

26 February 2002

Further information on UA 21/01 (AMR 41/005/2001, 26 January 2001) - Fear for safety

MEXICORaúl Gatica (m) indigenous rights defender

Members of the Popular Indigenous Council of Oaxaca "Ricardo Flores Magón"

New names: Reyna Pérez Hernández (f) human rights defender

Reyna Pérez Hernández, a member of the *Centro de Apoyo al Movimiento Popular Oaxaqueño*, Support Centre for the Oaxaca Popular Movement and member of the *Consejo Indígena Popular de Oaxaca "Ricardo Flores Magón"* (CIPO-RFM), "Ricardo Flores Magón" Popular Indigenous Council of Oaxaca, has reportedly received a death threat at her home in Oaxaca. Amnesty is concerned for her safety and that of her colleagues at CIPO-RFM who were mentioned in the death threat.

According to reports, on 19 February, Reyna Pérez arrived home to find that her house had been broken into and vandalised. There was a note left for her in which the following death threats were issued: "we have been watching you, this is only a warning".....one way or another we are going to get you" "*te hemos estado checando te cres muy madre la primera vez nadamas te isimos una advertencia....de una o de otra manera te vamos a poner en la madre.*"

The death threat also mentioned the CIPO-RFM: "we want the CIPO, but if we get you then we make sure they get it as well and if you want a kidnapping lets see how they get you out" "*Queremos al CIPO tu eres el pero te rompemos tu madre y ya checamos que el CIPO son unos vividores chinguen a su madre y si tu quieres un secuestro, a ver que tal se la sacan.*"

Raúl Gatica, head of the CIPO-RFM recently received death threats prior to Reyna Pérez. According to reports he received a letter from the municipal authorities stating that when they next saw him they would bury him alive. He was previously threatened in January 2001 by the Municipal President of Tenetze de Zaragoza, of the state governing party, Institutional Revolutionary Party, (PRI) *Partido Revolucionario Institucional*. This followed the illegal detention by the municipal authorities of 46 members and sympathizers of CIPO-RFM who were tortured in order to force them to sign a community agreement. Amnesty International wrote to the authorities expressing concern at the case, calling for the allegations of torture to be investigated and those responsible to be brought to justice. (See UA 21/01, AMR 41/005/2001, 26 January 2001 and UA 132/98, AMR 41/23/1998, 24 April 1998).

BACKGROUND INFORMATION

Human rights defenders and community activists are frequently the target of threats and harassment in Oaxaca State. Those responsible are usually never brought to justice.

Although the Law of Indigenous Customs, *Ley de Usos y Costumbres* was passed in Oaxaca state in 1998, indigenous people are often denied their rights in practice, fueling conflict within communities. At the local level of government, the ruling PRI is reported to play an important role in protecting those responsible for human rights violations, allowing perpetrators of to continue committing human rights violations with impunity.

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

- expressing concern for the safety of Reyna Pérez Hernández, Raúl Gatica and members of the Popular Indigenous Council of Oaxaca "Ricardo Flores Magón";
- asking the authorities to take the necessary measures to guarantee their safety;
- urging the authorities to carry out a prompt, impartial and thorough investigation into the threats received by Reyna Pérez Hernández and Raúl Gatica. The results of the investigation should be made public, and those responsible brought to justice;
- reminding the authorities that the Declaration on the Rights and Responsibilities of Individuals, Groups and Institutions to Promote and Protect Universally Recognised Human Rights and Fundamental Liberties, approved by the General Assembly of the United Nations on 9 December 1998, is a clear recognition of 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:

Governor of Oaxaca

Lic. José Murat Casab
 Gobernador del Estado de Oaxaca
 Palacio de Gobierno
 Bustamante s/n, Oaxaca
 Oaxaca 68000 MÉXICO

Telegrams: Gobernador del Estado de Oaxaca, Oaxaca, Mexico
 (+52 951) 516 3737

Faxes:

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: Procurador del Estado de Oaxaca, Oaxaca, Mexico
Fax: (+52 951) 511 5519

Salutation: Dear Attorney/ 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, Oax.
 MÉXICO

Telegram: Presidente de la Comisión de Derechos, Oaxaca, Mexico

Faxes: (+52 951) 513 5185/ 5197/ 5191 (please ask : "¿me da tono por favor?")

Salutation: Dear Attorney/ Señor Procurador

COPIES TO:

Human Rights Organisation

Red Oaxaqueña de Derechos Humanos (RODH)
 Privada la Canterita 114,

Col. San Felipe del Agua,
Oaxaca de Juárez, C.P. 68020
MEXICO

Fax: (+52 951) 516 4365 (please ask : "¿me da tono por favor?")

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 8 April 2002.