

PUBLIC

AI Index: AMR 41/048/2006

20 October 2006

Further Information on UA 227/06 (AMR 41/041/2006, 24 August 2006) and follow-up (AMR 41/047/2006, 03 October 2006 - Fear for safety/use of excessive force/ fear of torture/ ill-treatment /Arbitrary detention)

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
Pedro García García (m), student
Abraham Martínez Alavez (m), former rector of Oaxaca University

Killed: **Alejandro García Hernández (m)**
Pánfilo Hernández (m), teacher

In recent days, the climate of violence in Oaxaca has further escalated, with two supporters of the Popular Assembly of the People of Oaxaca (*Asamblea Popular del Pueblo de Oaxaca*, APPO) shot and killed by gunmen and others injured. Amnesty International is concerned other protesters may experience similar attacks by unidentified gunmen. Negotiations between federal authorities, protestors and state authorities have not resulted in a political solution to the unrest. On 15 October the Mexican Senate refused to force the resignation of the Oaxaca State Governor, Ulises Ruiz, by rejecting the protestors' petition to dissolve the executive authority in the state of Oaxaca – the central demand of the APPO and the National Union of Education Workers (*Sindicato Nacional de Trabajadores de la Educación*, SNTE). There is continuing concern that federal and state police may seek to end the demonstration by use of excessive force against demonstrators, who remain in control of central Oaxaca.

During the early hours of 14 October, unidentified armed individuals got out of a van reportedly shouting "*Arriba Ulises!*" and shot several times in the direction of a group of people gathered around a barricade erected by protesters. Two people were injured and another man, Alejandro García Hernández, died from a gunshot wound in the head. According to testimonies, the attackers then drove away but one of them dropped a wallet as they fled. As a result, one of the attackers has reportedly been identified as a member of the Army. The State Public Prosecutor's Office is reportedly investigating.

On the evening of 18 October, as primary school teacher Pánfilo Hernández was leaving an APPO meeting, two unidentified individuals reportedly approached him and shot him twice point-blank in the abdomen. Pánfilo Hernández died a few hours later in the hospital.

Student Pedro García García was released on bail on 8 October after a week in detention in a prison in Tlacolula, Oaxaca State. The initial charges against him (carrying a gun and robbing a passer-by) were changed to a lesser offence (robbery). He denies the charge. Amnesty International believes that the charge may be fabricated and politically motivated. On his release, Pedro García García filed a complaint for torture. He was reportedly badly beaten and threatened with rape while in custody.

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

- calling on the authorities to ensure a full, prompt and impartial investigation into the reported torture of Pedro García García during his detention between 1 and 8 October in a prison in Tlacolula, Oaxaca State;
- calling for full, prompt and impartial investigations into the murder of Alejandro García Hernández and the injuries to other APPO supporters in the 14 October shooting incident in Oaxaca, which may have involved security officials, and the killing of Pánfilo Hernández on 18 October in Oaxaca;
- calling for a full enquiry into links between unidentified armed individuals responsible for these and other crimes and state officials, and for the findings to be made public;
- calling on the federal and state authorities to ensure the human rights of all protestors and residents of Oaxaca are respected, including the right to demonstrate peacefully and not to be arbitrarily detained or subject to threats, harassment or ill-treatment;
- urging the federal and state authorities to ensure that all measures taken to address the crisis in Oaxaca fully respect international human rights law and avoid taking action which may worsen the human rights situation.

APPEALS TO:

President of Mexico

Lic. Vicente Fox Quesada

Presidente de los Estados Unidos de México

Residencia Oficial de "Los Pinos", Col. San Miguel Chapultepec, México, D.F. Mexico

Fax: + 52 5 55 2 77 23 76

Salutation: Dear President/Estimado Presidente

Minister of the Interior

Lic. Carlos Abascal Carranza

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 de Gobernación

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 0908 (if a voice reply say: "me da tono de fax por favor")

Salutation: Dear Attorney General

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

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 1 December 2006.