified armed individuals (some of whom were wearing balaclavas) firing guns indiscriminately into the air. Just after midnight on 22 August, members of the security forces allegedly attacked a picket at *La Ley 710*, one of the radio stations occupied by protestors. An APPO supporter, Lorenzo San Pablo Cervantes, was shot and later died from his injuries.

A number of people have been detained in relation to the protests. Many of those detained are reportedly leaders of local social or political organizations and Amnesty International fears their detention may be a reprisal for their legitimate protest activities.

On 10 August, activists and teachers Elionai Santiago Sánchez and Juan Gabriel Ríos and biologist Ramiro Aragón Pérez, were detained and beaten by unidentified individuals travelling in vehicles without number plates. According to reports, Elionai Santiago Sánchez was almost strangled and beaten in the abdomen, ribs and face by the assailants. The three were handed over to the Office of the Attorney General in Oaxaca where they were charged with illegal possession of firearms. Elionai Santiago Sánchez and Juan Gabriel Ríos were released on bail on 12 August, but Ramiro Aragón Pérez remains in detention in the prison of Zimatlán de Alvarez in Oaxaca state. Amnesty International fears he is at risk of torture or ill-treatment. All three claim that the charges against them are fabricated.

Another activist, Germán Mendoza Nube, was reportedly detained outside his home on 9 August by police officers in plain clothes. Germán Mendoza Nube uses a wheelchair, and suffers from diabetes and kidney failure, but was not permitted to take his wheelchair or dialysis equipment with him when he was detained. He is held in Miahuatlan prison in Oaxaca state, and Amnesty International is concerned that he may not have access to the medical care that he needs.

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

- calling on the authorities to ensure that the security forces are effectively commanded and controlled to act appropriately during protests, in accordance with the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials and the UN Code of Conduct for Law Enforcement Officials;
- expressing concern at the killing of Lorenzo San Pablo Cervantes, calling on the authorities to carry out an independent and impartial investigation into the killing and for those responsible to be brought to justice;
- calling for a prompt, full and impartial investigation into the reported torture and beating of Elionai Santiago Sánchez, Juan Gabriel Ríos and Ramiro Aragón Pérez, reminding the authorities their obligations to prohibit torture and ill-treatment under the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and to follow the UN Standard Minimum Rules for the Treatment of Prisoners;
- calling on the authorities to revise the charges levied against detained activists to ensure the evidence against them is adequately substantiated and founded;
- calling on the authorities to ensure Germán Mendoza Nube receives immediate medical attention

**APPEALS TO:**

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, ask "tono de fax, por favor")

**Salutation:** Señor Gobernador/Dear Governor

Attorney General of Oaxaca

Lic. Lizbeth Caña Calez

Procuradora del Estado de Oaxaca

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

**Fax:** + 52 951 511 5519

**Salutation:** Estimada Procuradora/Dear Attorney General

Federal Attorney General

Lic. Daniel Cabeza de Vaca

Procurador General de la República, Procuraduría General de la República

Reforma Cuauhtémoc esq. Violeta 75, Col. Guerrero, Delegación Cuauhtémoc

México D.F., C.P. 06 500, MEXICO

**Fax:** + 525 55 346 0983 (if a voice reply say: "me da tono de fax por favor")

**Salutation:** Dear Attorney General

**COPIES TO:**

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 5 October 2006.